

AFFIDAVIT OF SPOUSAL STATUS OR INTEREST

7654-00/03
Prince Edward Island

CANADA
PROVINCE OF
PRINCE EDWARD ISLAND

IN THE MATTER OF THE *FAMILY LAW*
ACT, being Statutes of Prince Edward
Island, 1995, Chapter 12, as amended

and

IN THE MATTER of the Registry Act,
being Revised Statutes of Prince Edward
Island, 1988, Chapter R-10, as amended

I, _____, of _____, in _____
County, Province of Prince Edward Island,

MAKE OATH AND SAY AS FOLLOWS:

- 1. **THAT** I am of the full age of eighteen (18) years.
- 2. **THAT** I am a resident of Canada within the meaning of the *Income Tax Act* (Canada).
- 3. **THAT** for the purpose of this Affidavit:
 - a) "spouse" means either of a man or woman who:
 - i) are married to each other
 - ii) have together entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under the *Family Law Act*, S.P.E.I. 1995, c. 12; and
 - b) "family home" means every property in which a married person has an interest and that is or, if the spouses are living separate and apart, was at the time of separation ordinarily occupied by the person and his or her spouse as their "family residence".
- 4. **THAT** the property that I am disposing of or encumbering in the annexed Instrument is not now the subject of a Court Order, interim or otherwise, made pursuant to the *Family Law Act*, S.P.E.I. 1995 c. 12..
- 5. **THAT** I was not a spouse at the time of making the disposition or encumbrance as described in the annexed Instrument.
- 6. **THAT** I am a spouse not living separate and apart from my spouse and that the property which I am disposing of or encumbering as described in the annexed Instrument was not occupied by me and my spouse as our family residence.
- 7. **THAT** I am a spouse and am living separate and apart from my spouse and that the property which I am disposing of or encumbering as described in the annexed Instrument was not occupied by me and my spouse as our family residence at the time of our separation.
- 8. **THAT** I am a spouse and the property which I am disposing of or encumbering in the annexed Instrument is not designated as a family home but my spouse and I have designated another property as a family home which designation is registered and not cancelled.
- 9. **THAT** I am a spouse but that my spouse has, by written separation agreement, released all interest in the property which I am disposing of or encumbering as described in the annexed Instrument.

SWORN TO before me at the City of

_____, in
_____ County, Province of
Prince Edward Island, this _____ day of
_____, _____, A.D.

A Commissioner for taking Affidavits in the Supreme Court
