# **Pro Forma F Our Will Instructions - Couple**

## **Strictly Private & Confidential**

#### **Section 1. Executor**

Is this a Mutual Will?	□ No □ Yes				
To administer my Estate, I wish to appoint:					
Will Maker 1 – As Initial Executor/Trustee:	Will Maker 2– As Initial Executor/Trustee:				
☐ MY SPOUSE	☐ MY SPOUSE				
(OR)	(OR)				
FIRSTLY	FIRSTLY				
Full Name:					
Address:					
Contact:					
Contact	Oomaat				
And Then – As Additional/Substitute* Executor/T'ee	: And Then – As Additional/Substitute* Executor/T'ee:				
Full Name:					
Address:	Address:				
Contact:	Contact:				
And Then – As Additional/Substitute* Executor/T'ee	: And Then – As Additional/Substitute* Executor/T'ee:				
Full Name:	Full Name:				
Address:	Address:				
Contact:	Contact:				
And Then – As Additional/Substitute* Executor/T'ee	: And Then – As Additional/Substitute* Executor/T'ee:				
Full Name:	Full Name:				
Address:					
Contact:	Contact:				
* Delete one. Cross out if not needed.	* Delete one. Cross out if not needed.				
How my Executors are to act					
I wish my Executors to act:	I wish my Executors to act:				
Jointly (together) □ No □ Yes	Jointly (together) □ No □ Yes				
Successively □ No □ Yes	Successively □ No □ Yes				
(e.g. Executor 1 to act, but if he/she is unable, then	(e.g. Executor 1 to act, but if he/she is unable, then				
Executor 2 and Executor 3 to act)	Executor 2 and Executor 3 to act)				
Instructions:	Instructions:				
<b>Note</b> : Co-Executors must act jointly. You must be able to trust them individually to act co-operatively in the					
	act independently of the other. Disputing Executors can				
cause delays and add considerably to Estate adminis					
· · · · · · · · · · · · · · · · · · ·					
INDEPENDENT EXECUTOR/TRUSTEE	□ NOT APPLICABLE				
	tity to act as Executor/Trustee of your Estate? (whether				
on their own or as a Co-Executor/Trustee with any of yo Will Maker 1	Will Maker 2				
□ No □ Yes □ Not Sure	□ No □ Yes □ Not Sure				
	Details:				

Section 2. Distribution of Estate – Specific Gifts/Bequests

**NOT APPLICABLE** 

Will Maker 1 Asset		Benefic	Beneficiary/ies – Full Name + address		
					\$ \$ \$
Will Maker 2 Asset	Benefic	Beneficiary/ies – Full Name + address			
					\$ \$ \$
you wish to include a	any specific co	onditions in I	relation to any	gift left under you	r Will to a beneficia
<b>Will Maker 1</b> □ No □ Yes □ No □ Petails:	Not Sure			er 2 □ Yes □ Not Su	
Section 3. Life Inter	a life interest (		ary right of res		
Section 3. Life Inter o you wish to provide a operty upon your deat	a life interest ( h?	or a tempor		sidence) to any pe	NOT APPLICABL rson in any of your No □ Yes □ Not S
Section 3. Life Inter o you wish to provide a operty upon your deat Property Beneficiary/ies Ferms eg. who is responsible f	a life interest ( h? Will Maker 1	or a tempor	es □ Not Sure	sidence) to any pe	rson in any of your
Section 3. Life Inter o you wish to provide a operty upon your deat roperty eneficiary/ies erms eg. who is responsible f aying rates and insurar.	a life interest ( h? Will Maker 1	(or a tempor	es □ Not Sure	sidence) to any pe	rson in any of your
Section 3. Life Interest of you wish to provide a operty upon your deat Property Beneficiary/ies  Ferms Feg. who is responsible for a ying rates and insurant property and insurant property and insurant provides and insurant property and insurant provides and insur	a life interest ( h? Will Maker 1	(or a tempor	es □ Not Sure	sidence) to any pe	rson in any of your

Section 4. Guardians for Children			NOT A	PPLICABLE
Do you wish to appoint one or more Guardians for chithe age of 18 years?	ildren under □ No		□ Yes	□ Not Sure
(Bear in mind that the Guardian is not necessarily the person who decides who is best placed to have the day-to-day care, and that				
If Yes,				
Child Name: Guardian Name: Address: Contact:				
Child Name: Guardian Name: Address: Contact:				
Child Name: Guardian Name: Address: Contact:				
Comments, Requests or Instructions:				
Section 5. Minor Beneficiaries  Legal adult age is 18 years. Because of the young person people impose restrictive conditions on a young beneficiary  Inheritance is not paid until an older age, such as 2 Inheritance is paid by instalments, e.g. 20% at age  Do you wish to impose special conditions which over-ride that 18 years of age?  Will Maker 1  No Yes Not Sure  Details:	v's right to their inherital 25 18, 20% at age 21, 60° he right of a beneficiary  Will Maker 2  □ No □ Yes □ Details:	nce, s % at a ' to re  Not s	ey or vulner such as: age 25. ceive their	inheritance
Section 6. Special Needs or Vulnerable Bene Would you like to protect or favour a beneficiary due to the age (elderly parents) health, disability including mental illne problems (drugs, alcohol or gambling), bankruptcy, or othe  Will Maker 1  No Yes Not Sure  Details:	ir vulnerable or persona ess, inability to manage	Not S	umstances onal affairs Sure	, addiction
Section 7. Forgiveness of Loans/Debt			NOT A	PPLICABLE

□ No □ Yes □ Not Sure	Will Maker 2 □ N/A □ Yes □ Not Sure □ N/A
lf Yes, do you wish to adjust any dist	ribution made to that person under your Will accordingly?
Will Maker 1  ☐ No ☐ Yes ☐ Not Sure  Details:	
Section 8. Pets	□ NOT APPLICABLE
o you wish to make provision for any pet  Will Maker 1  No Yes Not Sure Instructions:	Will Maker 2  □ No □ Yes □ Not Sure
Section 9. Charity/ies as Benefic	ciary NOT APPLICABLE s as a Beneficiary, you must contact the charity to obtain the correct
ame and address and the appropriate be	
Will Maker 1 Name of Charity: Address:	Will Maker 2 Name of Charity: Address:
Name of Obsuits	
Name of Charity: Address:	Name of Charity: Address:
•	
Address: Details:	Address:
Address:  Details:  NOTE: Gift of a specific asset (other that Section 10. Testamentary Trust	Address:  Details:  un cash) to a charity may trigger a CGT liability for the Estate
Address:  Details:  NOTE: Gift of a specific asset (other that Section 10. Testamentary Trust)  NOT APPLICABLE	Address:  Details:  un cash) to a charity may trigger a CGT liability for the Estate
Address:  Details:  NOTE: Gift of a specific asset (other that section 10. Testamentary Trustant NOT APPLICABLE  Do you wish to leave assets on for your beneficiaries?	Address: Details:  In cash) to a charity may trigger a CGT liability for the Estate  /s  In a separate Testamentary Trust
Address:  Details:  NOTE: Gift of a specific asset (other that Section 10. Testamentary Trustant NOT APPLICABLE  Do you wish to leave assets on for your beneficiaries?  If Yes, do you wish to leave asset for all your beneficiaries or SEF for each beneficiary?  Do you wish to appoint any ind (e.g. a Trustee Company) to accompany to accompany.	Address: Details:  In cash) to a charity may trigger a CGT liability for the Estate  Is a separate Testamentary Trust Details:  In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamentary Trust Details: In a separate Testamenta
Details:  NOTE: Gift of a specific asset (other that Section 10. Testamentary Trustant NOT APPLICABLE  • Do you wish to leave assets on for your beneficiaries?  • If Yes, do you wish to leave assets or all your beneficiaries or SEF for each beneficiaries or SEF for each beneficiary?  • Do you wish to appoint any ind (e.g. a Trustee Company) to accompany to accompany of the Testamentary Trust (when (Appointor) with any of your farm tother trustee: For ease, your Executor/sepolicitor, or trusted friend, and/or an inde	Address: Details:  In cash) to a charity may trigger a CGT liability for the Estate  If some a separate Testamentary Trust  In a separate Trust  In a sepa

TRUST 1			
Trust Fund		 	
Trustees	-	 	 
Substitute Trustee:		 	 
Beneficiaries:	-	 	 
Deficiolaries.		 	
	-	 	
Appointor:			
Substitute Appointor:			
Bequest/Assets to TT:		 	
TDUCT 0			
TRUST 2 Trust Fund			
Trustees		 	
Tructoco			
Substitute Trustee:			
Beneficiaries:			
Appointor:		 	 
Substitute Appointor:		 	 
Paguant/Annata to TT:		 	 
Bequest/Assets to TT:	=	 	 
TRUST 3			
Trust Fund			
Trustees			
Substitute Trustee:		 	 
Beneficiaries:		 	
Appointor:			
Substitute Appointor:		 	
Cabolitate Appointor.			
Bequest/Assets to TT:			
'			
TRUST 4			
Trust Fund		 	
Trustees	-	 	 
Substitute Trustee:		 	 
Beneficiaries:		 	
Deficilolatics.			
Appointor:			
Substitute Appointor:		 	 
Bequest/Assets to TT:		 	 
Additional Details:			
Auditional Details.			

#### Section 11. Residue

The rest (residue) of my Estate is to be distributed as follows (it is safer and clearer to name specific beneficiaries rather than a class of beneficiaries such as "all my children")

### EITHER A - Simple Gifting:

Wi	II Maker 1	□ No □ Yes □ Not S	Sure	Will Ma	iker 2	□ No	□ Yes	□ Not Su	ıre
2. 3. 4	then to my c then ½ to my	pouse to my children hildren's children / siblings and ½ to my spouse, (Insert Names/Details)		<ol> <li>then</li> <li>then</li> <li>then</li> </ol>	to my Spou equally to u to my child ½ to my sil ngs OR (Ins	my childre Iren's chile blings and	dren d ½ to my		artner's
OR	<u>B</u> - As set o	ut below:							
Wi	II Maker 1	□ No □ Yes □ Not	Sure	Will Ma	ıker 2	□No	☐ Yes	□ Not S	ure
A.	Firstly, to: [Ir	nsert Full Name/s and Address	[6] 	A. First	tly, to: [Inse	rt Full Nai	me/s and	Address]	
В.		n/s in A do not survive, then to	:		ne person/s			then to:	
	[Insert Full	Name/ and Address]		[Ins	sert Full Nar	me/s and 	Address		
		ns in A and B do not survive m	e, then		e persons ir Insert Full N				then
OR	<u>C</u> – As set o	out below:							
		Will Maker 1 □ No □Yes □	Not Sure	%	Will Make	e <b>r 2</b> □ No	□ Yes□	Not Sure	%
Ве	neficiary 1								
Ве	neficiary 2								
Ве	neficiary 3								
Ве	neficiary 4								
Ве	neficiary 5								
Ве	neficiary 6								
Ве	neficiary 7								
Ве	neficiary 8			4000/					4000/
				100%					100%

#### **RESIDUE NOTES:**

	<u>ENT</u> . If non-resident, CGT (capital gains tax) may bayment of the CGT – the Beneficiary or the Estate
B. Are Estate debts to be paid from the residue?	
Will Maker 1 □ No □ Yes □ Not Sure	Will Maker 2 ☐ No ☐ Yes ☐ Not Sure
If No, what assets should the debts be paid from?	If No, what assets should the debts be paid from?
	ou wish to distribute that Beneficiary's entitlements
Equally to the children of that Beneficiary?	
Will Maker 1 □ No □ Yes □ Not Sure	Will Maker 2 □ No □ Yes □ Not Sure
OR • Equally amongst the remaining Beneficiari	es?
Will Maker 1 □ No □ Yes □ Not Sure	Will Maker 2 □ No □ Yes □ Not Sure
OR If No, do you wish to nominate substitute Ben  Will Maker 1 □ No □ Yes □ Not Sure	-
Will Maker 1 □ No □ Yes □ Not Sure Substitute Beneficiary/ies	Will Maker 2 □ No □ Yes □ Not Sure  Substitute Beneficiary/ies
Substitute Deficition yries	Substitute Deficition lyries
<ol> <li>Ultimate Beneficiary/ies</li> <li>If no child or other descendent survives you to in be distributed? This may include extended famil</li> </ol>	nherit your assets, how do you wish your assets to ly, friends or organisations, including charities?
Will Maker 1	Will Maker 2
Section 12. Family Provision Application (FI lote: You must provide for the 3 classes of potential ependents. There is potential for a FPA if any potential, receives a nominal bequest only, or receives a class of potential FPA claimants.	FPA claimants - your spouse, children and ntial claimant is entirely disentitled under the
☐ Are any potential FPA claimants not being ad	equately provided for?
Will Maker 1 □ No □ Yes □ Not Sure	Will Maker 2 □ No □ Yes □ Not Sure
	Continued next Page

If Yes, you must discuss this with your Estate Plant (in a Letter of Wishes or other document separate the Will, between potential FPA claimants, or as be You may also consider whether a Statutory Declaration original Will.	to the Will) for any disparity in bequests under etween members of a class of FPA claimants.			
☐ I think the following person(s) may contest m	y Will:			
Will Maker 1	Will Maker 2			
Insert Full Name, Address, Relationship to you and Reasons	Insert Full Name, Address, Relationship to you and Reasons			
Section 13. Funeral Wishes				
Will Maker 1	Will Maker 2			
I would like to be ☐ Cremated ☐ Buried	I would like to be ☐ Cremated ☐ Buried			
☐ My Executor can decide	☐ My Executor can decide			
☐ I would like the following to occur  Burial/Cremation at:	☐ I would like the following to occur  Burial/Cremation at:			
Service Conducted by:	Service Conducted by:			
According to rites of the Religion	According to rites of the Religion			
Special service -RSL, Lodge, other	Special service -RSL, Lodge, other			
Special Arrangements regarding my Funeral:	Special Arrangements regarding my Funeral:			
☐ I have made the following arrangements: (e.g. prepayment of Funeral costs with Funeral Director)	☐ I have made the following arrangements: (e.g. prepayment of Funeral costs with Funeral Director)			
Section 14. Directions Regarding Use (Dona	lation) of My Body or Organs and Tissue			
After my death, I wish to donate my organs and tiss	sue for transplant and/or my body to Medical scienc			
Will Maker 1 Organ donation ☐ No☐Yes ☐Not Sure	Will Maker 2 Organ donation □ No □Yes □Not Sure			
Body bequest to science ☐ No☐Yes ☐Not Sure	Body bequest to science ☐ No☐Yes ☐Not Sure			
If you wish to donate your organs and tissue, you should Register.	<u> </u>			
You should include any directions on organ and tissue donation, or donation of your body to a Medical institute, in your Will. You should also notify your next of kin or family, and your doctor of your wishes in relation to organ and tissue donation (and make arrangements with the donee institute to which you would like to donate your body). If you don't do this, your wishes may not be followed.				
These are my/our directions regarding donating my				
Will Maker 1	Will Maker 2			
Section 15. Other Comments or Information	   (Add additional information as required)			