

WILL INSTRUCTION FORM

What is a Will?

A Will is a document in which you set out how you wish your assets to be disposed of after your death. It may also include other arrangements which you may wish to put in place.

Why make a Will?

The two main reasons for making a Will are:

- It is the only way in which you can be sure that your affairs are dealt with in accordance with your wishes. If you do not have a Will, this means that you will die Intestate (without a Will) and your assets are then dealt with under the Administration Act of New Zealand.
- It makes administration of an estate quicker and less expensive. If a Will has been made then probate of the Will can be obtained and an estate administered quite quickly.

It is important, that the Will is properly prepared and signed, in accordance with the laws of New Zealand.

What do I need to decide?

Who are to be the Executors (Trustees) of your Will? You will need to appoint one or more persons who you know and trust to ensure that your wishes are dealt with. They will also oversee the paying of accounts, close bank accounts, deal with property and pay the balance out to the beneficiaries under your Will. Most people choose a family member or friend, you can also appoint a Solicitor or Accountant as well to assist them. Should you only appoint one Executor, we advise that you also name a substitute Executor (in the event that the first Executor is not able to perform the role due to death or otherwise). An Executor should be someone over the age of 20 years who is resident in New Zealand.

Who are you going to leave your Estate to?

It is normal to leave your spouse a significant part of your Estate. Other persons including other family members can be left particular items or cash but this must be specified in the Will. If you have no spouse it is even more important that the disposal of your Estate be clearly set out.

Who do you wish to be Guardians of your Children?

It is normal to have your spouse as guardian of your children in the event of your death. If you have no spouse, or on the death of both of you, then you need to state who you wish to raise your children for you. Please note that although you may wish this person to be the guardian of your children, they are not required by law to take on that responsibility. In the event that the person elected to be guardian does not wish to take on the responsibility it is then left to the Executors to look after the welfare and arrange guardianship for any children.

Funeral Arrangements

You may also give directions as to any funeral arrangements in your Will.

WILL INSTRUCTION FORM

NAME

Surname

Christian Name(s)

ADDRESS

OCCUPATION

EXECUTOR(S)

(Please state their full name 1, address 2 and occupation 3)

1.

1.

2.

2.

3.

3.

If more than two please use the space provided at the back for any further information

SUBSTITUTE EXECUTOR(S)

(Please state their full name 1, address 2 and occupation 3)

1.

1.

2.

2.

3.

3.

GUARDIANSHIP

(please state their full name 1, address 2, occupation 3 and relationship to you 4)

1.

2.

3.

4.

BURIAL/CREMATION

Do you prefer to be: Buried Cremated

SPECIFIC BEQUESTS (If any, such as items of jewellery, ornaments, motor vehicles etc.)

Item (include description if required) **To Who** (state full name 1 and relationship to you 2)

.....
.....
.....

If more than two please use the space provided at the back for any further information

WHO DO YOU WISH TO RECEIVE THE BALANCE OF YOUR ESTATE?

(In the first instance the balance usually goes to your spouse or partner. Please state their full name 1, address 2 and relationship 3 to you. If not state who you wish to receive the balance of your estate)

1.
2.
3.

If more than one person please use the space provided at the back for any further information

(In the event of the death of the person(s) named above who do you wish to receive the balance of your estate. Usually after the death of your spouse or partner the balance goes to any children then grandchildren you may have.)

1.
2.
3.

If more than one person please use the space provided at the back for any further information

CURRENT RELATIONSHIP DETAILS (If Any)

Full legal name of current spouse/partner:

Date of Marriage/Date Relationship Commenced:

Names and ages of children by this relationship (if any):

Is there an existing Pre-Nuptial Agreement, Matrimonial Property Agreement and/or Property Sharing Agreement relating to your current relationship?

Yes No

If yes, please provide a copy to us of the Agreement or Agreements in place

PRIOR DOMESTIC RELATIONSHIP(S) (If Any)

Name of former spouse/s or partner/s:

.....

Date/s of Marriage/s:

.....

.....

Date/s relationship/s commenced:

.....

.....

Date/s separation:

.....

.....

Date/s dissolution/termination:

.....

.....

Is there an existing Separation Agreement, Matrimonial Property Agreement and/or De-Facto Property Agreement which resolves the property issues with respect to the prior domestic relationship/s?

Yes No

If yes, please provide a copy to us of the Agreement or Agreements in place

Are there children by the prior relationships?

Yes No

What are the names and ages of such child or children?

.....

Deceased children?:

.....

Grand children?:

.....

Step Children?:

.....

Other financial dependants:

.....

Are there any ongoing obligations in relation to the prior domestic relationships such as maintenance or child support? Are there custody and access arrangements in place?

TRUSTS (Do you have one, if so, please complete the following)

Are you a Trustee?

Yes No

Are you an Appointer/Protector?

Yes No

Are you a Beneficiary?

Yes No

Copy of Trust Deed

If we do not hold a copy please provide one

Assets in Trust

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