

# Leaving a gift to those you love

**Will  
Planning  
Kit**

# Will Planning Kit

## **Planning your estate is a fundamental part of your peace of mind.**

**Anyone over the age of 18 can make a will as long as you have the capacity to understand what a will is and can communicate what you want to put in your will and why.**

### **Even if you don't own much it is a good idea to make a will.**

It will make it easier for friends and family to make legal and financial arrangements. Without a will, these arrangements can be complicated and expensive.

**If you have already made a will and the only change you wish to make is to include a gift to Cancer Council NSW, rather than incurring the full expense of completely rewriting the will, it may be possible to make a codicil to it.**

**We strongly recommend that you talk to an expert such as a solicitor to draft your will.** Before you appoint an expert don't be shy to shop around and compare quotes.

**This form has been created to help you plan your will and help your solicitor with its preparation.** Completing the following document and passing the information on to your chosen solicitor at the time of your appointment, should help make the process streamlined.

**Not all questions in this document may be relevant to you. Answer what you can and chat with your solicitor about anything that is unclear.**

This document has been provided to you as a complimentary service from the Cancer Council NSW wills and bequest team.

**Please note: This document is not a legal will and does not contain legal advice**

## Personal Particulars

Title: \_\_\_\_\_ First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Occupation: \_\_\_\_\_

Home Tel: (    ) \_\_\_\_\_ Work Tel: (    ) \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Have you previously made a will?:  Yes  No

If yes, where is it held? \_\_\_\_\_

## Marital Status

Single  Married  Domestic Partner  Divorced  Separated  Widowed

Spouse/Domestic Partner details (if applicable)

Title: \_\_\_\_\_ First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Occupation: \_\_\_\_\_

Home Tel: (    ) \_\_\_\_\_ Work Tel: (    ) \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Any previous relationships/divorce: \_\_\_\_\_

Property settlement: \_\_\_\_\_

Spouse maintenance: \_\_\_\_\_

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## Children's Details (if applicable)

Full name	Address	Date of Birth	Dependant Yes/No

## Guardianship Details

On death of both parents, who should be the guardian/s of the children?

Full name	Address/Mobile/Phone/Email	Relationship

## Executor Details (person/s administering the estate after death)

You will need to give your solicitor details of who your executors will be. You can appoint more than one person and can also appoint “backups”. Your solicitor can discuss this with you. If you already have executor(s) in mind you can insert their details below.

Proposed executor details:

Title: \_\_\_\_\_ First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Occupation: \_\_\_\_\_

Relationship: \_\_\_\_\_

Alternate/Joint Executors:

Title: \_\_\_\_\_ First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Occupation: \_\_\_\_\_

Relationship: \_\_\_\_\_

## Advisors / Financial

Name & address of accountant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name & address of financial advisor:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Assets and Liabilities

You will need to give your solicitor details of you assets and liabilities

Please note:

- (1) Assets that are jointly owned may or may not form part of the deceased's estate. This will depend on the type of co-ownership.
- (2) The proceeds of superannuation, life insurance and other policies payable on your death may not be paid to your estate and may instead be paid directly to various persons.
- (3) Your estate will not normally include assets owned by a company or trust.
- (4) You should discuss the ownership and control of your wealth with professional advisors such as an accountant, financial advisor and/or lawyer. They should be able to advise you of the ways in which your wealth can be passed on by your will or otherwise.

Your solicitor will be able to advise you on other matters.

### Asset details

Real estate owned:  Jointly  Solely

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Shares / Managed investment owned:  Jointly  Solely

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### Superannuation fund/s

Name of industry: \_\_\_\_\_

Policy number: \_\_\_\_\_

Name of industry: \_\_\_\_\_

Policy number: \_\_\_\_\_

Have you made a death benefit nomination:  Yes  No

If yes please provide details of who for:

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**Life Insurance**

Policy number/s: \_\_\_\_\_

Details:

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Bank accounts

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Brief summary of any other assets

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Any assets outside state / territory / Country of residence:  Yes  No

If yes please give brief details

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**Location of important documents:**

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Please list any other countries that your will should be valid in:

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## Distribution of estate

There are various legal challenges that can be made to your will, these include the right for certain persons including your spouse, children and dependants to make a family provisions application.

Please speak with your solicitor about this and if you are concerned that your will could be challenged, we recommend that you seek legal advice about the steps that you may be able to take to protect your estate.

For information on the types of gifts you can make please read the back page.

## Specific distributions

Please list the details of any specific gifts that you wish to make. e.g. jewellery, furniture, car, sums of money etc or a percentage of your estate. We recommend you discuss these specific gifts with your solicitor at the time of making your will.

Description of item, or \$ amount or % percentage of your estate	Full name	Relationship

At what age are children / grandchildren to take their share of the estate

18  21  25  other \_\_\_\_\_

## Special gifts (Bequests to charities) e.g Cancer Council NSW

After providing for family and loved ones, would you consider leaving a gift to Cancer Council NSW in your will?  Yes  No

Would you like to make your bequest gift in memory or in honour of a loved one?

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Special note: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Charity & ABN	Address	\$ amount or % of residuary
Cancer Council NSW ABN 51 116 463 846	153 Dowling St Woolloomooloo NSW 2011	

**Whole or part of your estate** - You can leave your entire estate or any part of your estate to Cancer Council NSW

**A residual gift** - A residual bequest is a simple way to leave a gift that needn't interfere with any other specific bequests left to loved ones. This type of bequest retains its value over time (unlike a specific cash gift, that can reduce in value with inflation).

**A fixed specific gift** - A gift in the form of other property such as real estate, shares, vehicles or items of jewellery.

**A fixed sum of money** - Also known as a pecuniary bequest, in the form of a specific cash amount. Your solicitor can advise you of ways to ensure the gift retains its relative value (for example, by increasing the amount by reference to CPI)

## Powers of attorney (if in place)

Power of attorney	Financial	Medical
Full name of attorney		
Address		
Relationship		
Alternate power of attorney	Financial	Medical
Full name of attorney		
Address		
Relationship		

If you have not considered previously you may wish to discuss powers of attorney with your solicitor.

## Funeral arrangements

Any pre-paid / pre-arranged funeral plan in place?  Yes  No

If yes - please give details

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I would like guests to give charitable donations to Cancer Council NSW in lieu  Yes  No of flowers.

## Checklist for your solicitor

1. Discuss provisions for family members, whether dependant or not. Cancer Council NSW believes that family comes first.
2. Please ensure the correct wording is used and include our full name, Cancer Council NSW ABN 51 116 463 846.
3. If you want your donation to be specific to an area or type of cancer call us to ensure a specific request can be met and for the correct wording. The more general the purpose the more flexibility we have to meet the changes in research and support, the need now may not be the same need in 10-15 years' time. However, your wishes are first and foremost.
4. If you would like to establish a legacy in recognition or memory of a loved one, we would encourage you to contact us to discuss the opportunity of titled research awards or scholarships.

## Suggested wording for gifts in wills

If you have any questions regarding the correct wording dependant on the type of gift you would like to leave, please contact the bequest team.

'I (insert name here) **give to The Cancer Council NSW ABN 51 116 463 846 for its general purposes** (or name a specific purpose, such as research, patient and support care services, cancer prevention programs)

[Choose and insert the appropriate statement from the list below]

1. **the whole of my estate**
2. (insert number) **percentage of my estate**
3. **the residue of my estate**
4. **the amount of \$** (insert the value of your gift in cash)
5. **my** (insert name of asset)

**free of all duties, and the receipt of the Secretary or other authorised officer for the time being shall be a complete and sufficient discharge for the Executor(s).'**

## Important Information:

We consider a gift in someone's will to be one of the most significant ways of supporting our mission to beat cancer. We are thankful for the thoughtful and loyal supporters who decide to leave a gift to Cancer Council NSW once their loved ones have been provided for.

You can choose which type of gift is right for you. You may wish to consult with your solicitor and/or financial planner. Whatever you decide we recommend that you talk with your loved ones about your choice.

You might be surprised at how much your estate is worth when you tally the estimates of your assets and liabilities. Every gift is extremely important to us. Even a small percentage of your estate can make an enormous difference to the lives of those affected by cancer.

## What type of gift can I leave in my will for Cancer Council NSW?

- **Whole or part of your estate** - You can leave your entire estate or any part of your estate to Cancer Council NSW
- **A residual gift** - A residual bequest is a simple way to leave a gift that needn't interfere with any other specific bequests left to loved ones. This type of bequest retains its value over time (unlike a specific cash gift, that can reduce in value with inflation). By leaving a residual gift to Cancer Council NSW you are instructing your Executor that, once your debts are paid and specific gifts are distributed to loved ones named in your will, the remainder (or a proportion of the remainder) of your estate will be gifted to Cancer Council NSW.
- **A fixed specific gift** - A gift in the form of other property such as real estate, shares, vehicles or items of jewellery.
- **A fixed sum of money** - Also known as a pecuniary bequest, in the form of a specific cash amount. Your solicitor can advise you of ways to ensure the gift retains its relative value (for example, by increasing the amount by reference to CPI)



**For more information on how to help us achieve a future free of cancer by leaving a bequest to Cancer Council NSW, call our wills and bequest team on 02 9334 1479.**

**Joshua or Jasmine would be happy to have a confidential discussion regarding your personal circumstances.**

**Call: 02 9334 1479**