

# Your Will

**PROTECTS  
EVERYTHING YOU  
HOLD DEAR**



**TRUST FOR  
NATURE**  
*Habitat forever*

[www.trustfornature.org.au](http://www.trustfornature.org.au)

# Why Have a Will?

**An unsettling number of people don't have a Will - despite this being the most important and far reaching document that anyone will draw up and sign during their lifetime.**

Most people will have assets of some kind to leave behind - creating their 'Estate'. Every individual's wishes regarding what will happen to those assets beyond their lifetime requires a Will.

If you already have a Will, congratulations on your caring foresight. Review and updating your Will regularly is important. With the passing of even a short time, circumstances can change which will impact on your bequest wishes and decisions.

**If you don't have a Will**, please consider the importance of having your wishes captured and making a will at your earliest opportunity.

Primarily, your Will assists in safeguarding **the future of your loved ones** when you are no longer with them. By recording your wishes regarding your Estate. Your Will also protects other aspects of life important to you, and can include your preferences of a more personal kind.

**Without a Will** your 'estate' will fall under the laws of intestacy which may deprive your loved ones of the provisions that you would have liked to make for them.

Legally, you can write your own Will, but mistakes can happen which could invalidate the whole document.

**We recommend** that you rather seek advice from your bank, solicitor, financial advisor or other qualified professional. In this way you'll know that your Will is properly worded, correctly signed and witnessed. It should then be safely stored for easy access when the time comes for your wishes to be carried out.

Perhaps surprisingly, the making of a Will is a joyful rather than a falsely perceived depressing experience. And, once done, it will give you great peace of mind.

# What Constitutes Your Estate?

## The worth of your potential estate is a calculation between your Assets and Liabilities.

**Some Assets:** Your home, other property, furniture and appliances, antiques, artwork, jewellery, vehicles and towable items, savings and cash, stocks and shares, investments, superannuation, insurance policies, other.

**Some Liabilities:** Mortgage bond, bank or personal loans, vehicle finance, any hire purchase agreements, bank overdraft, retail accounts with money owing, debts of any kind, credit card balances, tax owed, other.

## Types of Bequests:

**Specific** – as in a set amount of money, or a particular item.

**Percentage** – ensures a division between all your beneficiaries whether the value of your estate grows or decreases.

**Residue** – whatever is left over after specific distribution.

**Cession** – something like an insurance policy can be ceded to a beneficiary.

**Contingent** – second choice of beneficiary if certain conditions aren't met.

Commonly, with the time of death, **all assets are frozen**. This can include access to badly needed funds for the lives of your loved ones to continue until your Estate has been processed by the Court. If an Estate is complicated, this can take some time.

A death in the family is distressing enough without the added concern of how life will continue without you.

As with every aspect of your Will, it's important to review the above regularly so that your Will is kept up to date. A beneficiary's name can change, a vehicle that you're leaving can be replaced by another. An insurance policy may lose its relevance in time.

# Some Important Points to Consider

**Married couples** should make **separate Wills**.

**Beneficiaries:** Your list of beneficiaries could include your family and friends and things important to you such as giving towards a Charitable cause.

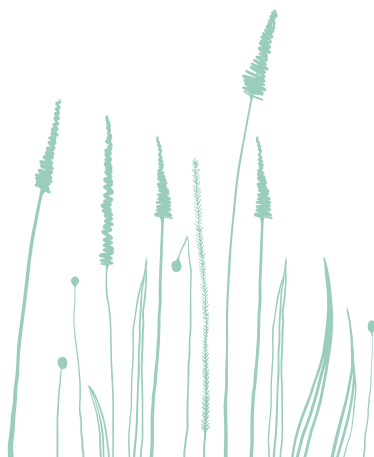
An **Executor** will have to be chosen and named as the person who will manage your Estate. This can be the professional who has helped you draw up your Will, a family member, or another trusted person who is **willing** to assume this special responsibility. Having two executors gives you added safety.

Your Executor(s) will need to be aware of what tax will have to be paid before any bequests can be processed.

A bequest can assist you saving on tax.

Very often, a **philanthropic bequest** will also be included in a Will, as a memorial to your values in life. For instance, it could be your church, or a favourite charity that you've supported, or some other far reaching non-profit work that you're aware of.

An example would be, if you have a love for Australia's (particularly Victoria's) natural flora and fauna, and you wish to preserve that for your own descendants and future generations, **Trust for Nature** would be a good choice as an extra beneficiary.



# Who is Trust for Nature? And Why We Do What We Do?

Nature, with all its benefits, is given to us freely, and in return deserves our protection. Trust for Nature is a not-for-profit organisation that works to protect native plants and wildlife in cooperation with private landowners, and our passionate supporters.

This work is to intended protect nature for today, tomorrow, and forever.

As two-thirds of the State of Victoria is privately owned, many of our plant and wildlife species are threatened and aren't getting the protection that will ensure their existence – now, and for future generations.

Trust for Nature uses these four key mechanisms to achieve real conservation:

- **Covenants (conservation agreements) with private landowners** – a protection partnership programme.
- **Stewardship support** – helping covenantors improve and maintain nature on their property.
- **Revolving fund** – purchase of ecologically significant land, which is then protected with a conservation covenant when sold.
- **Eco-markets** – arranging and managing agreements between proponents who have a biodiversity offset requirement and landowners who want to protect nature on their properties.

Trust for Nature was established under the Victorian Conservation Trust Act of 1972 to enable people to contribute permanently to nature conservation.

Thanks to our friends, donors, covenantors, bequestors, partners and volunteers, Trust for Nature has evolved into Victoria's leading private land conservation organisations.

But much more needs to be done.

And it can be done, **with your help**, and the help of others who love the natural treasures of our State of Victoria.



## Why Make a Philanthropic Bequest?

**Leaving a bequest is a personal choice, and one that comes from the heart. Here are why others have decided to leave a bequest to a charity.**

‘A philanthropic bequest is an extension to caring about my loved ones.’

‘I’ve learnt that anyone can make a charitable bequest. We all have something of value to leave behind which can be put to positive use in the world in the future.’

‘My bequest costs me nothing now, but it’s a promise for the future which gives me pleasure now.’

‘Whatever the eventual size of my bequest might be, I know that it will definitely benefit the cause that’s close to my heart.’

‘Every gift in every Will makes a difference, however large or small.’

‘A charitable bequest lets my children and grandchildren know that my caring about their wellbeing included the future work of this organisation.’

‘I can see how my gifts of support are helping now, and I want to continue making the same difference beyond my own lifetime.’

‘Leaving a bequest to a good cause is ‘giving back’ for what I’ve been given during my lifetime.’



# Why Choose Trust for Nature for Your Charitable Bequest.

**Nature is not only essential to the existence of life, nature gives us the gifts of beauty, wonder, recreation and enjoyment. With its many gifts given to us freely, to be treasured during our own lifetime, and then as custodians, we have both the pleasure and the responsibility of handing it on to future generations.**


Looking after our country's and our state's nature doesn't 'just happen'. It takes management and commitment.

It's up to each one of us to commit to the conservation of nature during, and even after, our lifetime.

**Since its inception, Trust for Nature, with the help of our wonderful supporters, continues to be a major protector of Victoria's special places, plants and animals.**

Amongst these are our wetlands, woodlands and unique volcanic plains grasslands; the spectacular dunes and floodplains of the Murray Scroll Belt, and the intricate forests of the Eastern Riverina. Then include the already threatened species of plants, animals and birds which may become lost to future generations, even lost to us in our lifetime.

You can trust us to use your bequest to do the work for which you intend it – to protect the natural heritage of Victoria forever.



Short-beaked Echidna  
(*Tachyglossus aculeatus*)

# What would your Bequest Support?

Your bequest to Trust for Nature could ensure:

- The continuation of future conservation covenants and agreements which place in-perpetuity legal protection over private land, in collaboration with willing owners who receive advice and support to help manage their protected land.
- The Trust for Nature's Revolving Fund, which uses the property market to secure land with high conservation values and is sold on to not only conservation minded buyers to ensure future preservation but those who love natural beauty. Sale proceeds return to the fund so that it continues working for the expansion of nature conservation in Victoria.
- Management of Trust for Nature's own conservation reserves, including Victoria's largest private conservation property, Ned's Corner Station.
- Scientific and practical input to policy and planning.
- Knowing how you would like your bequest to be used would be important to us, so that together we can discuss your personal wishes.



Purplish Beard Orchid  
(*Calochilus robertsonii*)





## Some Additional Notes:

The Law Institute of Victoria publishes a list of solicitors who are accredited specialists in Wills and Estates. Trustee companies (in the Yellow Pages under Trustee Services) are also usually able to advise in relation to Wills and Estates.

In preparation for making your Will, it's a good idea to make a complete list of what might fall into both your assets and liabilities. The professional with whom you consult might also be able to ask the right questions to help you complete these lists.

It's also helpful to have on hand the correct full names, and contact details of all your chosen beneficiaries.

Trust for Nature's preferred wording for bequests and devises are:

*'I . . . . . give, devise and bequeath unto Trust for Nature (Victoria), a statutory body corporate constituted under the Victorian Conservation Trust Act 1972, for its general purposes, free of all duties.*

*Specify Bequest*

*And I direct that the receipt of the CEO or a duly authorised representative of Trust for Nature, shall be sufficient discharge to my Executor for the Bequest which is to be applied to the general purposes of the Trust.'*



## Other Ways of Helping

**Including Trust for Nature as a beneficiary in your Will is your gift to the future of preservation of nature in the State of Victoria.**

There are also other ways of helping now – today. These include...

- Donating to Trust for Nature current and ongoing projects.
- Monthly giving to support the ongoing protection of Victoria's flora and fauna on a more regular basis.
- Volunteering.
- Promoting the work of Trust for Nature to family, friends and colleagues for support and bequests.
- Reporting endangered areas or species that you may come across.
- Share our electronic and printed information with others.



**Please Note:** This document is intended as a guide only. For this reason the information contained in this publication should not be relied upon as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, Trust for Nature is not liable to you for any loss or damage suffered as a result of reliance on this document. Trust for Nature, 5/379 Collins Street, Melbourne, Victoria 3000 ABN: 60 292 993 543



**‘What we have done for ourselves alone dies with us; what we have done for others and the world, remains and is immortal.’ *Albert Pike***



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