

WILL APPLICATION FORM - Single Will

Last Updated 20251021

This form is <u>not</u> intended to be a statement of what you may be considering for your Will. Those details will be discussed at the appointment. Incorrect or misleading information may cause extra expense and delay.

SECTION 1. Name		
Surname		
First & Middle names		
SECTION 2. Executor	r – Only spouse/partner and PTWA can be appointed	
	you name under your Will is responsible for distributing your estate. For stee of Western Australia ("PTWA") only drafts Wills that either:	
	your one and only executor; or se (or de facto partner) as your first executor <u>and</u> PTWA as your	
	as your executor. Please see "Deceased Estate Administration" leaflet which will be deducted from your estate after you pass away.	
Which executor option are you thinking of having?	Option 1 - I am thinking of having PTWA as one and only executor, or my spouse/de facto partner as my first executor and PTWA as my substitute executor.	
	Option 2 - I am thinking of having someone else as executor. Eg. a child, grandchild, sibling, parent, nephew, niece, uncle, aunt, cousin or friend.	
If you chose "Option 2", then please stop filling out this form. Unfortunately PTWA is unable to help you with making a Will. Please contact a private lawyer to make a Will. You might want to try the Law Society of WA's Find a Lawyer service.		
SECTION 3.		
This section has intentional	ly been left blank.	
SECTION 4. Fees		
•	e a Will or Enduring Power of Attorney. Please see the leaflet entitled of Attorney" for an indication of how much it charges.	
<u> </u>	inister an estate. Please see "Deceased Estate Administration" leaflet which will be deducted from your estate after you pass away.	

If you chose "No, I don't want to proceed", then please stop filling out this form.

Please contact a private lawyer to make a Will. You might want to try the Law Society of WA's Find a Lawyer service.

4. Have you read the above leaflets and do you still want to proceed?

Yes, I still want to proceed

No, I don't want to proceed

SECTION 5. Your current situation / circumstances

PTWA will not write a Will if certain circumstances exist.

5. Please answer all the following questions/statements:	
(A) I am in a current relationship AND we have prepared a binding financial / prenuptial agreement ("BFA") with a family lawyer that governs what happens to our assets should we separate. We call these "pre-separation BFAs".	☐ Yes ☐ No
(B) I married overseas, I have an antenuptial or prenuptial agreement in that overseas country AND I have assets in that overseas country.	Yes No
(C) My last Will was not made by PTWA AND I have in the past entered into a 'Mutual Will Agreement' with another person.	☐ Yes
A Mutual Will Agreement is a document separate from your Will under which you agree never to change your Will without the consent of that other person.	
A Mutual Will Agreement is more than just a Mirror Will . PTWA does not make Mutual Will Agreements but can make Mirror Wills .	
A Mirror Will is where both Wills contain gifts that are the same at all levels. An example of a Mirror Will is where A and B are married and their beneficiaries are C, D and E. A leaves everything to B and vice versa. If both A and B die, they want everything to go between C, D and E under both Wills. A's and B's Wills are mirrored.	
If you have a Mutual Will Agreement , then tick "Yes". If you don't have a Mutual Will Agreement but you have a Mirror Will , then tick "No".	
(D) I have overseas assets held in a Self Managed Superannuation Fund ("SMSF") , family/discretionary trust, unit trust or company.	Yes No
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family/discretionary trust, unit trust or company.	□ No □ Yes
family/discretionary trust, unit trust or company. (E) I have a SMSF.	No Yes No Yes
family/discretionary trust, unit trust or company. (E) I have a SMSF. (F) I have a business that will continue after my death. (G) I have a partnership business with my spouse/partner and a written partnership agreement	No Yes No Yes No Yes Yes
family/discretionary trust, unit trust or company. (E) I have a SMSF. (F) I have a business that will continue after my death. (G) I have a partnership business with my spouse/partner and a written partnership agreement exists.	_ No _ Yes _ No

If you chose "Yes" to any one or more of the above questions then please stop filling out this form. Unfortunately PTWA is unable to help you with making a Will. Please contact a private lawyer to make a Will. You might want to try the Law Society of WA's Find a Lawyer service.

SECTION 6. Required Details

Some client's circumstances are simple, some have complicated circumstances. PTWA needs to know some of these details upfront. Please answer all the following questions/statements:

6(1). I live permanently in WA right now.	Yes No Not sure
6(2). I intend to continue living permanently in WA.	☐ Yes ☐ No ☐ Not sure
6(3). I don't intend to relocate overseas.	Yes No Not sure
6(4). Do any of the following apply: (A) I am single and never been in a relationship; OR (B) I am in a relationship or have been in a relationship in the past but have never entered into a BFA nor an antenuptial or prenuptial agreement. 6(5). Which of the following apply:	 Yes, (A) applies. Yes, (B) applies. No, I'm in a relationship and there is a BFA or a prenuptial agreement that was drawn up by family lawyers in Australia. No, I married overseas and I have an antenuptial or prenuptial agreement in that overseas country. Yes, (A) applies.
 (A) I have never made a Will before. (B) My last Will was made with PTWA. (C) I have a Will either made privately or through a private lawyer. However I have never entered into a Mutual Will Agreement with another person, agreeing never to change the Will. 	Yes, (B) applies. Yes, (C) applies. No, I have made a Mutual Will Agreement in the past.
6(6). Do either of the following apply: (A) I don't have any superannuation (B) I have superannuation with a retail, industry or government fund. It's not a SMSF where I am trustee (or I have a company which is trustee, for which I am director).	Yes, (A) applies. Yes, (B) applies. No, I have a SMSF.
6(7). I don't have any businesses.	☐ Yes, I don't have any businesses.☐ No, I have at least one business.
6(8). I don't have any involvement in family/discretionary trusts, unit trusts or companies.	☐ Yes, I am not involved in any of those entities.☐ No, I am involved in at least one of these entities.
6(9). I don't have any overseas assets. An overseas pension is an overseas asset.	Yes, I don't have any overseas assets. No, I have overseas assets.

Have you answered "Yes" to <u>ALL</u> of the above questions, if so then SKIP Sections 7 and 8.

SECTION 7. Details regarding Superannuation and Businesses

Some clients have an interest in superannuation and/or one or more businesses. PTWA may or may not be able to assist in preparing a Will, depending on how that superannuation or business is set up. Please answer all the following questions/statements.

Superannuation

7(1). Do any of the following apply:	Tick all that apply:
(A) I do not have any superannuation at all	(A) applies.
(B) I have superannuation with a retail, industry or government fund.	(B) applies.
(C) I have a SMSF. I, as an individual, am the trustee of the SMSF.	(C) applies.
(D) I have a SMSF. The SMSF has a Pty Ltd company as trustee, and I am one of the directors of that company.	(D) applies.

If you ticked "(C) applies" or "(D) applies", then please stop filling out this form.

Unfortunately PTWA is unable to help you with making a Will. Please contact a private lawyer to make a Will. You might want to try the Law Society of WA's Find a Lawyer service.

Businesses

7(2). Do any of the following apply:	Tick all that apply:
(A) I do not have a business at all.	(A) applies.
(B) I have a sole trader business that ceases on death.	(B) applies.
(C) I have a sole trader business that will continue after my death.	(C) applies.
(D) I have a partnership business with my spouse/partner. No written partnership agreement exists. The business ceases on the death of either or both of us.	(D) applies.
(E) I have a partnership business with my spouse/partner. Either a written partnership agreement exists or the business will continue after death.	(E) applies.
(F) I have a partnership business with someone other than my spouse/partner.	(F) applies.
(G) I have a business operating through a unit trust, family/discretionary trust or a company.	(G) applies.
(H) I have an ownership interest in an overseas business, either directly or indirectly.	☐ (H) applies.

If you ticked "(C) applies", "(E) applies", "(F) applies", "(G) applies" or "(H) applies" then please stop filling out this form. Unfortunately PTWA is unable to help you with making a Will. Please contact a private lawyer to make a Will. You might want to try the Law Society of WA's Find a Lawyer service.

SECTION 8. Details regarding Family/Discretionary Trusts, Unit Trusts and Companies

Some clients have an interest in family/discretionary trusts, unit trusts or companies. PTWA may need to know more about these before an appointment can be booked. Please answer all the following questions/statements.

Family/discretionary trusts, unit trusts and companies	
8. Do any of the following apply:	Tick all that apply:
(A) My last Will was made with PTWA.	(A) applies
(B) I do not have any involvement in a family/discretionary trust, unit trust or company.	(B) applies
(C) I am involved in a family/discretionary trust but I am just a mere beneficiary and I only get distributions if the trustee decides. Neither of us hold any of the following roles: trustee; director of the corporate trustee; appointor; or guardian.	(C) applies
(D) I am involved in a listed public company" Ltd" company, but only as a minority shareholding via the Australian Stock Exchange (ASX). I am not a director.	(D) applies
(E) Any of the following:	(E) applies
a) I am involved in a private unit trust as a unitholder (directly or indirectly);	
b) I am involved in a private "Pty Ltd" company, either as shareholder (directly or indirectly), director or both;	
c) I am involved in an unlisted public "Ltd" company, either as shareholder (directly or indirectly), director or both;	
d) I am involved in a listed public company "Ltd" company, more than just holding a minority shareholding via the ASX; or	
e) I am involved in a family/discretionary trust for which I hold one or more of the following roles: trustee; director of a corporate trustee; appointor; or guardian.	
If you ticked "(E) applies" but you did not tick "(A) applies" then please sto out this form. PTWA is unable to help you with making a Will. Please contact a lawyer to make a Will. You might want to try the Law Society of WA's Find a Law service.	private
If you ticked "(A) applies" AND "(E) applies"	
If your last Will was made with PTWA, you may be eligible for a Will even though applies" though an assessment of your circumstances will still apply before PTV decides whether it can assist you.	
A limited review of documentation of the relevant entities listed in (E) above will be required and further charges will apply in addition to the Will preparation fees. The limited review will need to be conducted before an appointment can be booked. Some clients have very complicated arrangements and if this applies to you, then PTWA may be unable to assist you in making a Will.	
Please write in the box below the names of each of your trusts, companies and partnerships. If any of them operate a business, please include the name of busi who is the owner and whether it will continue to operate after death. A Legal Officentact you for more information.	

SECTION 9. Personal details

Title (e.g. Mr, Mrs, Ms)	
Sumame	
First & Middle names	
Any other name/s you are known by (ie. alias names)	
Date of birth	
Occupation	
Residential address	
Postal address (if different to residential address above)	
Telephone contact (best two – home, work or mobile)	
Email address	
Currently single?	Yes, I am not in a current relationship
Currently in a relationship? If so, please list name of current spouse/partner.	Name: Date & place: Married. De facto partner
Any prior relationships?	Name:
Tick all that apply and provide details of all prior relationships.	Date & place:
(please include name/s and dates)	☐ Divorced on ☐ Married but separated from
(if you require more space, please add an additional sheet listing these details)	De facto but separated from Name:
	Date & place: Widowed on Divorced on Married but separated from De facto but separated from Name: Date & place: Widowed on Divorced on Married but separated from De facto but separated from Double Separated from Double Separated from De facto but separated from

SECTION 10. Your Assets and Liabilities

It is essential that you provide us the details requested below. Doing so now helps minimize the amount of time and expense at your appointment as we will need these details to complete a Will.

Please provide only the requested documents and details.

<u>DO NOT</u> write down who is to get what under your Will. Doing so risks an informal Will which may apply if you die before signing a formal Will. This may add considerable cost and delay when administering your estate.

Assets in joint names	
e.g. House address/es, all bank account/s, car/s, caravans, boats, etc, other investments/share portfolio/cryptocurrency – that you own	
jointly with another	
Please include values	
If assets are located overseas, please indicate which country and approximate value in AUD	
Also please write down the name of the other owner	
Liabilities in joint names	
e.g. mortgage/s, personal loans, credit card/s	
Please include values	
Assets in your sole name	
Assets in your sole name e.g. see above	
e.g. see above	
e.g. see above Please include values	
e.g. see above Please include values If assets are located overseas, please indicate which country and	
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e.g. see above Please include values If assets are located overseas, please indicate which country and approximate value in AUD	
e.g. see above Please include values If assets are located overseas, please indicate which country and	

SECTION 11. Your Family Details

It is essential that you provide us the details requested below. These details are necessary to complete your Wills. Without this information we cannot proceed with making your Wills.

Please provide only the requested documents and details.

DO NOT write down who is to get what under your Will. Doing so risks an informal Will which may apply if you die before signing a formal Will. This may add considerable cost and delay when administering your estate.

All children and grandchildren

Provide these details for each person:

- The parent of the child
- First names
- **SURNAME**
- Gender
- Date of Birth
- Address
- If grandchild name of parent who is your child

Example: Children from my wife MELINDA CITIZEN:

1.John Arthur CITIZEN. M. 1/1/1950. 123 Hay Street Perth.

Fred Arthur CITIZEN. M. 2/2/1980. Address same as John. Parent - John. Michael John CITIZEN. M. 2/2/1980. Address same as John. Parent - John.

2. Mary Winifred CITIZEN. F. 2/2/1952. 456 Hay Street Perth. No children.

Children from my former partner MIKIKO WATANABE:

1. Shunsuke CITIZEN. M. 3/3/1948. 789 Adelaide Street Perth Daisuke CITIZEN M 5/5/1978. 111 Adelaide Street Perth

SECTION 12. Guardians for children under 18

If you have children under 18, please consider who you might want to appoint as guardian/s of your children. You can name substitute guardians if the first named guardian is unwilling or unable to act. Please discuss this with your proposed guardian/s before making an appointment. At the appointment, we will need the full name, address and contact details of the proposed guardian/s.

SECTION 13. Other potential beneficiaries

Please provide only the requested documents and details.

<u>DO NOT</u> write down who is to get what under your Will. Doing so risks an informal Will which may apply if you die before signing a formal Will. This may add considerable cost and delay when administering your estate.

Names of other potential beneficiaries (other than children or grandchildren already mentioned above) Provide these details for each person: First names SURNAME Gender Date of birth or approximate age Address Relationship to you	Example: 1. Joe William CITIZEN. M. About 50 yrs. 123 St Georges Terrace, Perth. Brother 2. David BLOGGS and Kathleen BLOGGS. Both about 20yrs. M and F. 456 St Georges Terrace. Perth. Brother of my wife Melinda CITIZEN. 3. Winston SMITH. M. About 25. 123 The Esplanade, Perth. Friend.	
	Do any of the above persons act as a paid carer or paid support worker? ☐ No ☐ Yes. If so, who:	
Charities/organisations you	ı may wish to include	
in your Will.		
Include charity's full name.		
Additional charges may apply if y Australian charities.	ou name more than 3	
Additional charges may apply and completed at your first appointment following: overseas charity; or an anot registered with ASIC, the ACI	ent if you name any of the Australian charity that is	

SECTION 14. Enduring Powers of Attorney (EPA)

It is important to understand an EPA is a separate document from your Will:

- **Will** operates after your death to distribute your assets. You appoint an <u>executor</u> to administer the estate after your death.
- **EPA** operates while you are alive to manage your financial affairs when you have lost capacity. You appoint a <u>donee</u> to administer your financial affairs while you are alive.

Please note:

- (1) PTWA only prepares the following EPAs:
 - a. EPA appointing your spouse / de facto partner, with no substitute donees; or
 - b. EPA appointing PTWA as sole donee effective immediately;
- (2) PTWA only prepares these EPAs during a Wills appointment;
- (3) PTWA does not prepare Enduring Powers of Guardianship nor Advance Health Directives.

14(1). Do you already have an I	Yes, prepared by PTWA
	Yes, other EPA
14(2). Do you wish to make an	EPA appointing your spouse/partner?
□ No	
Yes and I have read the atta	ached brochure on EPAs
14(3). Do you wish to make an you are alive? Annual fees will a	immediate EPA appointing PTWA as the donee to administer your affairs whilst apply, effective immediately.
No. If you ticked NO, then	IGNORE the rest of this section. Please go to Section 15.
Yes. If you ticked YES, then	please provide the following details:
If you ticked YES, are you currently involved in any legal disputes?	☐ No☐ Not sure☐ Yes, please provide details.
If you ticked YES, how much income do you get per year before tax	
(including all sources. Eg. Wages, superannuation pensions, Centrelink pensions, etc):	

SECTION 15. Your health and your English fluency

We need certain information about your health and your ability to communicate. This information assists us in determining how best to conduct an appointment and whether we need to book an interpreter.

Do you have issues with any of the following? If so, tick all that apply and please describe the issue.	Eyesight (other than glasses):
	☐ Hearing:
	Speech:
	☐ Writing:
	 Mobility: Wheelchair Walker ACROD pass Taxi subsidy Family/friends/carers drive me Unable to leave the house
	☐ No issues with any of the above
What is the level of your English fluency for conversations and reading legal documents?	English: I can converse, read and understand legal documents in English without assistance
If you are unable to converse, read and	Conversational fluency only. I can speak English but I am not fluent in reading or understanding legal documents in English.
understand English legal documents without assistance, please write down all languages and dialects that you can	☐ Not fluent speaking or reading English.
converse fluently in.	Other languages:
If necessary and possible, we will provide a professional independent interpreter free of charge. We cannot use your spouse/partner, friends or relatives.	Preferred language, for which I have conversational fluency (please include dialect):
	Other languages for which I have conversational fluency (please include dialect):

SECTION 16. Medical conditions relevant to the making of a Will

When instructions are taken for a Will, PTWA needs to assess your testamentary capacity. The existence of certain health conditions may result in the Court calling into question your testamentary capacity, since those conditions may appear on your death certificate. We need to know about these conditions in advance of your appointment, so we can determine how best to conduct your appointment. If you have a spouse or partner who wants to make a Will with PTWA and either of you have such a condition, PTWA will likely require that you each be seen separately. Please continue to fill out this form.

Do you have or suspect that you have any of the following conditions relating to memory?	☐ Alzheimer's Disease☐ Dementia☐ Memory loss☐ None of the above
Have you been diagnosed with any of the following conditions, or suspect that you could be diagnosed with any of the following conditions?	Acquired brain injury (eg. accident) Brain cancer Epilepsy Motor Neuron Disease Multiple Sclerosis Parkinson's Disease Stroke, minor or major, even if it occurred in the past None of the above
Have you ever had any of the following conditions (even if they occurred in the past)?	Anxiety Asperger's Syndrome Attention Deficit Hyperactivity Disorder (ADHD) Autism Spectrum Disorder (ASD) Bipolar Disorder Borderline Personality Disorder Delusions Depression Hallucinations Obsessive Compulsive Disorder (OCD) Paranoia Psychosis Post-Traumatic Stress Disorder (PTSD) Schizoaffective Disorder Schizophrenia None of the above
Do you have or suspect you have any other condition concerning your brain function, memory or mental health?	☐ No ☐ Yes, details:
Have you ever seen a psychiatrist, geriatrician, memory specialist, neurologist or psychologist (even if you are not doing so currently)?	☐ No ☐ Yes, currently. ☐ Yes but only in the past. Name:
Is there an administration order or guardianship order over your affairs from the State Administrative Tribunal of any state or territory?	☐ No ☐ Yes, currently.☐ Yes but only in the past.Details:

SECTION 17. Documents to submit together with this Will Application Form

Please submit the following docum	
with your Will Application Form (no originals):	☐ Your EPA (if any)
originals).	☐ If you have superannuation:
Please provide only the requested documents and details. DO NOT write down who is to get what under your Will. Doing so risks an informal Will which may apply if you die before signing a formal Will. This may add considerable cost and delay when administering your	your last available member statement for each of your super funds
	I NOMINAUON
	y if details of life insurance taken out through superannuation
estate.	Copies of pre-paid funerals or funeral insurance
SECTION 18. Who filled in this form?	
Tick all that apply	I filled out this form.
] Name and relationship of any other person/s who helped me:
Ar	e you a paid carer /support worker?
	Yes No
SECTION 19. Declaration	
Your Declaration	
The information provided in this form is true and correct to the best of my knowledge.	
I am signing this form free of any influence or pressure from any other person.	
I understand that this form provides necessary background information only. These are not my instructions for a Will as I understand PTWA will only take instructions at an appointment.	
I understand that PTWA has to comply with laws regarding the retention of documents. PTWA cannot at my request delete this application nor any other information I submit from PTWA's records once it has been submitted.	
Signature:	Date:

When you have completed this form, please email it together with any attachments to PTOWillsAppointments@justice.wa.gov.au

Alternatively you may post the form together with any attachments to Public Trustee - Wills Appointments, GPO Box M946 Perth WA 6843