

FORM 132 (RULE 60 (25))

No.

..... Registry

In the Supreme Court of British Columbia

Between

, Plaintiff(s)

and

, Defendant(s)

AFFIDAVIT

I,[*name in full*]....., of[*address*],
MAKE OATH AND SAY:

- 1. I am the plaintiff [*or defendant*].
- 2. There is no possibility of reconciliation between the defendant spouse and me.
- 3. I verily believe that the facts alleged in the Statement of Claim [*or counterclaim*] are true.
- 4. Repealed. [B.C. Reg. 83/2002, Sch. s. 10 (a).]
- 5. The certificate of marriage or certified copy of the registration of marriage filed in this family law proceeding fully and correctly describes the true particulars of my marriage.

OR

It is impossible to obtain a certificate of marriage or a certified copy of the registration of marriage and instead I refer to the affidavit of, duly sworn and filed in this family law proceeding, in accordance with section 52 (1) of the *Evidence Act*.

- 6. (a) [*To be used if the grounds for divorce are separation for more than one year.*]

I was living separate and apart from the defendant spouse [*or plaintiff spouse*] at the commencement of this family law proceeding, and I have lived separate and apart from the defendant spouse [*or plaintiff spouse*] since [*date*] ; except:

- (b) [*To be used if the grounds for divorce are the adultery of a spouse.*]

The defendant spouse [*or plaintiff spouse*] has admitted to me that he/she committed the acts of adultery alleged in the Statement of Claim [*or counterclaim*] and as corroboration I will refer to the affidavit(s) of duly sworn and filed in this family law proceeding [*or, I refer to the transcript of the Examination for Discovery of marked Exhibit "A" to this affidavit*] [*or, I refer to the interrogatories of, etc.*] [*or, I refer to the depositions of, etc.*].

OR

I have no personal knowledge of the acts of adultery alleged in the Statement of Claim [*or counterclaim*] and in proof of the adultery committed by the defendant spouse [*or plaintiff spouse*] I refer to the affidavits of and duly sworn and filed in this proceeding [*or, I refer to the transcript of the Examination for Discovery of marked Exhibit "A" to this affidavit*] [*or, I refer to the depositions of, etc.*].

(c) *[To be used if the grounds for divorce are physical or mental cruelty of a spouse.]*
 The facts alleged in the Statement of Claim *[or counterclaim]* as particulars of the physical or mental cruelty with which I have been treated since the celebration of the marriage are true; and *[particularize any other evidence relied on]*.

7. (a) I am neither directly nor indirectly a party to an agreement or conspiracy for the purpose of subverting the administration of justice, or to any agreement, understanding or arrangement to fabricate or suppress evidence or to deceive the court.
- (b) *[To be used if the grounds for divorce are the adultery or physical or mental cruelty of a spouse.]*

I have not condoned the conduct of my spouse that is alleged as the grounds for divorce in that I have not forgiven my spouse for that conduct, nor have I encouraged or acquiesced in that conduct.

8. There are no children of the marriage as defined by the *Divorce Act* (Canada).

OR

The following are the children of the marriage:

Name	Age	Birth Date
.....
.....

9. *[To be completed if there are children of the marriage.]*

- (a) I have sworn and attach a Child Support Affidavit in Form 133, and
 (b) the following arrangements have been made for custody of and access to the children:
[provide particulars].

SWORN BEFORE ME at the City of)
)
 in the Province of British Columbia)
 on *[date]*)
)
)
)
)

A commissioner for taking)
 affidavits in British Columbia)