



Instruction sheet Wills and Powers of Attorney

Please complete the form and return to us via one of the following methods:

Fax: 03 9761 0615

Post: PO Box 596 Boronia Vic 3155

Email: info@zenlaw.com.au

We will be in touch with you to arrange an appointment once a draft will has been drawn up.

Documents to be prepared

- Will
 - Single person will
 - Spouse to spouse includes de facto partner and same sex
 - Blended family
- Power of Attorney - Financial
- Power of Attorney - Medical

Client

Name: _____

Name of spouse: _____

Relationship status: Single/ Divorced/ Separated/Married/De facto/Same sex

Address: _____

Postal Address: As above

Occupation: _____ Date of birth: _____

Tel: BH _____ AH _____ Fax: _____

Mobile: _____ Email: _____

The will

Is there an existing will? Yes No

If yes, where is the original? _____:

1. Executor/trustees – Please include full name, address and relationship to will maker

Spouse Other _____

Alternate executor _____

Further alternate executors _____

Testamentary Guardian of minor children

Name: _____

Address: _____

2. Specific bequests – Do you want specific items to go to specific people? Provide as much detail as possible describing the item and who it is to go to (Name, relationship to you current address if not already provided)

Specific bequests, gifts, donations

Details: _____

Right of Residency- this applies if you want a specific person to have the right to reside in a residence you own until they die.

Details: _____

Then to _____

3. Beneficiaries of the residue – this is the balance of your property after specific gifts

It must be remembered that the provisions of a will do not effect the disposal of joint tenancy property or superannuation accounts. Joint tenancy property can only be dealt with if the joint tenancy is first severed into a tenancy in common. Superannuation needs to be dealt with by binding nomination

Spouse

Then / Or

Children at age 18 21 25 30

Including children of spouse or partner

Equally between all children;

½ to children and ½ to spouse's children

½ does not survive then to the other half

½ does not survive then to: _____

Then / Or

Grandchildren at age 18 21 25 30

Including grandchildren of spouse or partner

Equally between all grandchildren;

½ to grandchildren and ½ to spouse's grandchildren

½ does not survive then to the other half

½ does not survive then to: _____

Then / Or

Other _____

4. Superannuation

Super Fund Name: _____

Details: _____

Binding nomination required? Yes No

5. Family provisions orders – are you leaving someone out of your will that may potentially make a claim (for example, ex partner, child etc)

If yes, details _____

Below are some reasons that might be appropriate for excluding the potential claimant from the will.

- Adequate provision has been made for them during my lifetime. Any further provision for them would see the beneficiaries named in my will unfairly disadvantaged.
- There has been no contact between us for many years and there is no relationship of love and affection between us. My responsibility for their welfare ended many years ago. In these circumstances any gift to them would be contrary to the nature of our relationship.
- Their financial circumstances are far better than those of the beneficiaries that I have named and I have sought to achieve some equity in the gifts made by me.
- They have / will receive substantial gifts from the estate of my former spouse and my will takes this into account in making gifts to the named beneficiaries.
- Other: _____

List all your current assets (e.g property, bank accounts, shares, cars etc)

Do you have any specific burial or funeral request?

If other, please
specify

Please only complete if you will be purchasing the full wills and powers of attorney package:

1. Attorney/s – Please provide full names and addresses if not already listed anywhere else

- Attorney/s to be the same as the executors in the will
- Alternate attorney/s to be the same as alternate executors in the will

If different from the will

Spouse Other _____

Alternate attorney _____

Will the attorney/s be acting Jointly Severally

N.B. If acting jointly, death of one attorney terminates power

2. Limitations / notes – you can specify if you only want your attorneys to have the ability to attend to specific things (for example you may wish to exclude the right for your attorney to sell any real estate you own)

The enduring guardianship

1. Guardian/s – the person/s you want to appoint to make medical and lifestyle choices for you should you become incapacitated

- Guardian/s to be the same as the executors in the will
- Alternate guardian/s to be the same as alternate executors in the will

If different from the will

Spouse Other _____

Alternate attorney _____

Will the guardian/s be acting Jointly Severally

N.B. If acting jointly, death of one attorney terminates power

2. Limitations / notes

Please complete if you wish for us to retrieve any previous wills:

AUTHORITY TO RELEASE

To:

.....

Dear Sir

«MATTER__Re_Line_2»

You are hereby authorised and directed to forward to «FIRM_DETAILS__Firm_Name» at «FIRM_DETAILS__Street_Address_across» the original wills, powers of attorney, enduring guardianships, certificates of title and any other documents that you may hold on my/our behalf.

Date: _____

Acknowledgement:

I, _____, acknowledge that by submitting this form to Zenith Lawyers & Consultants that I am engaging their services to prepare the documents requested based on the information I have provided and that I will be responsible for the payment of these documents at the advertised rate.

Signed: _____

Date: _____