Pre-nuptial and Cohabitation Agreement issues

Negotiating

* Meeting

Mechanics of Agreement

* Applicability pre-marriage and post-marriage. Convert equity into exemptions?
* What property is separate (land, pre-marriage property, gifts, inheritances, specific asset(s), exchanges, proceeds, all)?
* Truly separate, or 50/50 unless registered/purchased separately?
* Early inheritances?
* Parts invalid if children?

Property

* Businesses
* Stored eggs/sperm/embryos (address storage costs and retention).

Separation

* Notice period to leave land?
* Forced sale of land, option to purchase, accept offers within 10%?
* Spousal support on separation? Or none if within x years?
* Business interests?
* CPP credits?
* Joint property/debts?

Death

* Considered separation event?
* Life estate after death?
* Estate bequests on death?
* Longer notice period to leave land?
* Monthly payment to estate?
* Support on death?

Enforceability

* Disclosure
* Will