

GOLD LEGAL - WILL QUESTIONNAIRE

Your Details

Full Name:

Date of Birth:

Address:

Phone & Email:

Occupation:

Previous Will

Have you made a Will before? Yes/No

If so, when?

Do you have a copy? Yes/No

Which lawyer/firm might have a copy?

Since your last Will, have you: Married / Separated / Divorced / Had children / put property into Trust?

Trustees/Executors

Trustees/Executors are the people that have the duty to the beneficiaries to carry out your wishes in your Will. They will be helped by your lawyer. Who do you want as your Trustees/Executors?

Trustee One

Full name:

Relationship to you:

Address:

Date of Birth:

Occupation:

Trustee Two

Full name:

Relationship to you:

Address:

Date of Birth:

Occupation:

Family

The Family Protection Act places moral obligations on you to provide for your family. This usually means your spouse, children and grandchildren, but can include step children and other family members in certain circumstances.

Are you married, have a civil union partner or in a de facto relationship?

Spouse/Partner

Full name:

Date of Birth:

Occupation:

How long have you been married/in a relationship?

Do you have a contracting out agreement (often called a pre-nup)? Yes/No

If so, do you have a copy? Yes/No

Which lawyer/law firm may be holding a copy?

Child One

Full name:

Address:

Date of Birth:

Occupation:

Child Two

Full name:

Address:

Date of Birth:

Occupation:

Spouse/Partner's Name:

His/Her children:

Child Three

Full name:

Address:

Date of Birth:

Occupation:

Spouse/Partner's Name:

His/Her children:

If you have more than three children, please continue on the back of this page.

Or... are you currently unmarried, but intend to marry soon? Yes/No

A common way to provide for your family

Many people wish to leave everything to their spouse/partner, but in the event that their spouse/partner dies before them, they want everything to go to their children. Is this something you want? Yes/No

If one or your children dies before you, would you like their share to go to their children, or would you prefer that everything be divided between your remaining children?

How old do you want your children/grandchildren to be before they can inherit money/property in their own right? It is common to wait until they are 25 years old.

If your children are still young, who would you like to appoint as the legal guardians of your infant children?

Property

Do you own your own home? Yes/No

Address (if different to above):

Do you own it with someone else? Yes/No If so, who?

Do you own the property as joint tenants (that is, you both own 100% of the whole property) or as tenants in common (that is, you each own a share of the property)?

Is it in a Trust? Yes/No If so, do you have a copy of the Trust Deed? Yes/No

Which lawyer/law firm might be holding a copy of the Trust Deed?

Do you own any other property? Yes/No

Address:

Do you own it with someone else? Yes/No If so, who?

Do you own the property as joint tenants (that is, you both own 100% of the whole property) or as tenants in common (that is, you each own a share of the property)?

Is it in a Trust? Yes/No If so, do you have a copy of the Trust Deed? Yes/No

Which lawyer/law firm might be holding a copy of the Trust Deed?

If you own your property with someone else as a joint tenant, your property will not come into your Estate when you pass away. The other person will remain the 100% owner of the property and your name will simply be removed from the title. This is called "survivorship".

If you own your property on your own, or in shares, who do you want to leave your property to?
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Do you want them to have it outright, or just while they are alive and then give it to someone else on their passing (a life interest)?

If you want to grant someone a life interest, who do you want to have it after that person dies?
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Gifts

The Testamentary Promises Act provides for someone to whom you promised to provide for, in certain circumstances. If you promised someone something on the condition that they do something for you, and they rely upon that promise and carry out your wishes during your lifetime, you may have an obligation to provide that gift. Have you made anyone any such promises?

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Are there any specific gifts you would like to make to anyone, such as jewellery, a car or tools?

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Do you want to make any donations to charity?

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Once you have made your specific gifts, who do you want to get the remainder of your Estate?

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Final wishes

This is not binding on your Trustees but it is a good idea to include what you want to happen to you. Do you want to be buried or cremated? Or do you have any specific directions?

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Is there anything else you want to include?

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Thank you