



## WHERE THERE'S A WILL ...

If you have answers for these important questions, you can rest assured you are well on your way providing for your family or dependants, should you pass away unexpectedly.

1. Do you have a current Will (less than 2 years old)?
2. Will your estate be administered in a cost and tax effective manner, possibly within a trust structure?
3. Is your estate protected from certain claims or people?
4. What should be in and what should be outside your estate?
5. Will your children be cared for by a person of your choice?
6. Do you have or need binding nominations for your superannuation?
7. Do you have an enduring power of attorney?
8. Will life or superannuation insurances flow to whom you intend?

If you were able to answer all these questions, well done. You can rest assured those you love will be provided for when you're gone. If you answered some, or none, or have had an unexpected or even expected personal or business event, please read on.



## What you can expect

My team and I understand you're busy, and making time for personal legal matters, especially those that don't appear imminent, is unlikely.

However, I'm sure you will agree, you would want your affairs to be in order if something unexpected were to happen, and we can help in that regard.

We're experienced, and we'll deal with your Will and Estate planning needs sensitively and attentively. We'll take the time to get to know you, your family and your circumstances.

It is important to ensure that your business and family are protected and looked after. Insurance policies, real estate, superannuation and your business may all form part of your estate and it needs to be carefully considered in your estate planning.

We understand that Estate planning, making a Will, and preparing a Trust is a personal and considered process. Estate planning documents should be treated as "living documents" that evolve in conjunction with key life events.

Examples of when a review and update is warranted include starting a family, commencing a business or changes in your financial or relationship status. Estate and succession planning must be undertaken by experienced and technically proficient legal practitioners and accountants to ensure your arrangements are robust and without unintended consequences.

With the rising complexity of personal circumstances (eg. separations, blended families, SMSF's), it is more important than ever to have legal arrangements that are tailored and fit for purpose.

Whether it is planning your Estate or drafting your Will or Trust, we guide you through the process in a precise, assured manner.

If you die without a Will then succession laws dictate which family members will inherit your estate and in what proportion. These are very general and prescriptive laws and they may not reflect your wishes. There can also be substantial costs incurred to administer your estate if you die without a Will.

We, with your informed instructions, will ensure your legacy is protected as much as possible in accordance with the law.

### Estate Planning

A Will is not the be all and end all of what needs to be done. It is important to consider having an appropriate estate planning strategy and structures in place as well. This is particularly the case for high earning individuals, and the safest way do this is to seek legal, tax, accounting and financial advice.

We apply our extensive knowledge and experience to create an estate plan that reflects your wishes, values and is legally compliant and secure. We collaborate with these other professionals to alignment all your affairs to provide a seamless estate plan.

We listen carefully to your objectives, explain options and help you to decide on the best structures to meet your unique personal circumstances. We explore your options and apply our commercial expertise. We advise whether your assets and Estate would best be



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protected in a testamentary trust, superannuation proceeds trust or another legal structure and draft a Will accordingly.

### Trusts in Your Will and Estate Plan

A Testamentary Trust in your Will activates when you pass away. In most cases, Testamentary Trusts are “discretionary” which affords the Trustee flexibility when dealing with your assets and making decisions about how they are distributed to the beneficiaries.

As your superannuation will likely be a significant portion of your estate that could be subject to tax or claims by third parties, binding death benefit nominations can direct the superannuation funds through your estate into the safety of a Super Proceeds Trust in your Will.

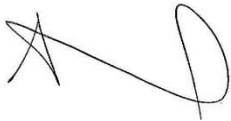
Will and Estate planning is complex by nature, and it becomes even more so for high income earners whose careers include living and working overseas. Foreign laws and tax obligations affecting overseas assets will also need to be addressed.

### Call us

We are confident that you will experience service far in excess of what you may have thought achievable for the cost, and with certainty and clarity. Please free to call me to discuss.

Regards

**HILLHOUSE LEGAL PARTNERS**



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