



**STATUTORY DECLARATION**

**In the Matter of Section 14A (3) (b) of the Nursing Homes Support Scheme Act 2009.**

**(Application for appointment of family successor: farm or relevant business)**

This statutory declaration must be completed by the **Care Representative/Attorney appointed under an Enduring Power of Attorney/Committee of Ward of Court/ a person appointed by law to act on behalf of the relevant person** (the applicant) as part of the conditions for approval of the 3-year cap in respect of specified assets under the Nursing Homes Support Scheme Act 2009 (as amended).

I, \_\_\_\_\_ of, \_\_\_\_\_

in the City/County of \_\_\_\_\_

aged eighteen years and upwards do **SOLEMNLY AND SINCERELY DECLARE** as follows:

1. I am the Care Representative/Attorney appointed under an Enduring Power of Attorney/Committee of Ward of Court/ a person appointed by law to act on behalf \* of \_\_\_\_\_ (“the relevant person”) and I make this declaration pursuant to section 14A of the Nursing Homes Support Scheme Act, 2009 (as amended) (“the 2009 Act”).

2. The relevant person, or that person’s partner falls into one or more of the following categories –<sup>1</sup>

- (i) the relevant person has an interest in a farm,
- (ii) the relevant person has an interest in a relevant business,
- (iii) the relevant person had an interest in a farm which is a transferred asset, or
- (iv) the relevant person had an interest in a relevant business which is a transferred asset,

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and I am duly authorised to make this declaration on behalf of the relevant person.

3. The asset(s) in respect of which this declaration relates is/are:

\_\_\_\_\_  
*(hereinafter called “the specified asset”).*

4. The name of the family successor I wish to appoint in respect of this declaration is:

\_\_\_\_\_

5. The relationship of the family successor to me (the relevant Person in Care) is:

\_\_\_\_\_  
*(Relates to the person entitled to be appointed to act as family successor as per list provided on NHSS application form)*

<sup>1</sup> Tick appropriate box

6. In relation to the specified asset, for a period of 3 years (which period need not be continuous) during the period of 5 years ending with the day on which the relevant person, began to receive care services, a substantial part of the working time of –<sup>2</sup>
- (i) the relevant person,
  - (ii) the person specified in the application as the family successor,
  - (iii) a person appointed as a family successor in respect of the relevant person,
  - (iv) a person who meets the condition under section 14A (3) (a) of the 2009 Act and is specified in any other application made by the relevant person under section 14A of the 2009 Act which has not been refused under section 14A(2)(b) of the 2009 Act, or
  - (v) the relevant person’s partner,
- was regularly and consistently applied to running the family asset.

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7. I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1938.

**Signature of Declarant:** \_\_\_\_\_

<sup>2</sup>Tick appropriate box

**DECLARED** before me

\_\_\_\_\_ (name in capitals) a (notary public) (commissioner for oaths) (peace commissioner) (practicing solicitor) by

\_\_\_\_\_ (name of declarant)

- (1) who is known to me
- (2) who has been identified to me by

\_\_\_\_\_ who is personally known to me

- (3) who has identified himself/herself to me by reference to his/her passport/driver’s licence bearing serial number \_\_\_\_\_.

this \_\_\_\_ day of \_\_\_\_\_ 202\_\_.

at \_\_\_\_\_  
in the City/County of \_\_\_\_\_.

\_\_\_\_\_  
PRACTISING SOLICITOR/  
COMMISSIONER FOR OATHS/  
PEACE COMMISSIONER/  
NOTARY PUBLIC

\_\_\_\_\_  
\*delete as appropriate