

## ARE YOUR AFFAIRS IN ORDER?

*Keeping you up to date*

We are sending, this to provide some helpful information about keeping the management of your affairs in order. To protect you, and your family, there are a number of practical steps which you can take. They can help you, especially if difficult times occur, whether for financial or health or other reasons, and they can also protect those who you care about, as well as having some direct financial advantages in some cases.

### ***Family Trusts***

The formation of family trusts has become very common and is no longer seen as purely an exercise for the wealthy. If you do not have a family trust to hold your house and other assets it may be worth considering if one would suit you. Trusts may not be for everyone but if you own assets, or if you are in a serious relationship (or thinking of entering one), or, have children or own your own business, then setting up a family trust is worth looking into.

Trusts are formal arrangements between the parties whereby assets are held in trust for the benefit of specific people (the beneficiaries) – who are usually first and foremost the people who set the trust up. Each trust is different, being tailor-made to suit the specific needs of you and your family.

### ***Your Will***

Do you have a current Will? Whatever your situation it may be worth considering if anything has changed in your life and you may need to review your Will. Please consider the following:

Has your relationship or family situation changed?

Is someone dependent on you for support?

Have you received an inheritance?

Have you bought a new home or other major asset?

Has there been any other significant change in your life or in your family?

Would you like to change your mind about what's in your Will?

If you do not have a Will at all it is well worth considering executing a will to save possible family difficulties (and even disputes) on your death and make things smoother at a difficult time for everybody.

### ***Funeral Trusts***

One way of planning for the future and saving your children the anxiety of not being burdened with funeral and other costs when you pass away is to enter into a pre-paid Funeral Trust.

Many clients establish such a Trust depositing up to a maximum sum of \$10,000.00 into a special trust account for the purpose. It is exempted from being counted as part of your assets if receiving residential care. It is then payable to cover your funeral and other costs without the need to wait for probate – but can be taken back by you at any time during your lifetime if you want to use the funds.

### ***Enduring Powers of Attorney***

Enduring Powers of Attorney are legal documents which people draw up enabling someone else to act on their behalf, often one of their children, giving them the power to look after their financial affairs and personal welfare.

Having an Enduring Power of Attorney is as important as having a Will. It means if you become incapacitated or need help with property matters, someone you trust can act for you. Otherwise it may be left up to the courts.

Studies had shown that stricter safeguards were required to stop the elderly being pressured into granting unscrupulous children too much power.

In order to reduce the risk of abuse of Enduring Powers of Attorney the law has recently changed. It is now necessary for the donor (the person granting the Attorney) to obtain proper and independent legal advice to ensure that they have not been pressured into signing the document.

Retirement homes and rest homes are now insisting that residents do grant proper powers of attorney before they are allowed to take up residence.

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We have long experience in dealing with these and many other such matters, if we can help you with anything please let us know.

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