

FINANCIAL STATEMENT

IN THE ROYAL COURT OF GUERNSEY (Matrimonial Causes Division)

BETWEEN Name of Applicant/Party 1:

AND Name of Respondent/Party 2:

Please complete this statement fully and accurately. Where any box is not applicable write "N/A". You have a duty to the court to give a full, frank and clear disclosure of all your financial and other relevant circumstances.

A failure to give full and accurate disclosure may result in any order the court makes being set aside.

If you are found to have been deliberately untruthful, criminal proceedings for perjury may be taken against you.

You must attach documents to the form where they are specifically sought and you may attach any other documents where it is necessary to explain or clarify any of the information that you give.

Essential documents, which **must** accompany this statement, are detailed at questions 1.16, 2.1, 2.2, 2.3, 2.11, 2.13, 2.15, and 2.17.

If there is not enough room for any particular piece of information, you may continue on an attached sheet of paper.

When you have completed this form, you will need to take it to a person authorised to administer oaths or take sworn declarations in the place that you are, and to swear or affirm before that person that the facts stated in this form are true. The Court will generally accept a statement of truth sworn or affirmed:

(a) anywhere in the Bailiwick, before a notary public or Advocate of the Royal Court of Guernsey of 5 years' standing or more,

(b) in Guernsey, Herm or Jethou, before a Jurat of the Royal Court of Guernsey,

(c) in Alderney, before a Jurat of the Court of Alderney,

(d) in Sark, before the Seneschal,

(e) in a place outside the Bailiwick –

(i) before a person empowered to administer oaths or take sworn declarations in that place, or

(ii) in accordance with the rules in force in that place governing the swearing of statements of truth.

General Information

1.1 Full Name

1.2 Date of Birth

1.3 Date of Marriage

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1.4 Occupation

1.5 Date of separation (if not applicable please write N/A)

1.6 Date of the Divorce Application

1.7 Date of Provisional Order

1.8 Date of Final Order

1.9 If you have remarried, or will remarry, state the date.

1.10 Do you live with another person?

1.11 Do you intend to live with someone within the next 6 months?

1.12 Details of any children of the family

Full Name(s)	Date(s) of Birth	With whom does the child live?

1.13 Give details of the state of health of yourself and the children

Yourself	Children

1.14 Give details of the current and proposed educational arrangements for the children

Present arrangements	Proposed arrangements

1.15 Give details of any Financial Provision Orders made between the parties

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1.16 Give details of any order that is to be varied and attach a copy of the order. Give reasons for asking for this order to be varied.

1.17 Give details of any other court cases between you and your spouse, whether in relation to money, property, children or anything else.

1.18 Specify your present residence and the occupants of it and on what terms you occupy it (e.g. as tenant, owner-occupier).

Address	Occupants	Terms of Occupation

1.19 Are you an Established or Permanent Resident? If not is your property either Local Market or Open Market? If Local Market, please explain the terms under which you are entitled to occupy including details of any permits or certificates that you hold.

PART 2 – FINANCIAL DETAILS
SECTION 1: CAPITAL: REALISABLE ASSETS

2.1 Give details of your matrimonial home

Property name and address	Nature and extent of your interest	Estimated value of entire property

Mortgagees's name and address (Please <u>attach</u> a copy of most recent mortgage statement.)	Type of Mortgage	Balance outstanding on any mortgage	Total current value of your beneficial interest
1 st			
2 nd			
Other			

Net Value of your interest in the matrimonial home (A)

2.2 Give details of all other properties, land, and buildings in which you have an interest.

Property name(s) and Addresses	Nature and extent of your interest	Estimated Property Value (Please <u>attach</u> valuation if one has been obtained in last 6 months)
1.		
2.		
3.		

Mortgagees' Name(s) and Address(es)	Type of Mortgage	Balance outstanding on any Mortgage	Total current value of your interest
1.			
2			
3.			
			Total value of the above (n.b. not including the matrimonial home) (B1)

2.3 Give details of all bank, building society, and National Savings accounts, including online bank accounts, currency cards, and Co-operative Society dividend accounts, in credit, which you hold or have an interest in. For joint accounts, give your interest and the name of the account holder. You must attach the bank (etc) statements covering the last 12 months for each account listed.

Name of Bank or Building Society Account Including Branch Name	Type of Account	Account Number	Name of other Account Holder (if applicable)	Balance as at the date of the last statement	Total current value of your interest
1.					
2.					
3.					
4.					
5.					
					Total value of your interest in all accounts (B2)

2.4 Give details of all stocks, gilts and other quoted securities which you hold or have an interest in. Do not include dividend income as this will be dealt with separately, but include Premium Bonds.

Name	Type	Size	Current Value	Total Current value of your Interest

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Total Value of your Interest in all Holdings (B3)

2.5 Give details of all life insurance policies which you hold or in which you have an interest, including those that do not have a surrender value, for each policy.

Policy details including Name of company, policy type and number	If policy is charged state in whose favour and amount of charge.	Maturity Date D M	Surrender Value	Total current value of your interest

Total value of your interest in all policies (B4)

2.6 Give details of all monies which are OWED TO YOU, include sums owed in director's or partnership accounts.

Brief description of debt	Balance outstanding	Total current value of your interest

		TOTAL value of your interest in all debts owed to you (B5)

2.7 Give details of all cash (meaning bank notes) savings held in excess of £300. You must state where it is held and the currency it is held in.

Where held	Amount	Currency	Total current value of your interest
			TOTAL value of all your Cash (B6)

2.8 Give details of personal belongings individually worth more than £500 - include cars (gross value), collections, pictures, jewellery, furniture and household belongings. (This list is not exhaustive).

Item	Sale Value (which may not necessarily be the same as the purchase price)	Total estimated value of your interest
		TOTAL value of your interest in ALL personal belongings (B7)

2.9 Give details of any other realisable assets not yet mentioned, for example, unit trusts, investment trusts, commodities, and futures. (This list is not exhaustive).

Type	Current value	Total current value of your interest
		TOTAL value of your interest in ALL other realisable assets (B8)

Now add together all the figures in the previous total boxes (B1 to B8) to give the TOTAL current value of ALL your interest in realisable assets:

£

PART 2 FINANCIAL DETAILS CONTINUED
SECTION 2: CAPITAL: LIABILITIES

2.10 Give details of any liabilities you have. Exclude mortgages on property dealt with above. INCLUDE money owed on credit cards and store cards, bank loans, hire purchase agreements and any overdrawn bank or building society accounts.

Liability (i.e. total amount owed, current monthly payments and terms of loan or deb	Current Amount	Total value of your share of the liability
		TOTAL value of ALL your liabilities (C)

**Now take the liabilities total from the realisable assets (A + B – C) to give: -
TOTAL net value of your personal assets: (D)**

£

PART 2 - FINANCIAL DETAILS CONTINUED
SECTION 3: CAPITAL: BUSINESS ASSETS

2.11. Give details of all your business interests. You MUST attach a copy of the last two years accounts and any other document on which you base your valuation.

Name and nature of your business	Your estimate of the current Value of your Interest	Basis of Valuation	What is the extent of your interest	Total net current value of your interest

				TOTAL current value of your interest in business interests (E)

2.12 List any directorships you hold or have held in the last 12 months

PART 2 – FINANCIAL DETAILS CONTINUED
SECTION 4– CAPITAL: PENSIONS

2.13 Give details of your pension interests. If you have been provided with a valuation of your pension rights by the trustees or managers of the pension scheme you must attach it. Where the information is not available, give the estimated date when it will be available and attach the letter to the pension company or administrator from whom the information was sought. If you have more than one pension plan or scheme, you must provide the information in respect of each one, continuing, if necessary on a separate piece of paper. If you have made any additional Voluntary Contribution or any Free Standing Additional Contributions to any plan or scheme, you must give the information separately if the benefits referable to such contributions are recorded or paid. If you have more than one pension scheme you should reproduce the information for each scheme.

Information about the scheme

Name and address of plan or policy	
Number of scheme, plan or policy	
Type of scheme, plan or policy (e.g. final salary, money purchase or other)	

CETV – Cash equivalent transfer value

CETV value	
The lump sum payable on death in service before retirement	
The lump sum payable on death in deferment before retirement	
The lump sum payable on death after retirement	

Retirement Benefits

Earliest date when benefit can be paid	
The estimated lump sum and monthly pension payable on retirement, assuming you take the maximum lump sum.	
The estimated monthly pension without taking any lump sum	

Spouse's Benefit

On death in service	
On death in deferment	
On death in retirement	

Dependant's Benefit

On death in service	
On death in deferment	

On death in retirement

TOTAL value of your pension assets (F)

£

PART 2 – FINANCIAL DETAILS CONTINUED
SECTION 5: CAPITAL: OTHER ASSETS

2.14 Give details of any other assets not listed above. Include the following (this list is not exhaustive):

- Unrealisable assets.
- Share Option Scheme, stating the estimated net sale proceeds of the shares if options were capable of exercise now.
- Trust Interests, stating your estimate of the value of the interest and when it is to become realisable. If you say that it will never be realisable, or has no value, give your reasons
- Specify also any asset that is likely to be received in the foreseeable future, any assets held on your behalf by a third party and any assets not mentioned elsewhere in this form held outside the Bailiwick of Guernsey.

Type of Asset	Value	Total net value of your interest
		TOTAL value of your other assets (G)

TOTAL value of your net assets (excluding pensions)(D+E+G) (H)

£

TOTAL value of your net assets (including pensions) (H+F) (I)

£

PART 2 –FINANCIAL DETAILS CONTINUED

SECTION 6:INCOME

2.15 Earned Income. Give details of your gross and net income in the last two financial years, and in the current financial year.

You must attach your last 3 payslips AND the payslip for December of the last calendar year.

Nature of income (e.g. salary, bonus)	Last financial year		Current financial year (estimated for the whole year)	
	Gross	Net	Gross	Net

2.16 Additional Income: benefits etc. Give details and the value of all benefits in kind, perks, or other remuneration not disclosed elsewhere, received in the last financial year and current financial year. This includes bonuses, holidays, car allowances, petrol allowances and travel allowances.

Nature of Income	Last financial year	Current financial year (estimated the whole year)

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2.17 Self-employed or partnership income: Give details of annual net profit or loss for the last two accounting years, your share of this figure and tax payable to date of the last accounts and the estimate of income since that date. State the date on which your accounting year begins. Year 2 should be the most recent year, year 1 the previous year. Please state the “from” and “to” dates concerned.

You MUST attach the accounts for the last two completed accounting years.

Nature of income and date your accounting year begins.	Details of the last two accounting periods					
	Net profit/loss		Your share of profit/loss		Tax payable by you	
	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2
Net income SINCE Date of last accounts and Estimate for the whole year	Net Income	Estimate				

2.18 Investment Income (e.g. dividends, interest) Give details of net income received in the last financial year, and in the current financial year and state whether it was paid gross or net of income tax. You are not required to calculate any tax payable that may arise.

Nature of Income and the asset from which it is derived	Paid gross or net (delete that which is not applicable)	Last financial year	Current financial year
	Gross/Net		

2.19 State benefits (including state pension) Give details of all state benefits received in the last 52 weeks.

Nature of Income	Total income received in the last 52 weeks

2.20 Any other income. Give details of all and any other income received from any source, whether directly or indirectly, in the last 52 weeks.

Nature of Income	Total Income for the last 52 weeks

Summaries of Part 2: Financial Details

2.21 Summary of your income

Your estimate of your current annual net income from all sources (2.15 – 2.20)	Your estimate of your net income from all sources for the next 52 weeks
£	£ (J)

2.22 Summary of financial information

	Reference of the Section on this Statement	Value
Net value of your interest in the matrimonial home	(A)	£
Total current value of all your interest in the other realisable assets	(B)	£
Total net value of your liabilities	(C)	£
Total net value of your personal assets	(D)	£
Total current value of your interest in business assets	(E)	£
Total current value of your pension or transfer value	(F)	£
Total value of your other assets	(G)	£
Total value of your net assets (excluding pension)	(H)	£
Total value of your net assets (including pension)	(I)	£
Total estimated net income for the next 52 weeks	(J)	£

PART 3 : SECTION 1 REQUIREMENTS
INCOME NEEDS

3.1 Give the reasonable future needs of yourself (e.g. housing, car, etc) and of any children living with you, or provided for by you. This may be expressed as annual, monthly, or weekly figures (state which), but you should NOT use a combination of any of these periods.

Item	Income needs of yourself	Amount
	Sub - total	

Item	Income needs of child(ren) living with you or provided for by you	Amount
	Sub - total	

TOTAL income needs

PART 3: SECTION 2 REQUIREMENTS
CAPITAL REQUIREMENTS

Item	Capital needs of yourself	Cost
	Sub-total	

Item	Capital needs of child(ren) living with you, or provided for by you	Cost
	Sub-total	
	TOTAL capital needs	

Part 4: Other information

4.1 Please state whether there has been any significant change in your net assets during the last 12 months. Include any assets held outside the Bailiwick of Guernsey (e.g. closure of any bank or building society accounts)

4.2 Give brief details of the standard of living enjoyed by you and your spouse during the marriage.

4.3 Are there any particular contributions to the family property and assets or outgoings, or to family life, that have been made by you, your partner or anyone else that you think should be taken into account? If so, give a brief description of the contribution, the amount, when it was made, and by whom.

4.4 Give details of any other circumstances which you consider could significantly affect the extent of the financial provision to be made by you or for any child of the family e.g. earning capacity, disability, inheritance prospects or redundancy, remarriage and cohabitation plans, any contingent liabilities. (This list is not exhaustive).

4.5 If you have remarried (or intend to) or are living with another person (or intend to), give brief details, so far as they are known to you, of his or her income and assets.

Annual Income		Assets	
Nature of Income	Value (state whether gross or net, if known)	Item	Value (if known)
Total		Total	

Part 5 : Orders Sought

5.1 If you are able to at this stage, specify what kind of orders you are asking the court to make, and state whether at this stage you see the case being appropriate for a “clean break”. (A “clean break” means a settlement or order which provides amongst other things, that neither you nor your spouse will have any further claim against the income or capital of the other party. A clean break does not terminate the responsibility of a parent for a child).

5.2 **If you are seeking a vesting order or variation of a trust, you must identify the asset or trust in question.

5.3 ** If you are seeking a variation of a pre-nuptial or post-nuptial settlement, you must identify the settlement, by whom it was made, its trustees and beneficiaries, and state why you allege it is a nuptial settlement. Please attach a copy of the relevant document(s).

**** IMPORTANT NOTE: Where 5.2, 5.3 (above) or 5.4 (overleaf) apply, you should seek legal advice before completing the sections.**

5.4 If you are seeking an order in relation to a disposition which has already taken place, you must identify the property or asset to which the application relates and the person or body in whose favour the disposition is alleged to have been made.**

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a sworn statement of truth without an honest belief in its truth.

I Swear and promise on the faith and truth that I owe to God/Affirm that the information given above is a full, frank, clear and accurate disclosure of my financial and other relevant circumstances.

Signed

Dated

Sworn/Affirmed by the above named (Applicant)(Joint Applicant)(Respondent) at

On

Before me

A person authorised to administer oaths