

# Interview and Data Capture

ELEVATE  
— *tax + accounting*

**AM**  
*Abbott & Mourly*

## Protecting your family wealth and keeping it in your “Bloodline”

This is one of the most important documents you could ever complete.

It will give us all the information we need to prepare the crucial documents needed to protect your personal and family wealth and to keep your wealth in your family “bloodline”.

Remember, you can change any of your wishes if your personal and family circumstances change.

If you have any questions, please do not hesitate to contact us and we look forward to receiving the following information as soon as possible so we can complete the relevant documents based on your Interview Data Capture.

*Alternatively, we can complete the Interview Data Capture by way of a Zoom meeting – please contact us to arrange this meeting.*

### A. YOUR NAME AND ADDRESS

Full Name (including middle name)	Age and Date of Birth	Place of Birth	Home Address

### B. COMMON PARTIES AND ADDRESSES

Please include in this table all those persons who may be part of your enduring power of attorney, and your estate including Executors, family members including children and grandchildren, other beneficiaries and any other person such as a friend who may act as your Executor if your family does not want to. For example, this may be: John Smith – Son – 11 Olde Road Jonestown WA 7043.

Full Name (including middle name)	Date of birth and Age	Relationship to You	Contact Details (home address, email address, phone number)


**C. Who is to be your Enduring Power of Attorney and your Executor?**

1. Who is to be your Enduring Power of Attorney (EPOA) and Executor? Put just their name in the box below as you will have already put their address and relationship to you in the common parties above. This may be held jointly by one or more persons. If you want different persons for the roles, put in the box below the name of those persons. However, for simplicity and safety it is best to have one person or joint persons being your power of attorney and executor.

Attorney and Executor, or Attorney alone:	
Executor:	

2. If none of your EPOA's or Executors can fulfill their duties because of sickness, incapacity or death, then who is to be your second in line EPOA and Executor? This may be held jointly by one or more persons. If you do not want a second line of EPOA's or Executors, just put "NA".

Successor Attorney:	
Successor Executor:	

3. If none of your first or second line EPOA's or Executors can fulfill their duties because of sickness, incapacity or death, then who is to be your third line of EPOA and Executor? This may be held jointly by one or more persons. If you do not want a third line of EPOA,s or Executors, just put "NA".

Second Successor Attorney:	
Second Successor Executor:	

#### D. SUCCESSOR DIRECTORS

If you are a director of a company and you become incapacitated or die, control of that company may be a problem (particularly if you are a sole director). You may want to put in place a Successor Director to look after your interests. This can be done with a binding resolution that we can prepare. If this is important to you note down the company, its Australian company number (ACN) and who you would like as Successor Director. There is space to put up to three companies.

Company And ACN	Successor Director Name

#### E. WILLS – SPECIFIC GIFTS BEFORE THE REST OF THE ESTATE

After appointing a chain of Executors to manage your estate the next step is to guide your Executor with your desire to make a specific gift to a spouse, child, grandchild, or other person. Once this is done and the gifts are made, anything left over forms the remaining estate which may be passed in its entirety to a spouse or children individually or to be shared. Importantly specific gifts rank higher in importance than the remaining estate so spend time on specifics.

The first step then is to look at specific gifts. Now do you want to make any specific gifts to any person – such as “My investment property at 5 Smith Street Collingwood Vic is to go equally to my eldest daughter

Jane and son Mark” or “My sister Jonie Smith is to receive \$100,000” or “All my estate is to go to my wife Janelle” or “My Executor is to distribute my personal effects and jewelry in a fair and reasonable manner.”

*Feel free to make as many bequests as you want – the more specific gifts you complete it makes the role of the Executor that much easier and faster.*

**Specific Gifts** – Nominating these provides your Executor with the authority to transfer property, shares, jewelry, cash, or a percentage of all your assets, after any specific bequests to a certain person or group of persons. Please be as specific as possible and identify the assets and persons which may include a charity and does not have to be only persons or charities resident in Australia. If the person receiving the gift is not alive then the asset forms part of the remaining estate. If the specific gift is not in your possession at the time of your death you can make a note that it is the gift or dollar equivalent.

Specific Gift	Person To Receive Specific Gift	Relationship To This Person

## F. WILLS AND YOUR REMAINING ESTATE

If there are any assets or monies left over after paying all expenses of the estate and also paying out all specific gifts the remainder of the estate, called the residual estate is to pass to the primary beneficiaries if they are alive.

1. **Primary Beneficiary:** Who are the primary beneficiaries and if more than one, are they to receive the benefits equally? Please list any specific percentages for any beneficiary or beneficiaries. Generally, this would be your spouse/partner. In some circumstances, it may be your bloodline children.

Name of Primary Beneficiary	Percentage of Estate


2. If the main beneficiary or beneficiaries are not alive then who is to get their benefits – choose from one of the following:
  - Their bloodline children which may be held on trust subject to the Executor’s discretion and on the advice of the adviser of the Estate
  - Any surviving Main Beneficiary in equal proportions
  - To be paid to the Secondary Beneficiary
  - To be paid to any Bloodline Beneficiary at the Executor’s discretion
  
3. **Secondary Beneficiary:** If the primary beneficiary has passed their share of estate (in the event of their death) to any beneficiary or beneficiaries. Generally, a secondary beneficiary will be your children.

Name of Secondary Beneficiary	Percentage of Estate

4. If the secondary beneficiary or beneficiaries are not alive then who is to get their benefits – choose from one of the following:
  - Their bloodline children which may be held on trust subject to the Executor’s discretion and on the advice of the adviser of the Estate
  - Any surviving Secondary Beneficiary in equal proportions
  - To be paid to the tertiary beneficiary
  - To be paid to any Bloodline Beneficiary at the Executor’s discretion
  
5. **Tertiary Beneficiary:** If the secondary beneficiary has passed the estate (in the event of their death) to a secondary beneficiary or beneficiaries are they to receive the benefits equally? Please list any specific percentages for any beneficiary or beneficiaries. Generally, this would be any family

members that you want to receive your estate if you and all your bloodline children have died (e.g., Parents, brothers and sisters).

Name of Tertiary Beneficiary	Percentage of Estate

**G. FUNERAL WISHES**

What are your funeral wishes? Buried or cremated? Any specific religious requirements? Any music preferences? Please list out your requests below:


**H. CHILD AND PET GUARDIANSHIP**

If you have children or pets who is to be their guardian? Please identify specifically with name of the guardian and any financial provision to be made to them to act as guardian.

**Child Guardianship**

Name of Child	Name of Guardian	Succeeding Guardian if First Not Able or Alive

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Financial Provision for Child below:


### **Pet Guardianship**

Pet Name	Type of Pet (e.g., dog, cat, etc)	Guardian

Financial Provision for Pet below:


### **I. LIFE TENANCY**

If you own a property outright, not jointly, you can gift this to one or more of your beneficiaries or let it pass to the remainder of your estate to go to your principal beneficiaries. Alternatively, you may request that one or more persons, such as a spouse or de facto live in the property for the remainder of their life – commonly known as a life interest. If you desire this strategy, please write down the property address and who is to live in it below:

Property Address	Life Interest Name

### **J. FAMILY PROTECTION TRUST**



A Family Protection Trust is a discretionary trust which provides asset protection and passes down your wealth to your bloodline children with a succession of Leading Member Family Protection Appointors. This is a strong protection against any litigation, death, dementia, divorce, bankruptcy, etc.

<b>Name of the Trust</b>	
<b>Name of Corporate Trustee</b> (This would be the name of the corporate trustee. Since this name must be unique, please give us 3 choices in order of preference in case one isn't available)	
<b>Registered Office of Company</b>	
<b>Principal Place of Business</b>	
<b>Directors of Corporate Trustee, Date of birth and Place of birth</b>	
<b>Settlor of the Trust</b> (This would be a person who will settle the trust, a key part of establishing one, and must be a person who is not party to trust i.e., director of corporate trustee, appointor or beneficiary )	

K. When ascertaining who will be the Appointor named as Family Protection Appointor for the Family Protection Trust, the person(s) who will be in control whether individually or jointly will have to be put in below. A line of succession is VERY important to determine who will be your successor when you are no longer around. Your successor will be the person in control of trust. This also ensures you can get bloodline protection by restricting your line of succession to only your bloodline.

<b>Family Protection Appointor</b>	
<b>Successor Family Protection Appointor</b>	
<b>Second Successor Family Protection Appointor</b>	

<b>Third Successor Family Protection Appointor</b>	
<b>Fourth Successor Family Protection Appointor</b>	

**L. ASSETS AND LIABILITIES – DETERMINING YOUR NET EQUITY – Personal Protector**

Please list your assets and liabilities below so we understand the wealth that you would like to pass on to your beneficiaries. All major assets should be included such as family homes, investment properties, shares, cars, artwork, etc. Please add in additional rows to the table below if needed.

Asset	Owned by	Estimated Value of Asset (\$)	Liability (\$)	Net Equity	Details of the Asset

**M. ASSETS AND LIABILITIES – DETERMINING YOUR NET EQUITY – Business Protector**

Asset	Owned by	Estimated Value of Asset (\$)	Liability (\$)	Net Equity	Details of the Asset

**N. Establishing a SMSF**

A Self-Managed Superannuation Fund (SMSF) is often seen as a good way of saving for retirement because it provides greater control and flexibility over one's superannuation assets. With an SMSF, individuals have the ability to make investment decisions, choose the type of assets in which to invest, and have more control over fees and charges. SMSFs also have tax benefits and can help individuals achieve their retirement savings goals faster.

<b>Name of the Fund</b>	
<b>Name of Members and date of birth</b>	
<b>Name of Corporate Trustee</b>  (This would be the name of the corporate trustee. Since this name must be unique, please give us 3 choices in order of preference in case one isn't available)	
<b>Registered Office of Company</b>	
<b>Principal Place of Business</b>	
<b>Directors of Corporate Trustee, Date of birth and Place of birth</b>	

**O. SMSF WILL**

Your superannuation benefits may pass to your estate or directly to one or more of your dependants. A dependant includes your spouse, de facto, any child, any person living with you at home or any person who is financially dependant upon you (their quality of life is enhanced by ongoing and continuous contributions to their wellbeing).

A SMSF Will is a set of instructions for the Trustee of your SMSF to follow in the event of your death. In short you can pay a lump sum to your estate to be included as part of your Will or pay it directly to a dependant who can then use that money as they wish, or you can direct it to be paid into a trust for them (SMSF Death Benefits Trust) or let them transfer it to any company or trust that they own. In some cases, such as with a spouse, child under the age of 18 or financial dependant (including disabled children) an income stream or pension may be paid. This can be very tax effective.

Like the Will, the SMSF Will provides the ability to pay an amount to a dependant or your estate. Please complete the box below. For example: Jane Smith – 100% of MY Super – BC

Name or Estate	Percentage of Super	Income or Lump Sum or Beneficiary's Choice (BC)

In the event the principal beneficiary of your superannuation estate is not alive then choose to whom your superannuation benefits are to go:

Name of Succeeding Beneficiary	Percentage of Super	Income or Lump Sum or Beneficiary's Choice (BC)

If the secondary superannuation beneficiary is not alive then choose where it is to go:

- The deceased's estate for the sole benefit of the deceased's bloodline or lineage unless a SMSF Death Benefits Trust can be established under the Superannuation Laws for the bloodline or lineage of the deceased member only
- The deceased's estate for the benefit of their family and estate beneficiaries and charities

- The deceased's estate for the benefit of the bloodline children of the succeeding beneficiary to be held in trust with income to be paid quarterly but no capital distribution until they reach age 25. If there are no bloodline children of the succeeding beneficiary then the share of my superannuation interest is to be paid to the remainder of my children that remain alive in equal proportions
- Any other – please note in the box below

Superannuation Beneficiary Name	How to Receive Benefits

**P. Service entity**

<p><b>Name of Company</b> (This would be the name of the corporate trustee. Since this name must be unique, please give us 3 choices in order of preference in case one isn't available)</p>	
<p><b>Registered Office of Company</b></p>	
<p><b>Principal Place of Business</b></p>	
<p><b>Directors of Corporate Trustee, Date of birth and Place of birth</b></p>	