

WILLS AND POWERS OF ATTORNEY

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The importance of a will

A will is an essential tool in ensuring your affairs are properly ordered and benefit those you choose when you die.

Everyone's situation is different and your will needs personal attention in order to reflect your circumstances.

If you have a current will it may need to be reviewed, particularly if made more than five years ago, or if your circumstances have altered.

Completing the particulars in our will check list in this brochure will assist us in advising you and preparing your will.

The importance of a power of attorney

Equally as important as a will is to have a power of attorney in case you are unable to manage your own affairs through ill health.

A power of attorney means that you delegate to a person you trust the legal authority to act on your behalf. That person is known as your attorney.

The attorney can, when it becomes necessary to do so, manage your affairs.

Without a power of attorney and should you become ill or incapable of managing your affairs then the management and control of your affairs might pass to the State Government Trustees or to some other person appointed by the Guardianship and Administration Board. In either case not someone of your choosing.

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Importantly a power of attorney comes into use only when you become incapable of managing your affairs. Also should you change your mind you can always cancel the power of attorney or appoint some other person to be your attorney.

There are two distinct powers of attorney.

Enduring power of attorney

This is used to enable your attorney to manage your personal, business and financial affairs.

Enduring power of attorney (medical treatment)

This allows your attorney to make decisions about medical treatment only when you are unable to make those decisions yourself.

Importantly it enables your attorney to make decisions such as authorising or refusing medical treatment on your behalf.

Nevett Ford will check list

1. Personal details

- Surname
- Given names
- Maiden name (where applicable)
- Other names in which your assets may be held (eg. Trusts? Companies?)
- Current address

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- Date of birth
- Place of birth
- Doctor
- Stockbroker/financial advisor
- Accountant
- Banker

2. Marriage and children

- Are you married? Yes/No
If yes:

- Date & place
- Full name of spouse
- Names of children and date(s) of birth

- Names of any children which have died before you and date(s) of death

3. Family details

- Given names
- Surname
- Maiden name
- Date of birth
- Place of death
- Date of death

Father	Mother
<hr/>	<hr/>
<hr/>	<hr/>
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	Brothers	Sisters
• Given names	_____	_____
• Surname	_____	_____
• Maiden name	_____	_____
• Place of birth	_____	_____
• Place of death	_____	_____
• Date of death	_____	_____

4. Notification of death

On my death please notify immediately the following:

Name	Address	Phone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Funeral arrangements

I desire:

- Burial/cremation _____
- Buried/cremated at _____

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- Funeral director _____
- Service to be conducted by _____
- According to the rites of the denomination _____
- Any other special arrangements regarding my funeral _____

6. Directions regarding use of human tissue

Any such directions should be contained in your will and your next of kin, doctor and any donee institution notified so that your wishes can be complied with. In some cases, special arrangements are necessary including carrying appropriate forms or cards eg. donor card for eye donation or donation of heart or kidney.

7. Hospital benefits or friendly society

Name	Address	Membership number
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Assets

Home

- Owned singularly/jointly with _____
- Title, deed and insurance policies held where _____

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- Mortgage? _____
- If mortgage, with whom? _____

Bank, building society or credit union accounts

Name bank/ building society	Account number	Account name	Current balance
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Superannuation fund

- Name of fund _____
- Address of trustee _____
- I have nominated the following beneficiaries to receive my superannuation entitlement:

Name	Address	Relationship
_____	_____	_____

Life insurance

Policy number	Company	Type of policy
_____	_____	_____

Shares in companies

Name of company	Number of shares	Type of shares
_____	_____	_____

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Debentures

Name of company	Number of debentures	Type of debentures
_____	_____	_____

Bonds

Name of company	Number of bonds	Type of bonds
_____	_____	_____

Motor vehicle

Type of vehicle	Registration number	Insurance details
_____	_____	_____

Other assets

(Here, consider whether you might have any of the following):

- Interest in a deceased person's estate
- Interest in a partnership or trust
- Livestock or crops
- Farming plant or equipment
- Furniture
- Jewellery
- Valuable books or pictures
- Cash

Type of asset	Details of whereabouts	Likely value
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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Safe deposit

- Here list any safe deposit packets that you might have with your bank

Bank	Location of bank	Details
_____	_____	_____
_____	_____	_____

Social security

If you are in receipt of social security:

- Social security number _____
- Pension payable _____
- Veterans affairs service number _____

9. Funds

At the time of your death your estate will need funds which you can provide from your disposable assets or from insurance or cash.

Examples where funds will be required include:

- medical and funeral expense
- family expenses
- repayment of loans, mortgages and other debts

If in any doubt of the capacity as to your estate to meet any such expense, you ought to discuss it with us.

10. Excluding beneficiaries

At times people may decide to exclude family members from their will for good reason.

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If you have done so in your will or intend to do so you may wish to list your reasons for so doing.

11. Specific wishes

At times you may have particular concerns or wishes which you would like to express and these will often not be listed in your will.

Please list any particular wishes.

12. Powers of attorney

During your lifetime, you have an opportunity of appointing a person to be your attorney should you for any reason be unable to look after your own affairs.

If you do not have a power of attorney and become incapacitated, there is a danger your affairs will come under the control of the Guardianship and Administration Board or the Public Trustee.

- Do you have a power of attorney?
- If yes, who is/are your attorney(s)?
- Address of attorney(s)

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Nevett Ford power of attorney authority

- Your name _____
- Your address _____

- Name and address of attorney(s) _____

- To act jointly or severally? _____
- Enduring power of attorney? _____ Yes/No
- Enduring power of attorney _____ Yes/No
(medical treatment)?

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Our people

Directors

- Peter Wilson
- Paul Stephens

Senior Lawyers

- Cathy Drake
- Viv Stephens
- Kent Mallinson

Lawyers

- Rebecca Hanley
- Meaghan Smyth

Legal Executive

- Paul James

Nevett Ford is a member of Law Australasia, the National Association of Law Firms

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