

# Will

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## Single Person

**DRAFTING INSTRUCTIONS: [DELETE THESE INSTRUCTIONS WHEN YOU HAVE COMPLETED DRAFTING YOUR WILL]**

**Insert the names of relevant people at the parts shown in GREEN throughout the will**

**Testator: the person signing the will**

**Executor: the person or people who you choose to administer your will after you die.**

**THIS IS THE LAST WILL AND TESTAMENT** of **[NAME]** of **[ADDRESS]**.

1. **I HEREBY REVOKE** all former wills and testamentary dispositions previously made by me **AND DECLARE** this to be my last will and testament.
2. In this will the word 'children' includes a child.
3. Where any gift herein is made to a person who does not survive me for a period of 30 days the gift is to be treated as if that person died before me.
4. In this will any gift, which depends on the beneficiary surviving me by a specified period or attaining an age does not vest unless the beneficiary survives or attains the age specified. Income produced by the gift after my death and before vesting accumulates to the gift.
5. I appoint as my executor and trustee **[NAME]** unless unable or unwilling to act or continue to act in which event I appoint **[NAME]** instead **AND I DECLARE** that the expression 'my trustees' when used in this will and where the context permits means and includes the executor or executors and trustee or trustees for the time being of my will whether original surviving substituted or additionally appointed.
6. Gifts to my trustees are not dependent on them acting as executors or trustees.
7. My trustees hold my estate on trust:
  - (a) To sell, call in or convert into money any part of my estate and pay any and all death estate or succession duties, debts, legacies, funeral and testamentary expenses and any other costs fees or expenses associated with my death or the administration of my estate;
  - (b) To give to **[NAME]** the sum of **\$(AMOUNT)** provided they survive me and if not this gift will form part of the rest and residue of my estate;
  - (c) To give the rest and residue of my estate equally between such of my children who survive me and attain the age of 18 years provided always that should any of them not survive me to take under this my will leaving children living at my death then such children having attained the age of 18 years will take by substitution and if more than one equally the share in my estate which their parent would otherwise have taken;
  - (d) And further provided that in the event that no person attains a vested interest under the preceding trusts then my trustees will hold the rest and residue of my estate **UPON TRUST** to give to **[NAME]**.
8. My trustees may in their discretion:
  - (a) Exercise any powers given to them by law and have all the powers authorities and

- (b) Make a payment or payments to a minor beneficiary's parent or guardian or a person with whom the minor beneficiary resides and accept the receipt of that payee as an absolute discharge;