

December 2010

**RE: SEMINARS**

Over the next 12 months or so we will be holding a number of seminars on different topics of importance to our clients. If you are interested in receiving notices of those seminars, please complete and return (by post or email) the attached sheet. By doing so, we will also be able to update and confirm your details in our client database.

The first seminar we have organised is on the important issue of **Superannuation and Wills & Estates** and will be held on:

<b>Superannuation and Wills &amp; Estates</b>	
<b>Date:</b>	Wednesday 16 <sup>th</sup> February 2011
<b>Venue:</b>	Hornsby Library, 28-44 George Street, Hornsby
<b>Time:</b>	6.00pm

I attach a summary of some of the points and issues that will be covered.

We have also arranged to hold the following seminars on **Estate Planning** issues which may be of interest to you. The first **Estate Planning seminar** will cover more **general** topics of **Wills, Powers of Attorney and Appointments of Guardians** and will be held on:

<b>Wills, Powers of Attorney &amp; Appointment of Guardians</b>	
<b>Date:</b>	Wednesday 16 <sup>th</sup> March 2011
<b>Venue:</b>	Hornsby Library, 28-44 George Street, Hornsby
<b>Time:</b>	6.00pm

The second **Estate Planning seminar** will cover more complicated topics such as testamentary trusts, implications of capital gains tax, claims against Estates etc, and will be held on:

<b>Estate Planning – Testamentary Trusts, Capital Gains Tax &amp; other important issues</b>	
<b>Date:</b>	Wednesday 20 <sup>th</sup> April 2011
<b>Venue:</b>	Hornsby Library, 28-44 George Street, Hornsby
<b>Time:</b>	6.00pm

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LEGAL PRACTITIONER

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**Graham Limburg**

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scheme approved under  
Professional Standards Legislation

I attach a summary of some of the points that will be covered in the two **Estate Planning seminars**.

Please let me know if you are interested in attending any of the above seminars by returning to us (post, fax or email) the attached acceptance. I hope they will be of interest and assistance to you.

With kind regards  
**MILLER NOYCE**

Douglas Spencer  
*E-Mail [dspencer@millernoyce.com.au](mailto:dspencer@millernoyce.com.au)*

*Leap:31779*

**ACCEPTANCE TO ATTEND**

**Please complete details and return to:**

Miller Noyce  
Solicitors  
PO Box 2286  
HORNSBY WESTFIELD NSW 1635

**RE: SEMINAR – SUPERANNUATION AND WILLS/ESTATES**

I/We would be most interested in attending:

- Seminar on **Wednesday 16 February 2011 at 6.00pm**

Number of people attending: .....

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**RE: SEMINAR – WILLS, POWERS OF ATTORNEY & APPOINTMENT OF GUARDIANS**

I/We would be most interested in attending:

- Seminar on **Wednesday 16 March 2011 at 6.00pm**

Number of people attending: .....

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**RE: SEMINAR – ESTATE PLANNING – TESTAMENTARY TRUSTS, CAPITAL GAINS TAX & OTHER IMPORTANT ISSUES**

I/We would be most interested in attending:

- Seminar on **Wednesday 20 April 2011 at 6.00pm**

Number of people attending: .....

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I/we would also appreciate receiving notice of any other seminars to be conducted by you *Yes/No*

**Our details are as follows:-**

Name .....

Address: .....

Tel:..... Mob.....

Email: .....

**EMAIL ACCEPTANCE ALTERNATIVE**

**Please note if you would prefer, you could provide your acceptance information as set out above by emailing your details (including preferred date) to [dspencer@millernoyce.com.au](mailto:dspencer@millernoyce.com.au)**

## SUPERANNUATION AND WILLS AND ESTATES

Some of the points to be covered in the seminar on **Superannuation and Wills & Estates** will include:-

1. Your superannuation is not automatically part of your estate. So, what do you need to do to ensure that your wishes in relation to your super are carried out?
2. The trustee of your super fund normally has a wide discretion as to who will receive your benefits upon your death. In the wrong hands this could lead to decisions which are unfair and contrary to your wishes. So, who will be the trustee of your super fund upon your death? Will the executors automatically be the new trustees of your super fund? How important may be the choice of your executors in relation to your super?
3. Is it possible to put in place a binding direction as to what will happen to your super upon your death? What is a "*binding death benefit nomination*" and how does it work? Is it always desirable to put in place a binding death benefit nomination?
4. If one of your children died, how do you ensure (if you wish) that part of your super will go for the benefit of their children/your grandchildren?
5. What happens if one of your children goes bankrupt or becomes involved in a really nasty family law dispute? How can you ensure that the part of your super you may wish to leave to them is safe from those types of claims?
6. Is your super fund deed up to date and does it cover such issues as binding nominations, renewing nominations by your attorney (if you are unable to do so yourself) and overriding of any binding nomination if the nominated party consents.
7. The possible importance of an adjustment clause in your Will to balance out the benefits if one of your children or family was to receive more or some of the super directly and not via your estate.
8. Are there situations where it is beneficial to terminate a member's super benefits prior to their death?

## **WILLS, POWERS OF ATTORNEY & APPOINTMENTS OF GUARDIANS**

Some of the points to be covered in the general seminar on **Wills, Powers of Attorney and Appointments of Guardians** will include:-

1. Who should be your Executor – family or a trustee company.
2. The importance of having an alternate Executor – death, inability or absence of initial appointee.
3. Important consequences of holding assets as joint tenants – house, shares etc. Transfer of the home into joint names.
4. Second marriages and the important issues to consider.
5. The intestacy rules (where there is no Will).
6. Changing financial and family circumstances.
7. The importance of recording family loans and gifts.
8. Concerns about divorce and financial difficulties etc. of family members.
9. Claims against the Estate/Will.
10. Enduring Powers of Attorney – management of assets – who should be appointed.
11. Appointments of Guardians – who should be appointed – increasing need – medical consents and admissions etc.

## **ESTATE PLANNING – TESTAMENTARY TRUSTS, CAPITAL GAINS TAX & OTHER IMPORTANT ISSUES**

Some points which will be covered in the further seminar include the following topics:-

1. The impact of capital gains tax – home (2 year rule) – also shares and other investments.
2. Superannuation – who is to benefit and how - binding death nominations.
3. Protecting assets for your family – divorce - financial problems disabilities etc.
4. Testamentary Trusts – protecting assets, flexibility and income benefits.
5. Important issues relating to the distribution and division of assets – CGT and other issues.
6. Disability Trusts.
7. Family Trusts – important issues to consider – “control”.
8. Claims against Estates – second marriages and other issues.
9. Powers of Attorney – appointing several attorneys and other issues.
10. The new “Intestacy Rules” (where there is no Will).