



# Last Will and Testament

## WHAT IS A WILL?

**A WILL IS A LEGAL DOCUMENT THAT OUTLINES HOW YOU WOULD LIKE YOUR ASSETS (ESTATE) TO BE DISTRIBUTED WHEN YOU DIE AND APPOINTS THE PERSON WHO WILL BE RESPONSIBLE FOR THE ADMINISTRATION OF YOUR ESTATE. THE PEOPLE WHO WILL RECEIVE YOUR ESTATE ARE REFERRED TO AS YOUR BENEFICIARIES.**

As well as appointing an Executor and nominating the distribution of your assets your Will can also:

- Appoint a Guardian for your children under the age of 18 years;
- Give money to charity and philanthropic organisations;
- Establish a Trust for a person with a disability;
- Donate your organs for transplant or scientific research; or
- Nominate your burial wishes.

### WHAT IF I DIE WITHOUT A VALID WILL?

If you die without a Will, you are said to have died intestate and the Queensland laws of intestacy set out the rules for distributing your assets. This can mean that:

- Your Estate is not distributed to the beneficiaries in the way you would wish;
- You may be placing an extra burden on your loved ones at a time of grief and stress;
- It may take more time and money to finalise your Estate.

### WHO NEEDS A WILL?

Everyone over 18 who has the capacity to make a Will, should make one. Regardless of the size of your Estate, it's important to have a valid Will.

### HOW OFTEN SHOULD I UPDATE MY WILL?

It is important to regularly review your Will, particularly upon important events such as marriage, separation or divorce, entering a de facto relationship, birth of a child or grandchild or death of a spouse or child.

A change of your address does not necessitate a change to your Will. However, you should keep a current list of contact details for your Executor(s) and beneficiaries. You should also keep your solicitor advised of the current contact details for you and your Executor.

### HOW CAN MY SOLICITOR HELP?

It's a good idea to involve your solicitor whenever you want to make changes to your will or draw up a new one. Your solicitor can:

- Make sure your will is valid and that it is properly drawn up, signed and witnessed.
- Make sure you've expressed your wishes in the best possible way, so nothing is left to chance.
- Advise you on how to provide for your spouse or de facto partner, children and other dependents.
- Give you a thorough understanding of the role of your executor and help you choose appropriate ones.
- Store your will in a safe place so that your beneficiaries always know where it's kept.

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