

Lawsoft Pty Ltd

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LAST WILL  
Of

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Lawsoft Pty Ltd

**THIS WILL is made by me**

\_\_\_\_\_ (name)

of \_\_\_\_\_

\_\_\_\_\_ (address and occupation)

1. I REVOKE all former testamentary dispositions.

2. [APPOINT EXECUTOR/S]

I APPOINT \_\_\_\_\_

of \_\_\_\_\_

(\* generally appoint 2 people - rule off below if only 1 executor)

\* and \_\_\_\_\_

of \_\_\_\_\_

(hereinafter called "my Trustees" which expression shall include the Trustee or Trustees for the time being hereof) to be my Executors and Trustees.

3. [SPECIAL DIRECTIONS] cremation / burial, guardians for children, pets

(\* rule off any area below not used - this area is **not for** detailing gifts and bequests)

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



.....  
Witness

.....  
Witness

.....  
Testator / Testatrix

5. **[GIFT/S TO CHARITY]**

I Give the following Gift/s to the following Charity/s:

.....  
.....  
.....  
.....

\* rule off above lined area of page if this clause is not used

6. **[GIFT OF BALANCE OF ESTATE]**

It is important to give all the residue of your estate away so for the last gift in here use the words "*I give the residue of my estate to...*" see notes on the information sheet it can be to the persons or persons in clause 4 above and covers any property you may not have given away, interests in other estates, assets acquired in the future etc

Subject to the gifts above I Give Devise and Bequeath the remainder of my estate as follows [It is best to use clause numbering 6.1, 6.2 etc here]

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\* rule off above lined area of page if not used

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.....  
Witness

.....  
Witness

.....  
Testator / Testatrix

7. My Trustees shall hold the whole of my estate on trust for those of my beneficiaries stated if they survive me but if any beneficiary is a child of mine and dies before me or before attaining a vested interest leaving children then those children shall on attaining their majority take equally the share which their parent would otherwise have taken.
8. Whilst any beneficiary is under the age of twenty one (21) years and entitled absolutely contingently or expectantly to a share estate or interest under this Will my Trustees may in their discretion apply the whole or any part of the income and capital of such share estate or interest for or towards such beneficiary's maintenance education benefit and advancement in life.
9. MY TRUSTEE/S have the following powers:
- (a) TO sell (including in respect of all property vested in my Trustee the powers of a trustee for sale), lease, exchange or otherwise deal with assets in my estate on such terms as my Trustee considers expedient as though my Trustee was absolute beneficial owner;
  - (b) TO postpone the realisation of and to retain the whole or any part or parts of my estate (including property of a terminable wearing out nature) for so long as my Trustee thinks fit;

- (c) TO borrow with or without security any such sums as my Trustee in my Trustee's absolute discretion thinks fit for any purpose connected with the administration of my estate;
- (d) TO invest in any one or more of the following forms of investment with liberty to sell vary and transpose the same from time to time namely:-

- |         |         |                      |
|---------|---------|----------------------|
| .....   | .....   | .....                |
| Witness | Witness | Testator / Testatrix |
- (i) In the same forms of investment in which my estate is invested at the date of my death whether such investments are usual investments for Trustees or not;
- (ii) In any of the modes of investment for the time being authorised by law for the investment of trust funds;
- (iii) In real estate and the purchase of real estate including leasehold estate and any lands of any tenure solely or tenant in common with any other person or persons;
- (iv) In the debentures debenture stock or mortgage stocks or shares or other securities of any corporation or company municipal commercial or otherwise or bank carrying on business whether public private or private;
- (e) TO accept or take up any bonus shares or other rights or benefits issued or given by any corporation, company or bank in which my estate may be interested or concerned and to determine whether such bonus shares or other rights or benefits are income or capital notwithstanding the decision in such matter of the corporation, company or bank as the case may be;

- (f) TO appropriate my estate or any part thereof in its then actual state and condition to any person taking a share in my estate in full or part settlement or satisfaction of the share of such beneficiary;

.....  
Witness

.....  
Witness

.....  
Testator / Testatrix

- (g) TO carry on any business of which I am the proprietor or in which I may be interested as shareholder or otherwise at the time of my death and to employ therein the whole or any part of my estate;

- (h) TO use any part of the capital of my estate towards the construction, extension, repair or alteration of any house or building or improvements on any land vested in or held by my Trustee;

- (i) DURING the minority of any person who takes an interest under this my Will (whether vested or contingent) to apply the whole or any part as my Trustee thinks fit of the capital and income of the interest or share in my estate to which the person may be or become entitled for or towards his or her maintenance, education, advancement or benefit in life with power to pay the same to the guardian for the time being of that person without being liable to see to the application thereof;

- (j) And to do all things as a person may do at law as a trustee.

(\* these powers are to guide the executors who generally have all powers as a natural person anyway)

10. I DIRECT that any trustee or executor or accountant or lawyer acting in this my estate will be entitled to charge their time for costs based on their normal hourly rate and costs in the execution of any work whether in their professional capacity or simply as trustee under the trusts herein and in work for the estate.

.....  
Witness

.....  
Witness

.....  
Testator / Testatrix

11. Clause 10 is the last clause of this my will.

SIGNED by the Testator as and for his/her )  
last Will and Testament in the presence of )  
us both being present at the same time who )  
at his/her request and in his/her presence and )  
in the presence of each other have hereunto )  
subscribed our names as witnesses on the )  
date below stated: )

.....  
(Testator or Testatrix )

Signature:

Signature:

Full Name:

Full Name:

Address:

Address:

Occupation:

Occupation:

Dated / / 20

Dated / / 20

[\* both witnesses must be present at the same time ]

**Lawsoft Pty Ltd**

