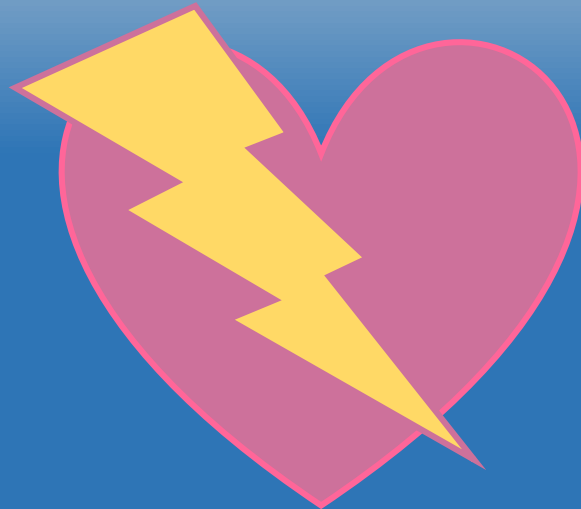


Having  
problems in  
your Marriage?



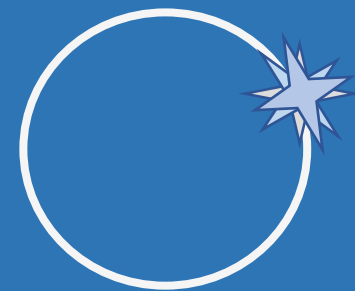
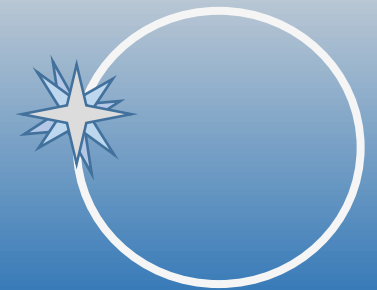
# Pre-nup

Gibraltar's laws now allow for Pre-nups to be recognised by Court, called financial agreements. It is therefore advisable for you to consider entering into a financial agreement before you get married or even once you have married.



# Separation Agreement

Very often parties have not entered into a pre-nup before getting married or during the marriage. If this is the case you can enter into an amicable separation agreement where you decide the terms of the agreement including who the children will reside with, contact with the children, maintenance and the division of any matrimonial assets.



# Divorce

In order to get divorced in Gibraltar one of the parties to the marriage must be resident in Gibraltar for at least 12 months before petitioning for divorce.

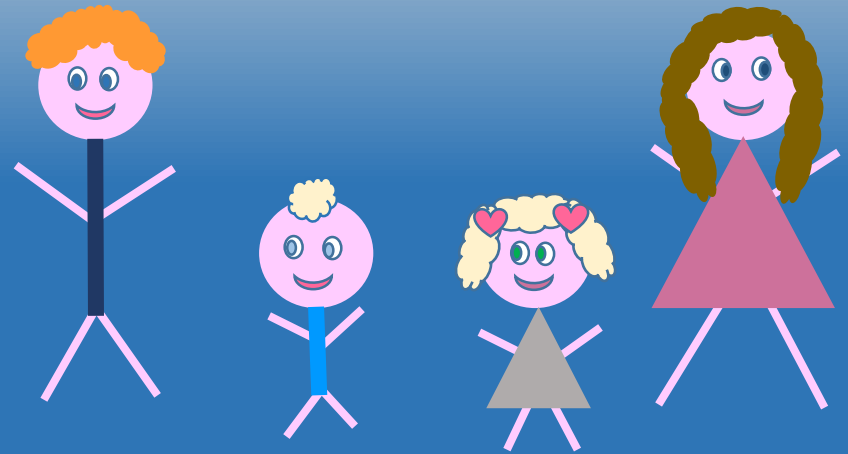
There are various grounds on which parties can get divorced, such as:-

- 3 year separation
- 2 year separation with consent
- Unreasonable behaviour
- Adultery
- Desertion/abandonment



# Maintenance and Contact with the Children

It is advisable for parties to try to agree on contact with the children and maintenance prior to making an application to Court. In the event that parties cannot agree on contact or maintenance an application will be made to Court for the Judge to decide. Full disclosure of all income and assets must be provided by the parties when making an application for maintenance.



# How long does the whole process take?



A separation agreement can be drafted very quickly, as soon as the parties are agreed on the terms.

The process of divorce is usually longer as an application has to be made to Court, the other party has to be served with the documents and the parties must then attend a hearing in Court. Once this has been done the Court will set the matter down for a decree nisi hearing (which you do not have to attend). 6 weeks after the decree nisi hearing, you can apply for the decree to be made absolute, which is the final divorce.

If there are other issues involved such as an application for maintenance or transfer of the property acquired during the marriage, the hearing concerning these financial issues will be adjourned to another date, where you will have to appear before the Court again. This does not normally prevent the divorce from going ahead.

# Contact Us

Attias & Levy is one of the leading law firms in Gibraltar. We have a dedicated team who attend to your every need and ensure that all transactions are carried out quickly and efficiently.

First Floor Suites

39 Irish Town

Gibraltar

Tel: (350) 20072150

Fax: (350) 20074986

Email: [attlev@gibraltar.gi](mailto:attlev@gibraltar.gi)

