



Financial Issues. Estate planning

What does it mean?

In simple terms, estate planning is a means of ensuring that your estate is passed on, as set down in your Will, in the most efficient and tax effective way possible.

It helps to establish your current financial situation, decide what you want to happen in the event of your death and make appropriate legal and financial arrangements.

It is also a means of helping you to get the most use and enjoyment from your assets while you are still alive, while at the same time being safe in the knowledge that you are providing for your beneficiaries and that after you die your assets will be distributed in the way you intended.

Important factors to consider

The benefits of having a plan will vary with your financial situation. For those who have funds in superannuation and/or other investments, a well-prepared plan can maximise the number of assets that can be passed on after death.

While estate planning is primarily about the assets you wish to pass onto family members, it can also be about debts, including capital losses, that you do not wish to pass on.

Specific factors to be taken into account include:

- Your estate's net worth
- Amount of outstanding debts or liabilities
- Whether there will be sufficient funds to ensure all members of the family are treated fairly
- Whether you have a will or trust in place and the date on which it was last reviewed

Good estate planning then should include:

- Using an Enduring Power of Attorney where necessary
- Having adequate and current insurance policies

- Having an updated will or trust to ensure that your partner and your family are adequately provided for (Note: If you die without a will or if your will is declared invalid, your estate may be distributed by a court-appointed administrator according to State laws)

Estate plan essentials

A good estate plan should:

- Not be expensive to maintain
- Provide a balance between enjoying assets/income during your own lifetime and preserving assets for family members after death
- Be reviewed and updated on a regular basis

Your next step

There are a number of ways of obtaining advice and assistance on the options available for tailoring an estate plan to meet your individual requirements.

Many lawyers work in this area. Those who do, often give advice about pension planning and taxation planning as well. So again, depending on your circumstances, it may be worthwhile approaching a lawyer for advice.

Some financial advisers and trustee companies also give advice and many work closely with lawyers to make sure they can provide a comprehensive service.

Details of practitioners can be found in the Yellow Pages under *Will planning and administration*. A number of them will often offer their services at reduced rates for older persons who are eligible for concessions. Before making an appointment ask about fees for services and what concessions, if any, are offered.

Catalyst Foundation is supported by the Australian Government Department of Health. Visit the website <https://agedcare.health.gov.au/> for more information. Although funding for this publication has been provided by the Australian Government, the material contained herein does not necessarily represent the views or policies of the Australian Government.



Financial Issues. Estate planning

Other low cost or free options for advice include:

Centrelink's Financial Information Service

Conduct regular free seminars on a range of financial planning and retirement planning topics, including the legal implications associated with any type of financial planning such as taxation and social security requirements.

The seminars are held across a number of different metropolitan and country locations and are open to all members of the public, regardless of age or financial status. Specific details, including dates, times and locations can be obtained by tel. 13 63 57 (local call cost).

www.centrelink.gov.au

COTA SA

Have a solicitor who is available by appointment to provide free advice on general legal matters and to take instructions for simple wills and powers of attorney. These appointments are of 20 minutes duration. The solicitors are also available to provide brief telephone advice at no cost on wills, powers of attorney and general matters during office hours. Tel. 8232 0422 or 1800 182 324 (free call SA country callers)

www.cotasa.org.au

The Law Society of SA

Offers legal advice for a nominal fee on Monday and Wednesday 5.30pm - 7pm.

Appointments can be made by ringing 8229 0222.

The Law Society also maintains a register of solicitors including those handling specialist areas, their suburban/geographic locations, languages spoken, participants in the First Interview Scheme (reduced cost for a brief, first interview), those who offer home or hospital visits.

www.lawsociety.sa.gov.au

The information contained here is general in nature and is not intended as financial advice.