

WILL DRAFTING FORM

YOUR DETAILS

Please print clearly

Date:

First Names..... Family Name.....

Address.....

Occupation..... E-mail address.....

Phone number (day)..... Phone number (night)

Are you: Single De Facto Married In Civil Union (Please tick one)

Is this Will in Contemplation of a Future Marriage? Yes No

Is this Will in Contemplation of a Future Civil Union? Yes No

If so, is the Will to apply even if the marriage or CU doesn't go ahead? Yes No N/A

Children: If you have children please provide the following information:

Full Name..... DoB.....

Full Name..... DoB.....

Full Name..... DoB.....

If more than three children, please duplicate this page, add further details and attach

YOUR TRUSTEES / EXECUTORS

- Please choose at least one person over 18 years old that you have confidence will follow your wishes after your death. This would normally be your spouse or partner if you have one.
- Ideally, you should also name at least one backup executor in case the Primary Executor(s) cannot act for you after your death.
- If you choose more than one person, please advise if they are to act together **jointly**, or if the second person is to act as **back-up** only if the first cannot act:

Trustee **1** First Names..... Family Name.....

Address..... Phone.....

Occupation..... Relationship to you.....

Trustee **2** First Names..... Family Name.....

Address..... Phone.....

Occupation..... Relationship to you.....

Second trustee is to act **Jointly** with Trustee 1 or as **Back-up** (please tick one option)



WHITMARSH LAW

SPECIFIC GIFTS TO SPECIFIED PEOPLE

- These can be cash or specific items you own, that you want to give to specific people. For example: An amount of cash, specified jewellery, cars, household items, etc.
- **These gifts will be separate from the usual inheritance by your partner of “everything”**
- If you need more space, please attach a separate list.

1 Full Name..... Phone.....

Address..... Relationship to you.....

What are the gifts..... Age to inherit.....

2 Full Name..... Phone.....

Address..... Relationship to you.....

What are the gifts..... Age to inherit.....

GIFTS TO ORGANISATIONS

Donations of specific items or money to an organisation such as The Malaghan Institute of Medical Research, The Wellington Free Ambulance, The SPCA, etc..

Name of Organisation.....

Branch..... Contact Name.....

How Gift is to be used.....

FORGIVENESS OF DEBTS OWED BY FAMILY TRUSTS

If you have a Family Trust and it has an outstanding debt to you, you may forgive this debt at your death if you wish. For a Family Trust with a gifting program, we recommend you entirely forgive your share of the outstanding amount. This eases the gifting burden on any surviving partner.

Family Trust Name..... Date Created

OTHER DEBTS TO BE FORGIVEN

If you are owed money by family members or friends, and you wish to forgive (“wipe”) such debts at your death, please provide the names of the debtors.

First Names..... Family Name.....

First Names..... Family Name.....

DEBTS TO BE CONSIDERED IN ESTATE DISTRIBUTION

Money owed **to you** by family members or friends **who are beneficiaries of your Will** may be repaid at your death by reducing their share of your estate by the outstanding amount, and adding it to the estate before distribution to beneficiaries. If you wish to specify this, please provide the names of the debtors. Please also enter the amount of such debt as it currently stands.

First Names..... Family Name..... Amount.....

First Names..... Family Name..... Amount.....

REMAINDER OF YOUR PROPERTY AND POSSESSIONS (YOUR “RESIDUE”)

- This is everything else that you own which has **not** already been given as a gift above, or used to settle debts, pay for your funeral, etc.
- **Normally you would pass this Residue to your partner as Recipient 1**, but at least one other person should be named in the **Alternative** section below, in case you and your partner are both deceased.
- If you wish to give your Residue to more than one person, please write the share (e.g. 50%, 1/3 etc.) you would like each of them to have.
- If any of the beneficiaries are children please state the age at which you would like them to receive their share of your estate.
- If you have a **Family Trust**, you may wish to transfer your Residue into it, rather than distributing to individuals. Just enter the name of the trust somewhere below, with the date it was created. Please feel free to ask us for advice on this.
- If you own assets overseas, please tick this box . If you do, we will need to discuss before drafting your Will.
- If your estate will include any stocks and shares, Please give the names of any people who know your sharetrading CSN and FIN. You may have people who each know only one of these important codes.

1 First Names..... Family Name.....
 Address..... Phone.....
 Relationship to you..... Share..... Age to inherit.....

2 First Names..... Family Name.....
 Address..... Phone.....
 Relationship to you..... Share..... Age to inherit.....

3 First Names..... Family Name.....
 Address..... Phone.....
 Relationship to you..... Share..... Age to inherit.....

- Please provide details of **alternative** people you would want your remaining property and possessions to go to, in case **all of the above-named beneficiaries** are not living at your death
- If any of the beneficiaries are children please state the age at which you would like them to receive their share of your estate

1 First Names..... Family Name.....
 Address..... Phone.....
 Relationship to you..... Share..... Age to inherit.....

2 First Names..... Family Name.....
 Address..... Phone.....
 Relationship to you..... Share..... Age to inherit.....

3 First Names..... Family Name.....
 Address..... Phone.....
 Relationship to you..... Share..... Age to inherit.....

GUARDIANSHIP

If any of your children are under 18, their other living parent automatically by law becomes their guardian upon your death. In case the other parent is not living at your death, or cannot act as guardian, please provide names of people you nominate as guardians to help make decisions about their welfare. You should of course have already discussed this with the proposed guardians and confirmed their willing acceptance of that role. If you wish to appoint a guardian who lives overseas, you might consider the difficulties this could entail for your children or that guardian.

Please note that a guardian appointed to a child under a Will does not necessarily have responsibility for day to day care of the child, but does have responsibilities for decisions relating to matters such as religion, education and major non-therapeutic surgery.

Guardian **1** First Names..... Family Name.....
 Address..... Phone.....
 Occupation..... Relationship to you.....

Guardian **2** First Names..... Family Name.....
 Address..... Phone.....
 Occupation..... Relationship to you.....

To be guardian(s) for:

Do you want Guardian 2 to act **Jointly** with Guardian 1, or as **Back-up** in case Guardian 1 is unable or unwilling to act? **(please tick one option)**

DISPOSAL OF YOUR BODY

Do you wish to donate your organs for medical purposes? **Yes** **No**

Do you wish to donate your body for medical training? **Yes** **No**

Do you wish to be **buried** or **cremated**?

Do you have any specific instructions for your funeral, burial or disposal of your ashes?

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