*PLEASE NOTE: This is only a TEMPLATE. The contents in this template is general in nature and should not to be treated as legal advice. You must not rely on the contents in this template to make any legal decision as it does not take into account your personal circumstances. Consider the need to consult a lawyer to take into account your individual and personal needs and circumstances before you make any decision.*

*The information in BLUE must be changed or deleted in the final version.*

*NOTE TO USER:*

*This Letter of Wishes is only an expression of your Wishes and is not binding on your Trustee who may choose not to follow parts or all of what is contained in this Letter of Wishes. Apart from making it clear that this Letter of Wishes does not revoke or change the provisions of your Will or do anything that might create a Trust there is no right or wrong way to prepare a Letter of Wishes.*

*This Letter of Wishes is to give guidance to your Trustees about your wishes and views on various subject matters.*

*You may choose to use parts or all of the contents of this Letter of Wishes, add more information of wishes or alter any part of it.*

Letter of Wishes

**TO: The Executors and Trustees of my estate.**

**RE:** My wishes on death

**1. ACKNOWLEDGEMENT**

I, [insert your FULL name], CONFIRM AS FOLLOWS:

1. I have signed what I intend and believe to be my last Will ‘Will’ on (insert date).

2. I acknowledge that my Will determines the way in which my estate will be distributed on my death.

3. This Letter of Wishes in no way revokes or changes the provisions of my Will.

4. Whilst this Letter of Wishes does not and cannot change the provisions of my Will, IT IS MY EXPRESSED WISH without affecting the discretion of my Trustees of my Will in any manner that my Trustees take into account these wishes when administering my estate.

5. This Letter of Wishes is a summary of my broad wishes as at the date of signing of my Will. However, I acknowledge that the circumstances at the date of my death and later may change or may have changed. I realise and accept that my Trustees will have the ultimate ability and discretion to make any decision according to the provisions of my Will, regardless of the wishes set out in this Letter of Wishes or any other Letter of Wishes I may prepare in future.

6. This Letter of Wishes and its contents is to be regarded as privileged. Copies should not be given to anyone other than professional advisers unless my Trustees decides otherwise or a Court directs. This paragraph may be quoted to anyone who requests a copy of this Letter.

**2. SPECIFIC WISHES**

**2.1 Important contacts**

 Solicitors:

 Private banker:

 Accountant:

 Financial adviser:

**2.2 Funeral arrangements and organ donation**

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**2.3 Wishes or Direction as to care and upbringing of infant children**

## a. My spouse/partner and I have appointed (Name/s) as the guardian of our minor children.

## b. We have appointed these people as the guardians of our minor children because we share similar values about life, family and parenting children. We have absolute faith in the guardians to make decisions as best they can and hopefully in a manner which is consistent with our personal views and philosophies.

## c. We also have absolute faith the trustees (where the guardian and trustees are not the same person/s) will work co-operatively with the guardians and provide financial support (where appropriate) for decisions they make.

## d. It is quite possible that the guardians will require funds to renovate their existing home or find an alternate home that is suitable to accommodate their children as well as our children. It is our wish that the Trustees apply reasonable funds for this purpose.

## e. Similarly, the guardians may need to obtain a new motor vehicle so they can transport their family and our children. It is our wish that the trustees apply reasonable funds for this purpose.

## f. We do not wish for our guardians to suffer a financial burden as a result of acting as guardians. To this end it is our wish that the Trustees provide to the guardians such funds as may be necessary to ensure that our children will not be a financial burden on the guardians.

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**2.4 Pets**

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##  It is my wish that any pet dog/cat I may have at the date of my death be given to….

##  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**3. KEEPSAKES**

It is my wish that my Trustees allow my family members and friends the chance to take and keep one personal item of mine (below $100 in value) each as a keepsake from my personal belongings.

My Trustees have the discretion to do this by attendance in person or in any other manner my Trustees see fit. My Trustees also have discretion to allow more than one personal item each.

In the event more than one person expresses a desire to have a particular personal item of mine my Trustees may use any equitable means to decide who gets to have that particular item including the drawing of lots but it is my expressed Wish that there be no discord or disagreement over any of my personal items.

## 4. SIGNATURE

SIGNED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 [insert your full name here]

DATED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*WARNING: Changing any of the expressed Wishes in this Letter of Wishes by a new Letter of Wishes does NOT change or have any effect on your Will and will still need to change your Will for matters set out in your Will (eg change of an executor)*