



Will and Power of Attorney Checklist

STEPS TO MAKING YOUR WILL

- Complete the attached Checklist
- Send the Checklist to info@aquariuslawyers.com.au
- NALS will do a draft of your Will and/or Power of Attorney
- NALS will contact you to make an appointment to discuss your draft Will either by phone (02) 9615 9635 or via the website www.newagelegalsolutions.com.au
- At the appointment, your solicitor will go through your Will and make any changes that are necessary to reflect your wishes
- If you are unable to attend the office, a home visit can be arranged.
- Once the Will is correct, you will sign the Will at NALS office at that appointment
- The Power of Attorney will be sent to your Attorneys for acceptance and signing
- Once all documents have been signed, a copy will be sent to you with an Account
- The documents will be stored in a cloud based system where you can access the documents at anytime, until otherwise instructed by you. This is a complimentary service provided to clients



CHECKLIST FOR MAKING A WILL/ POWER OF ATTORNEY

Your Details

Full Name:			
Residential address:			
Postal address:			
Home phone:		Mobile phone:	
Email Address:			
Occupation:		Date of birth:	
Marital Status:			

Asset Inventory

Property I own solely	
Land Address:	
Bank Accounts:	
Other:	
Property I own as a Joint Tenant	Name of Joint Tenant
Land Address:	
Bank Accounts:	
Other:	
Property I own as a Tenant in Common	Name of Co-Tenant
Land Address:	
Bank Accounts:	
Other:	

“Joint tenant” means if you die the other joint asset holder automatically receives your share. “Tenant in common” means if you die your half share will pass according to your will.

Are you the Director of a Company or trustee of a trust? (tick one)

No Yes

<input type="checkbox"/>
<input type="checkbox"/>



INSTRUCTIONS FOR YOUR WILL

Executors

Who will be your executors? Executor 1 would usually be your spouse. After that, the default Executors would be people of your age or younger who you trust and you are sure will carry out your wishes. The executors can be beneficiaries or relatives but should be over 18.

Executor 1/Spouse?

Full Name:	
Nick Name:	
Address:	
Relationship:	

Executor 2?

Full Name:	
Nick Name:	
Address:	
Relationship:	

Executor 3?

Full Name:	
Nick Name:	
Address:	
Relationship:	

Please tick which option you prefer: Executor 1 is to make all decisions but if that Executor has died, then Executors 2 and 3 are to take over that role. The Executors are to make decisions together.

Family Details:

List any children, adopted children and step children including any you do not have contact with.

Family Member	Address	Relationship	Age



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If you have any children younger than 18 years old, you should specify who you want to be the guardians of your children. It is best if the executors and guardians are the same. Ideally, the guardians would be a husband and wife team who would bring in your children in the same manner that you would.

Please specify who you want to be the guardians of your children:

Guardian #1?

Full Name:	
Nick Name:	
Address:	
Relationship:	

Guardian #2?

Full Name:	
Nick Name:	
Address:	
Relationship:	

Gifts in your will:

Do you have any specific gifts that you wish to make? If so, please specify the gifts and the recipient. If there is not enough space, please use another sheet of paper.

Please specify how you want your Estate to be divided after all specific gifts have been made. For example, in a husband and wife situation, all of your Estate would usually pass to your wife then to any children if your wife died before you and then to any grandchildren of a son or daughter who predeceases you.

If you and your family were involved in a catastrophic accident where there were no survivors, I suggest that your

Estate be split evenly so that half goes to your family and half goes to your spouse's family.

Please specify how the two halves are to be split.

- 1 My beneficiaries
- 2 Spouse's beneficiaries

Full Name:	
Full Name:	
Full Name:	

Full Name:	
Full Name:	
Full Name:	

Special Wishes: (tick one)

I want to be buried I want to be cremated Do you have any special wishes regarding burial or cremation ?

Superannuation/Insurance Entitlements

So that the wishes you have expressed above are carried into full effect you need to consult your financial adviser to ensure that your superannuation binding death benefit nomination and the ownership and beneficiaries of any insurance policies correctly reflect your intentions stated above.



ENDURING POWER OF ATTORNEY INSTRUCTIONS

You should also consider giving an Enduring Power of Attorney to someone you trust. The Power of Attorney will let your Attorney sign documents on your behalf and will remain in force even though you may lose your mental capacity. **This means that if you ever became mentally incapacitated, your Attorney could manage your affairs for you.**

I caution that the document is one of ultimate trust because it will allow your Attorney to operate your bank accounts and transfer your land and should therefore only be given to someone who you trust implicitly. If you want to, you can impose conditions on the circumstances in which the Power of Attorney will operate.

After appointing your main Attorney, you should also give consideration to appointing an alternate Attorney if your main Attorney dies or becomes totally mentally or physically incapacitated. The alternate Attorney could be one or more of your children. Sometimes, clients request more than one child be appointed to avoid any ill feeling in the family and as “a check and balance” on the use of the power by the Attorney/s. Attorneys should be over 18 years old.

Full name of Attorney #1:	
Nick Name:	
Attorney's residential address:	
Full name of Attorney #2:	
Nick Name:	
Alternate Attorney's residential address:	
Full name of Attorney #3:	
Nick Name:	
Alternate Attorney's residential address:	

Attorneys 2 and 3 are only to sign documents on my behalf if Attorney 1 dies or becomes totally physically or mentally incapacitated: YES /NO

Please advise whether or not you want your Power of Attorney registered. This simply means that the document would be put on a public register and nobody could then say that the document was signed after the date of registration. That reduces any allegation of forgery. A Power of Attorney does not have to be registered to be valid.

If you want the document registered, additional costs will be payable including the Government charge for registering your Power of Attorney. Please tick your choice.

Register my Power of Attorney

DON'T register my Power of Attorney

