

# Will Information Pack

# Preparing your will.



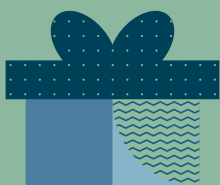
**Making a will is the only way you can be sure your wishes will be followed after you leave this world. It also means less confusion and heartache for your loved ones in their time of grief.**

If you don't make a will, part or all of your estate may end up going to people you never intended to benefit.

**Just as the term suggests, a will carries out your wishes.** If you happen to die without a valid will, the law dictates how your estate is distributed. This means if you have no next of kin, your estate will pass to the Crown. And if you do have relatives, they may disagree about what should happen with your estate. Your will clearly explains your intentions and ensures they are carried out.

**In New Zealand, you can either engage a professional to write your will or you can write it yourself using an online will writing platform.**

**For a will that covers everything you need it to without ambiguity, it's best to engage the services of a professional will writer or lawyer.** Before you meet with them, or before you complete your own online will, you should think about the questions posed in this Will Information Pack and whether you would like to include a gift to cause areas or charities of your choice.



## Leave a lasting legacy.

September is Wills Month, a good reminder of the importance of having a will and keeping it current. If you are considering leaving a gift in your will, we can help you make your gift a lasting legacy for your community.

Our smarter giving model invests and protects your gift, so it grows to become an ongoing source of funding. And you can decide how it will be used.

Make your gift last forever.  
Visit [www.45South.org.nz](http://www.45South.org.nz) to find out how.

# Important things to consider when preparing your will.

## **Your family comes first.**

Your loved ones come first. You will probably want to include your children, and perhaps extended family and close friends.

## **What is the value of your estate?**

You will want to have some idea of what the value of your estate is worth. This involves offsetting the current value of everything you own, including your property, car, all your personal possessions and any money, against all your debts, including mortgages, loans, overdrafts, any credit or extended purchase agreements.

## **Who will look after your children?**

If you have children under the age of 18 you'll need to decide who you would like to take care of them after you have gone.

## **Who do you want to include?**

Your will is your chance to say how you'd like your assets to be distributed after you have gone. Gifts can be anything you own including specific items, money, property or a percentage of your estate.

Of course your loved ones come first, but if you'd like to also include a charitable gift in your will you'll need to know the full name of that charity and their registered charity number (which you can find via the Charities Services website at <https://charities.govt.nz/>).

Remember to talk to your family and friends about your choice, so they don't get any surprises and can ensure that your wishes are carried out.

## **Who would you like to handle your affairs?**

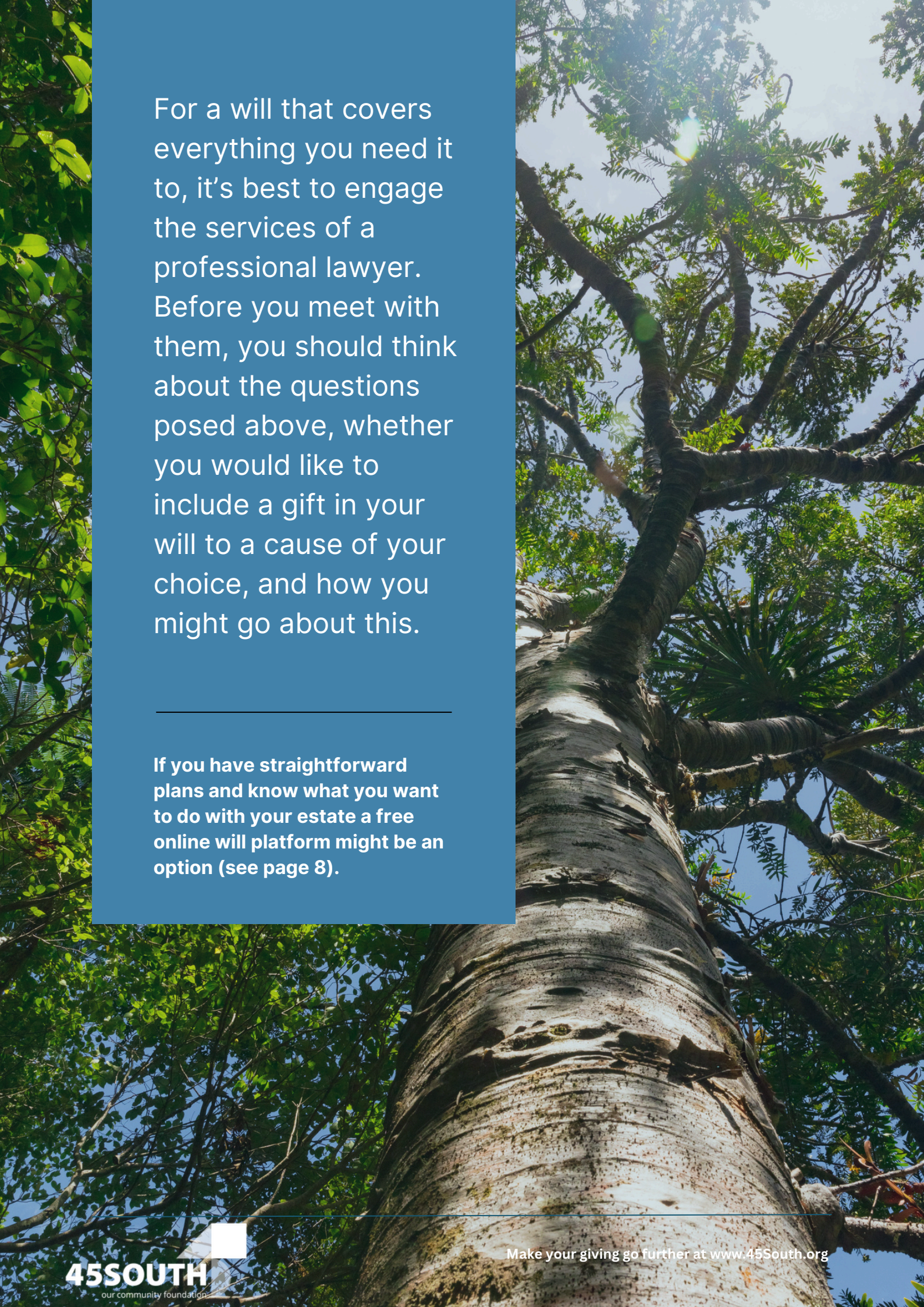
The people who handle your affairs after you've gone are called executors. They can be professionals, friends, family members or any combination of these.

It's usual for two people to share the task of executing your will, so choose carefully two people who you trust and you know will understand, and follow through on, your intentions.

## **What funeral arrangements would you prefer?**

Your will also provides you with the opportunity to say what you'd like to happen at your funeral, which can greatly help your loved ones in their time of grief.





For a will that covers everything you need it to, it's best to engage the services of a professional lawyer. Before you meet with them, you should think about the questions posed above, whether you would like to include a gift in your will to a cause of your choice, and how you might go about this.

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**If you have straightforward plans and know what you want to do with your estate a free online will platform might be an option (see page 8).**



# Types of gifts to charity.

By leaving a percentage of your estate, a sum of money or other assets to a charity in your will, you will likely be leaving your own lasting legacy for the world. Your gift, regardless of the size, will be gratefully received and very much appreciated by the cause of your choice, so that they can do more good in the world.

**You can choose to leave a gift to charity in two ways:**

- 1. Directly to the charity or cause of your choice.**
- 2. To a named endowment fund, benefitting the charity or cause(s) of your choice for the long-term**

## **How does a named endowment fund work?**

Your gift will be professionally invested, and the income earned will be paid out to charities or causes of your choice each and every year, forever. It's a great way to support something you care about for the long-term.

## **You can set up your own named endowment fund through 45South Foundation**

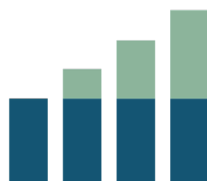
See how an endowment fund works at <https://communityfoundations.org.nz/fund-calculator>

Your gift will be invested, nurtured, grown and, over time, the investment income will be given out each year.

It's like having your own private trust, without all the hassle!



**Your gift**



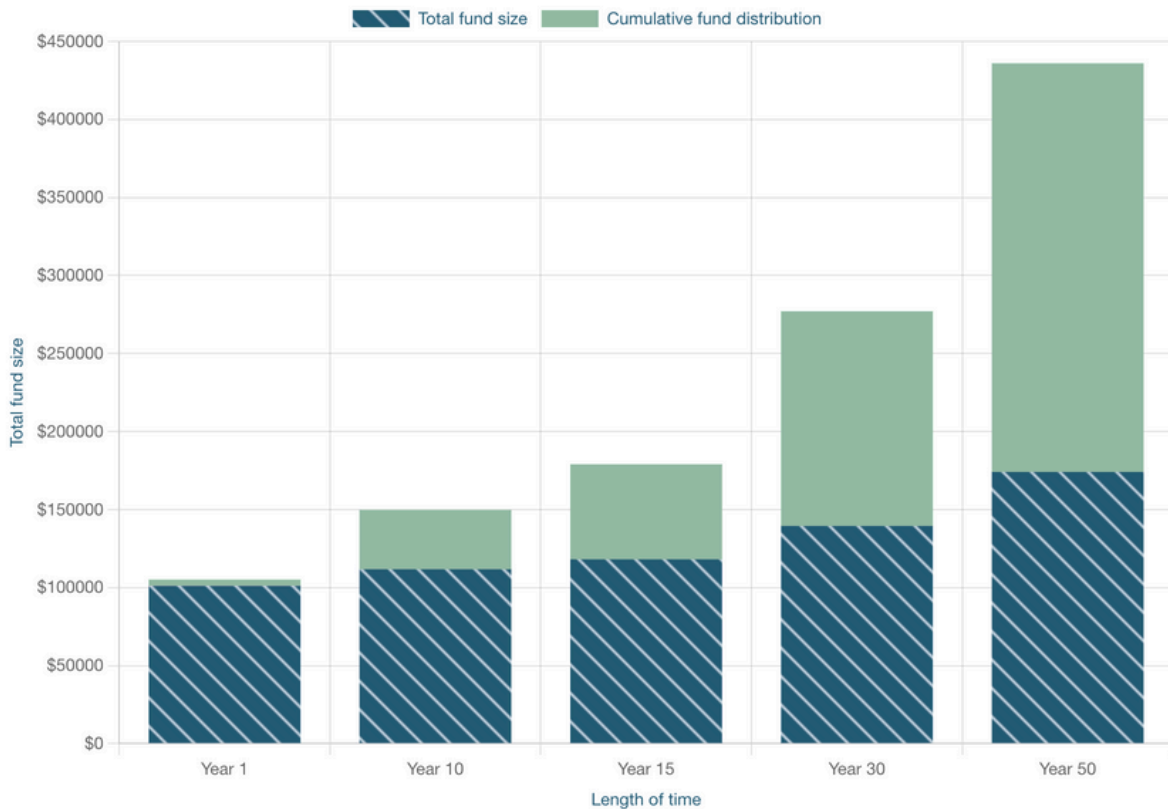
**is invested  
and grown**



**and the ongoing  
interest earned**



**goes to the  
local causes  
you love**



Estimated 6.5% average investment return and a distribution of 4%

As an example, a \$100k endowment fund can return \$4k to a charity of your choice, each and every year, forever.

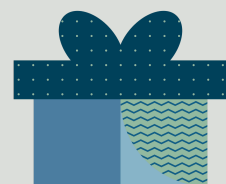
It can be a great way to support a community, or a cause that you care about, for the long-term.

**Have you already made a will? No problem, it's easy: add a codicil.**

If you have already made your will and now want to include a gift to a charity, either directly or through a named endowment fund, you can either make a new will or add what is termed a 'codicil' to your existing will. This is a separate document but still part of your will, and adding a codicil is an easy process your lawyer can take you through.

### How does adding a gift to a charity impact my children?

Number of Children Allocation to Charity	1	2	3
0%	100%	50%	33.3%
1%	99%	49.5%	33%
5%	95%	47.5%	31.7%
10%	90%	45%	30%



# Different types of bequests or gifts.

There are four main types of gifts you can choose to leave to a charity:

## 01. Residual

The remainder of your estate after considering your loved ones.

## 02. Percentage or fractional

A gift expressed as a percentage or fraction of your estate.

## 03. Pecuniary or specific

A specified gift which can be money, property or shares.

## 04. Whole estate

This comprises your entire estate and is usually left by those without beneficiaries or by those wanting to achieve something very significant through their giving.

# Aroha

# The most common ways to leave a gift in your will.

## **Pecuniary or Specific Bequest:**

I leave to (CHARITY NAME) of (CHARITY ADDRESS) Charity Registration Number: (xxxxxxx): (description of item) absolutely for the general purposes of the said charity and I direct that the receipt of the Treasurer or other duly authorised officer shall be a sufficient discharge to my Executors

## **Residuary Bequest:**

I leave to (CHARITY NAME) of (CHARITY ADDRESS) Charity Registration Number: (xxxxxxx) (proportion or residual to be completed) for its general purposes and I direct that the receipt of the Treasurer or other duly authorised officer shall be a sufficient discharge to my Executors.

## **Leave to a named endowment fund with 45South Foundation:**

My Trustees shall transfer % of the residue of my/our estate to 45South Foundation to be paid into the "[name of fund] Fund" which I/we have established so that it may be dealt with by the trustees of the Foundation in accordance with the terms of that Fund.

## **Online Options:**

Our free online will writing platform allows you to choose a \$ figure or % gift to your local community, to be looked after by 45South Foundation. Your gift can be invested to boost your region's General Fund - to give back to your region for the long term - or you can work through other options, including establishing your own named fund. Contact us today for further details of how to make your giving personal to you and yet flexible to meet changing community needs. [www.45South.org.nz](http://www.45South.org.nz)

Talk through the options with your lawyer and us here at 45South Foundation about the type of gift you would like to leave in your will.





# Wills Checklist

☐**Who will handle your affairs/be your executor?**

You will need to appoint one or two people you trust, who will be there to carry out the terms of your will after you've gone.

☐**Who do you wish to provide for?**

This may include children, your partner, other family members, and friends, even your pets!

☐**Who do you wish to leave a bequest to?**

Bequests are specific items (such as a sum of money - large or small - or assets) that you wish to leave to a specific person, community group or charity. They are, effectively, a gift in your will.

☐**What will you do with the remainder of your estate?**

Will it go to your partner, children, other family members, friends or to charities you feel a connection with? Would your gift be pecuniary or residual?

☐**Will you want to leave a gift directly to the charity, or to your own named endowment fund?**

Sometimes the size of the gift helps you to make your choice, many people like the idea of a gift being invested for the benefit of a cause of their choice, forever. You can talk the options through with 45South Foundation to decide what option is best for you.

☐**What are your wishes for your funeral?**

While this does not need to be included as part of your will, it's certainly a good idea to have your wishes down in writing as it will ease the pressure on your loved ones, and to make it easy for them to know what to do when making arrangements after you have gone.

☐**Have you spoken to your family about your wishes?**

Speak to your family about your decisions, so they can support your wishes when the time comes.



# If you don't have a will, now is the time to write one!

Getting these matters in order now could be your final gift to your family and loved ones.

These matters often get put into to 'I'll do it eventually' pile. However, it's really very important to get your wishes down in writing, to clarify and formalise matters now to make the process easy for your loved ones.

With a will in place, you will also rest assured that your wishes will be carried out after you have gone.

## Here are our local partner law firms.

**BERRY & CO**  
BARRISTERS & SOLICITORS

**Berry and Co**  
Phone: 03 441 0302  
[www.berryco.co.nz](http://www.berryco.co.nz)

**TODD & WALKER law**  
LAWYERS | NOTARY PUBLIC

**Todd & Walker**  
Phone: 03 441 2743  
[www.toddandwalker.com](http://www.toddandwalker.com)

**RVG LAW**

**RVG Law**  
Phone: 03 409 2006  
[www.rvg.co.nz](http://www.rvg.co.nz)

 **Duncan Cotterill**

**Duncan Cotterill**  
Phone: 03 428 2050  
[www.duncancotterill.com](http://www.duncancotterill.com)

 **lane neave.**

**Lane Neave**  
Phone: 03 409 0321  
[www.laneneave.co.nz](http://www.laneneave.co.nz)

 **QUEENSTOWN LAW**

**Queenstown Law**  
Phone: 03 450 0000  
[www.queenstownlaw.co.nz](http://www.queenstownlaw.co.nz)

**Russell McVeagh**

**Russell McVeagh**  
[www.russellmcveagh.com](http://www.russellmcveagh.com)

**anderson lloyd.**

**Anderson Lloyd**  
Phone: 03 450 0700  
[www.al.nz](http://www.al.nz)

**M A C T O D D**  
LAWYERS

**Mactodd Lawyers**  
Phone: 03 441 0125  
[www.mactodd.co.nz](http://www.mactodd.co.nz)

**AWS LEGAL**

**AWS Legal**  
Phone: 03 441 0616  
[www.awslegal.co.nz](http://www.awslegal.co.nz)

**GoldmanLegal**  
Property • Business • Immigration

**Goldman Legal**  
Phone: 03 44102141  
[www.goldmanlegal.co.nz](http://www.goldmanlegal.co.nz)

**Aspiring Law<sup>®</sup>**

**Aspiring Law**  
Phone: 03 443 0900  
[www.aspiringlaw.co.nz](http://www.aspiringlaw.co.nz)



**September is Wills  
Month. Make your  
giving go further.**



[www.45South.org](http://www.45South.org)