

Statement of information for a consent order in relation to a financial remedy

Name of court

Case no.

Name of applicant

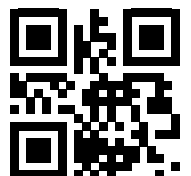
Name of respondent

If you're filling in this form by hand, use **BLOCK CAPITAL LETTERS** and tick boxes that apply.

Parties are encouraged to fill in one joint form unless there is a good reason not to do so.

However, you may complete separate forms if you wish. If you do so, both parties must confirm they have read the contents of each form at questions 23 and 24. If you have a good reason not to complete one joint form, please set this out here.

HMCTS USE ONLY



Are you filling in your own separate D81 form rather than a joint one?

Note: You may wish to consider taking legal advice/seek legal assistance when completing this form.

Yes. Give reasons why

No. This is being submitted as a joint form.

Details of the marriage/civil partnership

1. On what date did you get married or form a civil partnership?

Day Month Year

If earlier than the date of the marriage/civil partnership, shown above, on what date did you start to live together permanently'?

Day Month Year

2. On what date did you separate?

Day Month Year

3. On what date did the court grant your decree nisi/conditional order of divorce/dissolution/nullity or (judicial) separation decree/order?

Question 3: Set out the date on which the Court granted:

Decree nisi/conditional order – this is the document that states that the Court does not see any reason why you cannot divorce

Decree of nullity /nullity of marriage/nullity order – this is the document where the Court declares the marriage void or voidable

(Judicial) Separation – this is the document where the Court sanctions a formal separation.

If you do not have any of these the court cannot make a consent order unless it is

- for 'interim maintenance' as described at Note 4 below, in which case you should indicate this at Q4, or
- a final order which varies an existing periodical payments order, or
- a final order for child maintenance

Day Month Year

4. Is the consent order for interim maintenance?

Question 4: Interim maintenance means an order for maintenance pending suit (or outcome in a civil partnership case), interim periodical payments or an interim variation of an order for periodical payments.

Yes

No

5. Has the decree absolute/final order of divorce/dissolution/nullity been granted?

Question 5: A decree absolute/final order is the document that records the end of a marriage or civil partnership.

Yes, it was granted on

Day Month Year

No, it has not yet been granted

Dates of birth of the parties and any relevant child(ren)

6. What are the dates of birth of the

Question 6: A relevant child (or the child of the family) is a child of both of the parties or a child who has been treated by both of those parties as a child of their family.

Applicant

Day Month Year

Respondent

Day Month Year

Please give the names and dates of birth of any child(ren) of the family aged under 18 or any other child(ren) dependent on the family. If there are more than 4 children of the family please continue on a separate sheet.

Child 1

Full name

Day Month Year

Child 2

Full name

Day Month Year

Child 3

Full name

Day

Month

Year

Child 4

Full name

Day

Month

Year

Financial agreements

7. How was the proposed consent order, attached to this form, reached?

Discussion between parties

Negotiations through solicitors

Out-of-court dispute resolution

(for example, mediation, negotiation or other collaborative process)

Other (use the box below to explain)

Current capital and income

The information in this section should, so far as possible, be correct at the time the statement is signed.

The information should therefore be stated **before** implementation of the proposed consent order.

If the application is made only for an order for interim maintenance, please go to **question 9 (net income)**.

Capital

Please give the following information for each party and the child(ren) (if applicable). Use additional sheets if necessary. If you have more than two properties, write their value (after deducting any mortgage) and address on a separate sheet.

Jointly owned capital should be divided in accordance with the shares in which such capital is currently held and listed below. If no agreement has been reached regarding the shares in which such capital is held, it should be divided equally.

Give details of any additional pensions on a separate sheet.

8. Money and property

	Type of capital	Applicant	Respondent	Child(ren) (If applicable)
A	Property 1 Value (after deducting any mortgage(s)). Give address below:	£	£	£
	Property 2 Value (after deducting any mortgage(s)). Give address below:	£	£	£
B	Other capital, such as money in bank accounts, savings, investments, ISAs etc.	£	£	£

C	Gross capital total (A plus B)	£	£	£
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D	Liabilities (excluding mortgage(s) deducted at A) e.g. loans, overdrafts and credit card debts	£	£	£
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	Type of capital	Applicant	Respondent	Child(ren) (If applicable)
E	Net capital total (excluding pensions and Pension Protection Fund compensation) (C minus D)	£	£	£

F	Pensions valuation (cash equivalent) (See question 12)	£	£	£
G	PPF compensation valuation	£	£	£

H	Total capital (E + F + G)	£	£	£
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Notes

If necessary, set out here any explanations relating to the above table.

Guidance for completing table 9

- 9.A** If you are employed take the figure from your most recent payslip. If you are self-employed you need to calculate the monthly average from the figures on your most recent HMRC tax statement.
- 9.B** In this section, most state benefits are tax-free (see <https://www.gov.uk/income-tax/taxfree-and-taxable-state-benefits> for a full list).
- 9.F** Add the total of all income in each column.
- 9.G** If one party is paying child support or maintenance, subtract the amount from their column (showing a minus sign) and add this to the column of the person receiving the payment.

Example:

Applicant	Respondent	Child(ren)
+£500	–£500	N/A

- 9.H** See **9.G**'s example for spousal maintenance between parties. It is presented in the same way.
- 9.I** Add up the total value of each column in **9.G** and **9.H**.

Example:

	Applicant	Respondent
G	+£500	–£500
H	+£350	–£350
I (Sub-total)	+£850	–£850

- 9.J** Please state any child support or maintenance received from a person who is not party to the proceedings e.g., a former spouse or partner and whether paid under a formal agreement or an informal arrangement.
- 9.K** Please state any child support or maintenance made by either party to a person or child who is not party to the proceedings e.g., former spouse or partner. Please show a 'minus' sign from the payer's column.

9.L Calculate the total value of **9.J + 9.K**. Remember that **9.K** will be a negative figure.

9.M Add up the values you have calculated in **9.F, 9.I** and **9.L**.

Net Income

9. Please calculate total net monthly income from all sources using the tables below.

	Income	Applicant	Respondent	Child(ren) (If applicable)
A	Earned income after tax and NI contributions have been paid	£	£	£
B	State Benefits (including child benefit)	£	£	£
C	Pension income and Pension Protection Fund (PPF) compensation payments	£	£	£
D	Interest from bank accounts	£	£	£
E	Other sources of income (e.g. trust fund income, investment income)	£	£	£

F	Sub-Total (A + B + C + D + E)	£	£	£
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	Income	Applicant	Respondent	Child(ren) (If applicable)
G	Child support/child maintenance paid between the parties (add the payment to the recipient's column and - by showing a minus figure - deduct the payment in the payer's column)	£	£	£
H	Spousal maintenance paid between the parties (add the payment to the recipient's column and - by showing a minus figure - deduct the payment in the payer's column).	£	£	£

I	Sub-Total (G + H)	£	£	£
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J	Child support/child maintenance payments received from a person who is not a party in these proceedings (e.g. a former spouse or partner) by the applicant, respondent and/or the child(ren) if applicable)	£	£	£
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	Income	Applicant	Respondent	Child(ren) (If applicable)
K	Child support/ child maintenance/ spousal maintenance payments made by either party to any person who is not a party in these proceedings (e.g. a former spouse or partner or child whose other parent is not a party to these proceedings, and whether paid under a formal agreement or an informal arrangement). This figure should be deducted from the payer's column by showing a minus figure	£	£	£

L	Sub-total (J + K)	£	£	£
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M	Grand Total (F + I + L)	£	£	£
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Capital and income after the implementation of proposed order

This section needs to show the impact of the proposed order on the capital and income. Use additional sheets if necessary.

If you wish, you can include a net effect calculation from a spreadsheet on an additional sheet showing the financial outcome of the consent order.

Tables at 10 and 11 must show what the capital and income position would be if the proposed consent order is made.

If the application is made only for an order for interim maintenance, please go to **question 11 (net income)**.

10. Money and property

	Type of capital	Applicant	Respondent	Child(ren) (If applicable)
A	Property 1 Value (after deducting any mortgage(s)). Give address below:	£	£	£
	Property 2 Value (after deducting any mortgage(s)). Give address below:	£	£	£

	Type of capital	Applicant	Respondent	Child(ren) (If applicable)
B	Other capital, such as money in bank accounts, savings, investments, ISAs etc.	£	£	£

C	Gross capital total (A plus B)	£	£	£
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D	Liabilities (excluding mortgage(s) deducted at A) e.g. loans, overdrafts and credit card debts	£	£	£
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E	Net capital total (excluding pensions and Pension Protection Fund compensation) (C minus D)	£	£	£
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F	Pensions valuation (cash equivalent) (See question 12)	£	£	£
G	PPF compensation valuation	£	£	£

H	Total capital and pensions (E + F + G)	£	£	£
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Guidance for completing table 11

11.A If you are employed take the figure from your most recent payslip. If you are self-employed you need to calculate the monthly average from the figures on your most recent HMRC tax statement.

11.B In this section, most state benefits are tax-free (see <https://www.gov.uk/income-tax/taxfree-and-taxable-state-benefits> for a full list).

11.F Add up the total of all income in each column.

11.G If one party is paying child support or maintenance, subtract the amount from their column (showing a minus sign) and add this to the person receiving the payment. (See below)

Example:

Applicant	Respondent	Child(ren)
+£500	–£500	N/A

11.H See **11.G**'s example for guidance on spousal maintenance between parties.

11.I Deduct/Add any additional payments from **11.G** and **11.H**.

Example:

	Applicant	Respondent	Child(ren)
G	+£500	–£500	N/A
H	+£350	–£350	
I (Sub-total)	+£850	–£850	

11.J Please state any child support or maintenance received from a person who is not party to the proceedings e.g. a former spouse or partner and whether paid under a formal agreement or an informal arrangement.

11.K Please state any child support or maintenance made by either party to a person or child who is not party to the proceedings e.g., former spouse or partner. Please use a 'minus' sign in the payer's column.

11.L Calculate the total value of **11.J + 11.K**. Remember that **11.K** will be a negative figure.

11.M Add up the values you have calculated in **11.F**, **11.I** and **11.L**.

Net Income

11. Please calculate total net monthly income from all sources using the tables below.

	Income	Applicant	Respondent	Child(ren) (If applicable)
A	Earned income after tax and NI contributions and other compulsory deductions have been paid	£	£	£
B	State Benefits (including child benefit)	£	£	£
C	Pension income and Pension Protection Fund (PPF) compensation payments	£	£	£
D	Interest from bank accounts	£	£	£
E	Other sources of income (e.g. trust fund income, investment income)	£	£	£
F	Sub-Total (A + B + C + D + E)	£	£	£

	Income	Applicant	Respondent	Child(ren) (If applicable)
G	Child support/child maintenance paid between the parties (add the payment to the recipient's column and - by showing a minus figure - deduct the payment in the payer's column)	£	£	£
H	Spousal maintenance paid between the parties (add the payment to the recipient's column and - by showing a minus figure - deduct the payment in the payer's column).	£	£	£

I	Sub-Total (G + H)	£	£	£
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J	Child support/child maintenance payments received from a person who is not a party in these proceedings (e.g. a former spouse or partner) by the applicant, respondent and/or the child(ren) if applicable)	£	£	£
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	Income	Applicant	Respondent	Child(ren) (If applicable)
K	Child support/ child maintenance/ spousal maintenance payments made by either party to any person who is not a party in these proceedings (e.g. a former spouse or partner or child whose other parent is not a party to these proceedings, and whether paid under a formal agreement or an informal arrangement). This figure should be deducted from the payer's column by showing a minus figure	£	£	£

L	Sub-total (J + K)	£	£	£
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M	Grand Total (F + I + L)	£	£	£
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- 12.** Are there any other matters relating to the proposed consent order that the court should consider?

Question 12: For example, medical conditions, change of employment, any significant change in circumstances, or an agreement already reached between you (e.g. a pre-nuptial agreement, a post-nuptial agreement or a separation agreement).

If you have a pension valuation which is different from the cash equivalent value set out at Questions 8 and 10 at Row F, please set it out here. If your state pension is not in payment set out brief details here of your expected entitlement.

Yes, there are

No

- 13.** Please explain concisely the main reasons for your proposed consent order's division of assets (e.g. meeting a particular housing or other need, dividing assets equally, dividing assets unequally for a particular reason or making an assessment of higher or lower earning capacity)

Question 13: If your proposed consent order offsets pension assets against capital assets, please explain briefly how the offsetting agreement has been reached.

Offsetting means that one party keeps all or part of their pension in exchange for the other party keeping or receiving other non-pension assets.

- 14.** If maintenance claims would be dismissed by the proposed consent order (i.e. there is to be a clean break), explain briefly how each party will support themselves.

- 15.** Tell us where you, your spouse and children (if applicable) will live, and the basis on which each property will be occupied (e.g. owner, tenant etc.). If the children live with both parties give their primary address or state in the 'Address' column below if they live equally with both parties.

	Address	Basis of occupation of property
Applicant		
Respondent		
Child's name		
Child's name		
Child's name		
Child's name		

16. New relationships

Please tick the appropriate box below.

Applicant

I have no intention, at present, to remarry/enter into a new civil partnership or cohabit

I am in a cohabiting relationship

I remarried/formed a civil partnership on

Day Month Year

I intend to remarry/form a civil partnership. If you have a date please give it below

Day Month Year

I intend to cohabit

Respondent

I have no intention, at present, to remarry/enter into a new civil partnership or cohabit

I am in a cohabiting relationship

I remarried/formed a civil partnership on

Day Month Year

I intend to remarry/form a civil partnership.
If you have a date please give it below

Day Month Year

I intend to cohabit

Notice to mortgage provider

17 Do the terms of the consent order provide for a transfer of property?

Yes, **go to question 17.1**

No, **go to question 18**

17.1 Have the mortgage provider(s) (if any) of the property been served with notice of the application?

Yes

No

17.2 Has any objection to a transfer of property been made by any mortgage provider, within 14 days of the date when the notice of the application was served?

Yes

No

Pension Orders

18. Are you applying for a pension order?

Question 18: This section should be answered by the applicant where the terms of the order include a pension sharing order or a PPF compensation sharing order. If you have no pension, or there is no pension sharing order or a

PPF compensation sharing order, please tick 'No' and go to question 23.

Yes

No, **go to question 23**

Notice to pension arrangement/PPF Board (pension attachment)

The question below is to be answered by the applicant where the terms of the order include provision for a pension attachment order and/or a PPF compensation attachment order.

- 19.** Has notice been served on every person responsible for any pension arrangement under Rules 9.33(1) or 9.34, and/or the PPF Board under 9.42 or 9.43 of the Family Procedure Rules 2010?

Question 19: This section should be answered by the applicant where the terms of order include a Pension attachment order and/or a PPF pension compensation attachment order.

If notice has been served on every person responsible for the pension arrangement under Rule 9.33(1) or 9.34 and/or the PPF Board under 9.42 or 9.43 of the Family Procedure Rules 2010, then tick 'Yes'.

(See https://www.justice.gov.uk/courts/procedure-rules/family/parts/part_09).

Yes

No

The question below need only be answered by the applicant where the terms of the order include provision for a pension attachment order.

- 20.** Has any objection to an attachment order been made by the person responsible for pension arrangements within 21 days of the date when the notice of application was served?

Yes

No

Pension sharing or PPF compensation sharing

(For pension sharing only)

- 21.** Has the pension arrangement provided the information required by Regulation 4 of the Pensions on Divorce etc. (Provision of Information) Regulations 2000?

Question 21: The pension arrangement should provide information as required by Regulation 4 of the Pensions on Divorce etc. (Provision of Information) Regulation 2000 (see <https://www.legislation.gov.uk/cy/uksi/2000/1048/regulation/4/made> for the regulation)

If it does, please tick 'Yes'. If not, tick 'No'.

Yes

No

- 21.1** Does it appear from that information that there is power to make an order including provision under section 24B of the Matrimonial Causes Act 1973 or under paragraph 15 of Schedule 5 to the Civil Partnership Act 2004 (Pension Sharing)?

Yes

No

(For PPF compensation sharing only)

- 22.** Has the PPF Board provided the information required by Regulation 5 of The Pension Protection Fund (Pension Compensation Sharing and Attachment on Divorce etc.) Regulations 2011?

Yes

No

(For PPF compensation sharing only)

- 22.1** Does it appear from that information that there is power to make an order for compensation sharing?

Yes

No

Proposed consent order

Important

It is important that the proposed consent order is as clear as possible. When drafting your proposed consent order, you are strongly recommended to use the Standard Orders Volume 1 (Financial and Enforcement Orders) which can be accessed at www.judiciary.uk/guidance-and-resources/message-from-mr-justice-mostyn-amendments-to-standard-orders/

23. Applicant's full name

I confirm that I have read the completed statement of information for a consent order from the respondent.

Signed

Date

Day Month Year

24. Respondent's full name

I confirm that I have read the completed statement of information for a consent order from the applicant.

Signed

Date

Day Month Year

Applicant's statement of truth

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 statement of truth without an honest belief in its truth.

I believe that the facts stated in this Statement of Information for a consent order are true and I have made full disclosure of all relevant facts.

The applicant believes that the facts stated in this Statement of Information for a consent order are true. **I am authorised** by the applicant to sign this statement.

Signature

Applicant

Litigation friend

Solicitor

Date

Day

Month

Year

Full name

Name of applicant's solicitor's firm

If signing on behalf of firm or company give position or office held

Respondent's statement of truth

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 statement of truth without an honest belief in its truth.

I believe that the facts stated in this Statement of Information for a consent order are true and I have made full disclosure of all relevant facts.

The respondent believes that the facts stated in this Statement of Information for a consent order are true. **I am authorised** by the respondent to sign this statement.

Signature

Respondent

Litigation friend

Solicitor

Date

Day

Month

Year

Full name

Name of respondent's solicitor's firm

If signing on behalf of firm or company give position or office held

What to return with your completed form D81

All D81 forms must be accompanied by:

- A completed Form A application, unless either party has previously sent a completed Form A to the court when making an application for a financial order;
- The consent order; and
- If appropriate, attach any pension sharing/attachment annex or compensation sharing to the form.

Where to send your completed forms

For litigants in person

You must post all the documents listed above to:

HMCTS Financial Remedy Service
PO Box 12746
Harlow
CM20 9QZ

For solicitors

The online Financial Remedy consent orders service is available once you are registered with 'My HMCTS' to use the service via MyHMCTSSupport@Justice.gov.uk.

<https://www.gov.uk/government/publications/myhmcts-how-to-use-online-financial-remedy-services>

You will make the Form A application via the portal and you will be able to upload the consent order, D81 and, if appropriate, any pension sharing/attachment annex or pension compensation sharing annex.

For any further enquiries please contact

ContactFinancialRemedy@justice.gov.uk