



Spinal Cord Injuries Australia

# A simple basic guide to leaving a gift in your Will





## Our story

On 4 September 1967, the Australian Quadriplegic Association (AQA) was constituted at the spinal unit of Prince Henry Hospital in Sydney and became a registered charity that year. The name was officially changed to Spinal Cord Injuries Australia (SCIA) by members in 2003.

Over the years SCIA has developed services and partnerships across Australia aimed at helping people overcome barriers, achieve goals and live independently.

Since 1967, many generous people have chosen to leave gifts in their Wills to SCIA. This generosity has enabled us to support both individuals and families throughout their life journey with a spinal cord injury or other types of neurological and physical disabilities.

Gifts in Wills, both large and small, play a major role in the ongoing funding of the vital services we provide aimed to increase independence, mobility and confidence for people who otherwise would have nowhere else to turn.

By leaving a gift in your Will to SCIA, you are showing your commitment to ensure people who are affected by a spinal cord injury or other neurological and physical conditions, will not be isolated and receive the help and support that is so desperately needed.



Spinal Cord Injuries Australia

# Prepare

Spinal Cord Injuries Australia has prepared this simple guide to give you practical information on how to leave a gift in your Will and considerations you should make before preparing your Will.

## Some things to think about:

- Do you have a valid Will?
- When was the Will last reviewed?
- Is it up to date?
- Does it accurately reflect how you want your assets distributed when you die?



**A current legal Will with all your wishes clearly stated - only then will you have the satisfaction of knowing that your affairs are in order.**

# Knowledge Basics

## What is a Will?

A Will is a legal declaration of a person's wishes regarding the disposal of his or her property or estate after death. The Will must meet certain legal requirements.

Your estate is made up of items such as your home, car, shares and bank accounts, as well as paintings, artwork or jewellery.

A Will may not address all assets you may own or hold in your name, such as superannuation funds and insurance policies, company assets or trusts. You should make contact with the various organisations to better understand how your other assets are dealt with after death.

## Who should make a Will?

Put simply, every adult should make a Will. It is even more important if you have a family, or have people who are financially dependent on you.

According to research more than 50% of Australians don't have a legal or valid Will.

## What is a valid Will?

1. It must be in writing, either typed or handwritten
2. The Will must be signed and dated, preferably on every page
3. The Will must be witnessed in the presence of two adults, who are not named as beneficiaries in the Will



## What is an executor?

An executor is an individual or individuals that you nominate to deal with your estate. It is possible to have joint executors or an alternative, such as a solicitor or the Public Trustee.

Some examples of executors' duties are:

- Making the funeral arrangements
- Paying the debts of your estate
- Proving your Will in Court
- Distributing the assets in line with the gifts made in your Will

## Who can I appoint as an executor?

You can choose anyone who is 18 years of age or older. The main beneficiary may be a good choice, it should be someone you trust and know and will carry out your wishes. The executor doesn't necessarily need legal skills, and there is always an option to appoint a solicitor to assist.

## Who should prepare my Will?

It is strongly recommended that you have your Will prepared by a solicitor or a legal professional, such as the Public Trustee in your state. Your Will is an important legal document and should be carefully planned to help you avoid creating any problems or tax liabilities for your beneficiaries.

### Ready

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- List your assets and debts
- Decide and choose who will be your executor
- Nominate a guardian if you have children under 18 years of age
- Name your beneficiaries and gifts
- Detail your funeral directions and any organ donation request
- Consult a legal practitioner
- Choose your witnesses
- Sign your Will



# Consideration

You don't have to be wealthy to make a difference, people from all walks of life leave gifts in their Wills to SCIA.

Once family and friends are provided for, please consider leaving a gift in your Will to SCIA.

## Types of Gifts you can include in your Will

### **Residual Gift**

The remainder of your estate after all debts have been paid and all other gifts have been distributed.

### **Percentage of your estate**

A nominated percentage of the estate. It is not necessary to know the value of your estate, as the percentage will not come into play until all your estate is distributed.

### **Pecuniary gift – specific amount of money**

A specific amount of money is a simple way of leaving a gift in your Will because you will know exactly how much the beneficiaries will receive, regardless of any change in the value of your estate.

### **Fixed specific gift**

You can leave a specific gift such as property, insurance policy, works of art, shares, land, jewellery or any other item of value.





## Suggested wording for leaving a gift to SCIA

We suggest you seek guidance from a solicitor when drafting your Will as the correct wording for leaving a gift to SCIA is very important. Your solicitor can also provide you with more details about different types of gifts and what that may mean for your family.

“I give and bequeath free of all death, estate or succession duties whether State or Federal to Spinal Cord Injuries Australia, ABN 93 001 263 734

(a) All of my residuary estate OR

(b) (X) percentage of my residuary estate OR

(c) The sum of \$\_\_\_\_\_ OR

(d) List asset or assets

My bequest is to be used for the general purposes of Spinal Cord Injuries Australia and I declare that the receipt of the Secretary or other authorised officer of this organisation shall be a sufficient discharge to my Executors.”




## Our promise to you

- 1. Commitment** - We will continue to carry out our activities to those we assist and to ensure you are kept up to date with the latest information in relation to spinal cord injuries and the services we provide.
- 2. Family first** - We gratefully appreciate any gift, no matter what the amount is. We understand that loved ones come first and we encourage you to discuss your intentions with them before finalising your Will. We appreciate that these types of important decisions need to be made in your own time and that your circumstances may also change over time. For these reasons we recommend that you should always seek legal advice and involve your family when making or updating your Will.
- 3. Generous** - We will give you and your family the opportunity to join us to see firsthand the life changing work we do, which is made possible by the generosity of people like you.
- 4. Transparent** - We will ensure that all gifts are administered reliably and work with all parties handling your gift with care, sensitivity and respect to ensure your wishes are met.
- 5. Privacy** - We will always respect your privacy. Any information you give us regarding your Will shall be held in strict confidence and will not be publicly disclosed during your lifetime without your expressed permission.
- 6. Thank you** - We will thank you appropriately and ensure that you are kept up to date with our latest activities.

## Thank you

We would be grateful if you would let us know if you have or are considering leaving a gift in your Will to SCIA. We would like to make contact with you and have the opportunity to thank you personally.

A young girl with brown hair, wearing a colorful patterned top, is sitting in a wheelchair. She is smiling and looking towards the camera. Her hands are resting on the wheelchair's armrests. The background is a plain, light-colored wall.

**“To know even one life  
has breathed easier  
because you have lived.  
This is to have succeeded.”**

Ralph Waldo Emerson

**At SCIA, we build a better today to build a better tomorrow**

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