

# Estate Planning Considerations

Talking about estate planning means talking about death which is something a lot of us would prefer not to think about. However, we spend our lives working hard, making sacrifices and investing wisely to build our wealth that we owe it to ourselves to make sure that the assets we leave behind go to the people we want it to and in the most tax effective ways.

## WHAT YOU NEED TO CONSIDER:

- What assets form part of your estate and what assets sit outside of your estate?

---

- Are you a member of a self-managed superannuation fund or industry fund? Have you signed a binding death benefit nomination?

---

- Are you a potential beneficiary of or named in a control position (such as Principal, Appointor or Trustee) of an existing trust?

---

- Are you a director or member of a company? Are you a partner in a partnership?

---

- Should you be implementing other succession planning strategies now to maximise the protection of your assets while you're alive and/or reduce the size of your estate upon your death?

---

- Are your assets located in and/or outside Australia?

---

- What are your personal circumstances? Single, de facto, married, separated or divorced? Children or no children? Grandchildren?

---

- Who do you want to have responsibility for the care and wellbeing of your minor children when you (and the other parent) have passed away?

---

- Who do you have a 'moral obligation' to continue to look after once you have died?

---

- Who would you like to benefit from your estate, being "your beneficiaries"?

---

- What are the personal circumstances and ages of your beneficiaries?

---

- 
- Do you need to protect your beneficiaries' inheritance from divorce and bankruptcy risks?
- 
- Have you considered the tax treatments of your assets and/or income earned from those assets for your beneficiaries?
- 
- Who do you trust to manage your estate and ensure your beneficiaries receive their entitlements?
- 
- Do you have any preferences for your funeral arrangements?
- 
- Who do you trust to manage your medical, personal and financial affairs if you lose capacity?
- 

## WHO WILL BENEFIT FROM INCLUDING A TESTAMENTARY TRUST IN THEIR WILL?

If you tick any of the following boxes then you should consider using a testamentary trust in your will:

### USE A TT IF:

- You are leaving at least \$500,000 (including super and life insurance) to one or more people
- 
- You want to leave an inheritance to minors who can each receive approximately \$22,000 tax free income each year from investing the inheritance
- 
- It is important to you that the inheritance is protected the from relationship risks (e.g. divorce or separation)
- 
- It is important to you that the inheritance is protected the from bankruptcy risks
- 
- You are leaving assets to a beneficiary who cannot be trusted to manage their inheritance appropriately and you are worried they will waste it
- 
- An intended beneficiary is currently residing overseas
-