

INTERVIEW AND DATA CAPTURE

Enduring Power of Attorney, Will and SMSF Will (if relevant)

The following interview for your enduring power of attorney, Will and SMSF Will captures details around who will be looking after your affairs in the event of your incapacity (your attorney) or on your death (your executor).

It also looks at whether you want to leave any specific gifts to anyone and finally who and what percentage of the estate you would like to leave to one or more of your primary beneficiaries. Also, for completeness if they are not alive what is to happen to their share such as being redistributed to the remaining primary beneficiaries or to be passed onto a secondary beneficiary if there is only one primary beneficiary such as a spouse and they are not alive at the time of your death.

The interview also includes whether you have any funeral wishes, what may happen to digital assets such as Bitcoin or Facebook, if you have children under 18 or pets who is to be their guardian and if you own a property and want your spouse or some other person to live in the property for their life (known as a life interest in property).

If you have a self-managed superannuation fund you will also be able to leave instructions how you would like your superannuation benefits paid in the event of your death. Your Will cannot designate at law what happens to your superannuation benefits, this is the purpose of the SMSF Will.

If you have any questions, please do not hesitate to contact us and we look forward to receiving the following information as soon as possible so we can complete the relevant documents based on your Interview Data Capture.

Alternatively, we can complete the Interview Data Capture by way of a Zoom meeting – please contact us to arrange this meeting.

Bloodline Focus: Importantly we can build a set of documents that ensures that your wealth is protected for the benefit of your bloodline. If this is of interest, tick the box below:

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- Please ensure that any estate planning or other documents are established for the benefit and also the protection of my bloodline.
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A. YOUR NAME AND ADDRESS

NAME	AGE	ADDRESS
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B. COMMON PARTIES AND ADDRESSES

To make life easier can you put in this table all those persons who may be part of your enduring power of attorney, estate including Executors, family members, beneficiaries and any other person. For example, this may be: John Smith – Son – 11 Olde Road Jonestown WA 7043

NAME	RELATIONSHIP TO YOU	ADDRESS

C. WHO IS TO BE YOUR ENDURING POWER OF ATTORNEY AND EXECUTOR?

1. Who is to be your Enduring Power of Attorney (EPOA) and Executor? Put their name in the box below. This may be held jointly by one or more persons. If you want different persons for the roles write in the box below the name of those persons but for simplicity and safety, it is best to have one person or persons being your power of attorney and executor.

<p>Attorney and Executor or Attorney alone:</p>

Executor:

2. If none of your EPOAS or Executors can fulfill their duties because of sickness, incapacity or death who is to be your second in line EPOA and Executor? This may be held jointly by one or more persons. If you do not want a second line of EPOAs or Executors just put "NA"

Successor Attorney

Successor Executor

3. If none of your first or second line EPOAS or Executors can fulfill their duties because of sickness, incapacity or death who is to be your third line of EPOA and Executor? This may be held jointly by one or more persons. If you do not want a third line of EPOAs or Executors just put "NA"

Second Successor Attorney

Second Successor Executor

D. ENDURING POWERS OF ATTORNEY

Your attorney will look after your personal and financial affairs and if you have a SMSF, can act as your replacement trustee of the Fund. You can give them unfettered control or provide limits – such as “ensure that any health care is of the highest standard” just to provide them with some guidance. If you would like to put in some guidance including what not to do then insert in the box below:

Attorney Instructions:

If you have a SMSF do you want your attorney to step into your trustee shoes as the Replacement Trustee – state yes or no or any other person you would like to fulfill that role?

E. SUCCESSOR DIRECTORS

If you are a director of a company and you become incapacitated or die, control of that company may be a problem (particularly if you are a sole director). You may want to put in place a Successor Director to look after your interests. This can be done with a binding resolution that we can prepare. If this is important to you note down the company, its Australian company number (ACN) and who you would like as Successor Director. There is space to put up to three companies.

COMPANY AND ACN	SUCCESSOR DIRECTOR NAME

F. WILLS – SPECIFIC GIFTS BEFORE THE REST OF THE ESTATE

After appointing a chain of Executors to manage your estate the next step is to guide your Executor with your desire to make a specific gift to a spouse, child, grandchild, or other person. Once this is done and the gifts are made, anything left over forms the remaining estate which may be passed in its entirety to a spouse or children individually or to be shared. Importantly specific gifts rank higher in importance than the remaining estate so spend time on specifics.

The first step then is to look at specific gifts. Now do you want to make any specific gifts to any person – such as “My investment property at 5 Smith Street Collingwood Vic is to go equally to my eldest daughter Jane and son Mark” or “My sister Jonie Smith is to receive \$100,000” or “All my estate is to go to my wife Janelle” or “My Executor is to distribute my personal effects and jewelry in a fair and reasonable manner.”

Feel free to make as many bequests as you want – the more specific gifts you complete it makes the role of the Executor that much easier and faster.

Specific Gifts – this provides your Executor with the authority to transfer property, shares, jewelry, cash, or a percentage of all your assets, after any specific bequests to a certain person or group of persons. Please be as specific as possible and identity the assets and persons which may include a charity and does not have to be only

persons or charities resident in Australia. If the person receiving the gift is not alive then the asset forms part of the remaining estate. If the specific gift is not in your possession at the time of your death you can make a note that it is the gift or dollar equivalent.

Please note that this is the area to gift digital assets such as social media, databases or crypto currencies such as Bitcoin:

1. Specific Gift No 1

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2. Specific Gift No 2

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3. Specific Gift No 3

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4. Digital Assets and Crypto currencies such as Bitcoin

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G. WILLS AND YOUR REMAINING ESTATE

If there are any assets or monies left over after paying all expenses of the estate and also paying out all specific gifts the remainder of the estate, called the residual estate is to pass to the main beneficiaries is they are alive.

- a) **Main Beneficiary:** Who are the main beneficiaries and if more than one, are they to take equally, or note down any specific percentages for any beneficiary or beneficiaries?

NAME	PERCENTAGE OF ESTATE

b) If the main beneficiary or beneficiaries are not alive then who is to get their benefits – choose from one of the following:

- Their bloodline children which may be held on trust subject to the Executor’s discretion and on the advice of the adviser of the Estate
- Any surviving Main Beneficiary in equal proportions
- To be paid to the Secondary Beneficiary
- To be paid to any Bloodline Beneficiary at the Executor’s discretion

c) **Secondary Beneficiary:** If the main beneficiary has passed the estate (in the event of their death) to a secondary beneficiary or beneficiaries are they to take equally or note down any specific percentages for any beneficiary or beneficiaries?

NAME	PERCENTAGE OF ESTATE

If the secondary beneficiary or beneficiaries are not alive then who is to get their benefits – choose from one of the following:

- Their bloodline children which may be held on trust subject to the Executor’s discretion and on the advice of the adviser of the Estate
- Any surviving Secondary Beneficiary in equal proportions
- To be paid to any Bloodline Beneficiary at the Executor’s discretion

H. FUNERAL WISHES

What are your funeral wishes?

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I. CHILD AND PET GUARDIANSHIP

If you have children or pets who is to be their guardian? Please identify specifically with name of the guardian and any financial provision to be made to them to act as guardian.

CHILD GUARDIANSHIP

NAME OF CHILD	NAME OF GUARDIAN	SECOND GUARDIAN IF FIRST NOT ABLE OR ALIVE

PET GUARDIANSHIP

PET NAME	GUARDIAN

J. LIFE TENANCY

If you own a property outright, not jointly, you can gift this to one or more of your beneficiaries or let it pass to the remainder of your estate to go to your principal beneficiaries. Alternatively, you may request that one or more persons, such as a spouse or de facto live in the property for the remainder of their life – commonly known as a life interest. If you desire this strategy please write down the property address and who is to live in it below:

PROPERTY ADDRESS	LIFE INTEREST NAME

K. SMSF WILL

Your superannuation benefits may pass to your estate or directly to one or more of your dependants. A dependant includes your spouse, de facto, any child, any person living with you at home or any person who is financially dependant upon you (their quality of life is enhanced by ongoing and continuous contributions to their wellbeing).

A SMSF Will is a set of instructions for the Trustee of your SMSF to follow in the event of your death. In short you can pay a lump sum to your estate to be included as part of your Will or pay it directly to a dependant who can then use that money as they wish, or you can direct it to be paid into a trust for them (SMSF Death Benefits Trust) or let them transfer it to any company or trust that they own. In some cases, such as with a spouse, child under the age of 18 or financial dependant (including disabled children) an income stream or pension may be paid. This can be very tax effective.

Like the Will, the SMSF Will provides the ability to pay an amount to a dependant or your estate. Please complete the box below. For example: Jane Smith – 100% of MY Super – BC

NAME OR ESTATE	PERCENTAGE OF SUPER	INCOME OR LUMP SUM OR BENEFICIARY'S CHOICE (BC)

In the event the principal beneficiary of your superannuation estate is not alive then choose to whom your superannuation benefits are to go:

NAME OF SUCCEEDING BENEFICIARY	PERCENTAGE OF SUPER	INCOME OR LUMP SUM OR BENEFICIARY'S CHOICE (BC)

If the secondary superannuation beneficiary is not alive then choose where it is to go:

- The deceased's estate for the sole benefit of the deceased's bloodline or lineage unless a SMSF Death Benefits Trust can be established under the Superannuation Laws for the bloodline or lineage of the deceased member only
- The deceased's estate for the benefit of their family and estate beneficiaries and charities
- The deceased's estate for the benefit of the bloodline children of the succeeding beneficiary to be held in trust with income to be paid quarterly but no capital distribution until they reach age 25. If there are no bloodline children of the succeeding beneficiary then the share of my superannuation interest is to be paid to the remainder of my children that remain alive in equal proportions
- Any other – please note in the box below

SUPERANNUATION BENEFICIARY NAME	HOW TO RECEIVE BENEFITS

SPECIAL TERMS OR CONDITIONS

If there is any special terms or conditions needed: