

## What are the differences between a prenuptial (pre-civil partnership) agreement and a cohabitation agreement?

If you and your partner are living together with no intention of getting married or entering into a civil partnership in the near future, you might consider entering into a cohabitation agreement.

However, if you are planning to do either soon, or you are engaged, or actively planning your wedding or civil partnership, you should consider entering into a prenuptial or pre-civil partnership (or pre-registration agreement) agreement. It is vital you understand that **there are specific timeframes in which a prenuptial agreement can be made prior to marriage/civil partnership** and, therefore, you should act sooner rather than later. Both agreements are available to unmarried couples or those not in a civil partnership but there are a few key differences.

A cohabitation agreement tends to be more flexible and decides on what happens to your assets if the relationship breaks down, including who owns what and in what proportion, making it clear how all property should be dealt with.

If you enter into a cohabitation agreement you should seek legal advice before marriage or civil partnership.

A prenuptial, or pre-civil partnership agreement, is entered into before a marriage or civil partnership takes place and you must be planning it and know when it is going to take place. This agreement decides on what will happen to your finances if the marriage breaks down. It is used when you want something different to what you would be entitled to by law once you are married or civil partners; for example, to protect assets owned prior to the marriage.

Our highly experienced family lawyers are experts in this field and have helped many couples setting up home, or already living together, to draw up agreements that are tailored to their own individual needs. Please do contact us for further advice and information.