*Date Completed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

**Will Questionnaire**

**Section 1:** Tell us a bit about yourself.

|  |  |  |  |
| --- | --- | --- | --- |
| What’s your name? |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

1. Have you made a Will before?  Yes  No

**Section 2:** Relationships

1. What is your current relationship status? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |
| --- | --- | --- | --- |
| Partner’s Name |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Partner’s Occupation* | *Partner’s Town of Residence* |

**Section 3:** Children *(If you do not have any children, skip Section 3)*

1. Please list the full names of your children, their date of birth and their other parent.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| First Name | Middle Name | Last Name | Date of Birth | Other Parent |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. If any of your children are under the age of 18 years, who do you wish to appoint as their testamentary guardian?

***What’s a Testamentary Guardian?*** *A Testamentary Guardian is a person you appoint to become a joint guardian of your children along with other guardians on your death. They do not automatically have day-to-day care, but they are responsible for contributing to your children’s development and making important decisions. You should only appoint one Testamentary Guardian. You should also discuss this with the Testamentary Guardian as it is an important and significant task to take on.*

|  |  |  |  |
| --- | --- | --- | --- |
| Testamentary Guardian of Children |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Guardian’s Occupation* | *Guardian’s Town of Residence* |

|  |  |  |  |
| --- | --- | --- | --- |
| Back Up Guardian of Children |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Back Up* *Guardian’s Occupation* | *Back Up* *Guardian’s Town of Residence* |

1. Are any of your children under a disability which  Yes (provide details)  No

requires special consideration of their future

support?

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

**Section 4:** Funeral/Burial Wishes

1. Do you have any special wishes about your funeral?

|  |
| --- |
|  |

1. Do you wish to be buried or cremated? Any specific location?

|  |
| --- |
|  |

1. Do you wish to donate your body for medical research, medical transplant or otherwise for the benefit of medical science? *Please Note: this requires prior approval and acceptance.*

|  |
| --- |
|  |

**Section 5:** Who do you want to be your Executor/s?

***What’s an Executor?*** *Your Executor is the person/s who will administer and distribute your Estate following your death. You can appoint more than one person to be your Executor, and you can also appoint a “back-up” Executor if your first choice is unwilling or unable to act. If you do not want a family member or friend to be your Executor, you can appoint a partner of Mactodd.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Executor 1** |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

|  |  |  |  |
| --- | --- | --- | --- |
| **Executor 2** |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

|  |  |  |  |
| --- | --- | --- | --- |
| **Executor 3** |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

|  |  |  |  |
| --- | --- | --- | --- |
| **Backup Executor** |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

1. Do you want your Executor/s to be able to  Yes  No

carry on any business you have an interest in?

1. Do you want your Executor/s to be able to pay money or transfer assets to the guardian of your children for their maintenance, benefit or education or advancement?

Yes  No

**Section 6:** What do you own?

***Why do we need to know this?*** *This will help us determine the extent of our advice with respect to your assets or liabilities, for example, relationship property issues or trusts.*

1. Please provide us with a list of assets and liabilities with approximate values.

**Assets Approximate Value**

|  |  |
| --- | --- |
|  | **$** |
|  | **$** |
|  | **$** |
|  | **$** |
|  | **$** |

**Liabilities Approximate Value**

|  |  |
| --- | --- |
|  | **$** |
|  | **$** |
|  | **$** |
|  | **$** |

1. Are any of the assets listed above owned jointly with somebody else?

No  Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Are any of the assets listed mortgaged, charged or encumbered in any way? If so is there any insurance or other provision for repayment of the same in the event of your death?

No  Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Do you own any assets overseas?  Yes  No

**Section 7:** Gifts

1. Do you wish to make any specific gifts of money, or items like your jewellery or antiques?

|  |  |  |
| --- | --- | --- |
| **Money** | **To be left to:** | **Relationship to you** |
| $ |  |  |
| $ |  |  |
| $ |  |  |

|  |  |  |
| --- | --- | --- |
| **Item** | **To be left to:** | **Relationship to you** |
|  |  |  |
|  |  |  |
|  |  |  |

***Gifts****: It is important that any items to be gifted are clearly described so that they can be recognised on your death. For example, instead of saying “my necklace” it is best to say “my gold necklace with a pearl”. You may prefer to provide for family members to distribute in accordance with your stated wishes or a detailed list left with your Will.*

1. If the recipient is a minor what is to happen with the gift for the time being?

Given to Parent  Held by Executor  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Do you wish to create a life interest?  Yes  No

***What is a Life Interest?*** *A Life Interest is where you give a person/s the use of your Estate or part of it during his/her lifetime only and afterwards give the Estate to some other person/s. For example, you give a Life Interest in your family home at 2 Brown Street to your partner, then on his/her death the property is to be sold and the proceeds shared equally between your children that survive your partner.*

If so please give the full name, address and occupation of that person/s. Please also give a breakdown of parts of your Estate that are to be left as a life interest (i.e. home at 2 Brown Street).

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

**Section 8:** Where is your Estate going?

***What is your Estate?*** *Your Estate is effectively what is “left-over” once your assets have been used to pay your debts, funeral expenses and any gifts of money or assets made above in Section 6.*

***What is a Beneficiary?*** *A Beneficiary is anyone who benefits from your will. If a Beneficiary is under 18 years old, it is common for your will to record the age a Beneficiary must reach before receiving their interest in your will. This is commonly 18 or 21 years old (see Question 19 below).*

1. Who do you want to leave your Estate to? Please give the full name, addresses and occupations of the Beneficiaries if they are not your children. *Below are some common wishes from will-makers but you can distribute your Estate however you want. If these options do not capture your wishes, please just explain your preference in detail in the space below.*

|  |  |  |
| --- | --- | --- |
| **Option A:** *To my partner, otherwise my children equally, otherwise their children* | **Option B:** *To my children equally, otherwise their children* | **Option C:** *leave all assets to my Family Trust* |

**Other**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. If any Beneficiary is under 18, at what age do you wish them to attain their interest in your Estate?

18  20  21  \_\_\_\_\_\_\_\_\_

**Section 9:** Miscellaneous

1. Have you made any promise, whether enforceable or not to leave property by Will? *In some circumstances, such promises can be enforced against your Estate if you do not fulfil them.*

No  Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. If you are omitting any of your immediate family from your will please indicate the reasons. *Certain family members, if omitted, can apply to the Court for provision from the Estate if they claim to be inadequately provided for.*

No  Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Have you loaned money to children or other family members that is to be forgiven on your death? Will these amounts need to be taken into account in the distribution of the residue of the Estate?

No  Yes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Section 10**: Family Trusts *(If you do not have a Family Trust, skip Section 10)*

1. Do you have a Family Trust?  Yes

🡪 *Please provide us with a copy of the Trust Deed if we do not already have one.*

1. Do you wish to forgive any debts owing to you  Yes  No

by the trustees on your death?

1. Do you wish to appoint a person/s as a trustee  Yes  No

of the Trust in your place?

|  |  |  |  |
| --- | --- | --- | --- |
| Replacement Trustee |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

1. Do you have a current Memorandum of  Yes  No

Guidance for the Trust?

***What’s a Memorandum of Guidance?*** *A Memorandum of Guidance or Wishes is a note to the trustees of your Family Trust that explains what you want to happen with the Trust. It is not legally binding but it does inform your trustees of how you intend the Trust to operate after your death. It is a simple but important document for your Trust and we can help you prepare one alongside your will.*

1. Do you have the power of appointment under

any trust which can be exercised under your  Yes  No

Will?

1. Do you wish to give somebody this power of  Yes  No

appointment?

|  |  |  |  |
| --- | --- | --- | --- |
| Replacement Appointer |  | | |
| *First* | *Middle* | *Last* |

|  |  |
| --- | --- |
|  |  |
| *Occupation* | *Town of Residence* |

1. Has the Trust loaned money to children or other

family members during their lifetime that is to be  Yes  No

forgiven on your death?

1. Will these amounts need to be taken into

account in the distribution of the residue of the  Yes  No

Estate?

**Section 11**: Anything else?

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

**Section 12:** Enduring Powers of Attorney (EPOA)

***What’s an Enduring Power of Attorney?*** *An EPOA is a document that gives someone the authority to make decisions on your behalf, particularly when you are “mentally incapable”. There are two types of EPOAs: a Property EPOA (which deals with financial affairs, assets etc.) and a Personal Care and Welfare EPOA (which deals with medical decisions, going into a rest home etc.) An attorney acting under an EPOA must do so in your best interests.*

*There is a common misconception that an EPOA is only for the elderly, but it can apply to all ages – for example, if you have an accident which renders you mentally incapable at 40 years old, an EPOA will provide the same protection. An EPOA is an important document that anyone should consider creating to ensure their affairs (property and personal) are looked after when you can no longer make decisions by yourself.*

Would you like more information about EPOAs / would you like to execute an EPOA alongside your will?

Yes  No

Thank you for completing this form. Please return your form to us at [queenstown@mactodd.co.nz](mailto:queenstown@mactodd.co.nz) (or to your lawyer you have already instructed). Alternatively you can post it to us at PO Box 653, Queenstown 9348, New Zealand. If you have any questions when filling this out, call us on (03) 441 0125.