

## Moore's Legal Will Precedent Document Templates

### 9<sup>th</sup> Edition

The 9<sup>th</sup> edition of the **MOORESLEGAL** Will Precedent Document Template service for legal practitioners was released in July 2010. For a clause by clause summary of its clauses see Appendix A. Included with the templates is a marked up version of the templates highlighting the changes that have been made since the 8<sup>th</sup> edition.

No	Key Attributes of MOORESLEGAL Precedent Document Templates – 9 <sup>th</sup> Edition
W1	Single age release <b>Beneficiary Controlled Testamentary Trusts</b> (“BCTTs”) + a range of other clauses (see below)
W2	<b>Capital Protected Testamentary Trusts</b> + BCTTs & the additional clauses in W1
W3	<b>Flexible Life Interest</b> + BCTTs & the additional clauses in W1
W4A	Creation of executor options for both (or either) a <b>Special Disability Trust</b> & an <b>All Needs Protective Trust</b> + BCTTs & the additional clauses in W1
W4B	Creation of executor options for both (or either) a <b>Special Disability Trust</b> & an <b>All Needs Protective Trust</b> + BCTTs & the additional clauses in W1, but with one or more different of the trustees of those trusts being different from the executors
W5A	<b>All Needs Protective Trust</b> + BCTTs & the additional clauses in W1
W5B	<b>All Needs Protective Trust</b> + BCTTs & the additional clauses in W1, but with one or more different of the trustees of those trusts being different from the executors
W6	<b>Staggered Time Release BCTTs</b> & the additional clauses in W1
W7	<b>Outright Benefit Clauses</b> + a range of other clauses including: adjustment (equalisation) for superannuation clause and geared assets clause
W8A	Creation of executor options for both (or either) a <b>Special Disability Trust</b> & an <b>All Needs Protective Trust</b> + outright benefit clauses & the additional clauses in W7
W8B	Creation of executor options for both (or either) a <b>Special Disability Trust</b> & an <b>All Needs Protective Trust</b> + outright benefit clauses & the additional clauses in W7, but with one or more different of the trustees of those trusts being different from the executors.
W9A	<b>All Needs Protective Trust</b> + outright benefit clauses & the additional clauses in W7
W9B	<b>All Needs Protective Trust</b> + outright benefit clauses & the additional clauses in W7, but with one or more different of the trustees of those trusts being different from the executors
W10	<b>Fixed Life Interest</b> + outright benefit clauses & the additional clauses in W7

## MOORESLEGAL Will Precedents – 9<sup>th</sup> Edition

The key changes to the 9<sup>th</sup> edition is the inclusion of definitional changes to trust income following the High Court decision in the *FCT v Bamford* and the consequential Decision Impact Statement issued by the Australian Taxation Office.

These changes reflect the ongoing impact of extensive changes to superannuation, taxation (Federal and State), means tested pension eligibility, bankruptcy and family laws.

The additional clauses referred to in the above table in templates W1 to W6 are summarised in Appendix A. They include:

- Main residence occupation and life interest clauses;
- SMSF and family trust administration clauses;
- Adjustment (equalization) for superannuation & non-estate distributions clauses;
- Discretionary powers for executors re BCTTs;
- Loan and business administration clauses;
- Superannuation death benefits trust options;
- Crisis protective trust provisions, eg in the event of bankruptcy;
- Power to pay benefit to a special disability trust;
- Prospective primary beneficiary trust clause;
- Geared assets clause;
- Alternative executor commission clauses.

Purchasers of earlier editions can upgrade their edition of the Will Precedent Document Templates to the current edition at a reduced cost, ie \$330 instead of \$495. To order the 9<sup>th</sup> edition by way of initial purchase or upgrade, please go to our website [www.mooreslegal.com.au](http://www.mooreslegal.com.au).

Should you require

1. technical support, contact Moores Legal helpdesk on (03) 9843 0400
2. training in respect of the templates, contact Allan Swan's Personal Assistant on (03) 9843 2153.

### HANDY TIPS:

- Alt+F9 enables field codes
- To print field codes  
Word 2003: Tools/Options/Print. Tick 'field codes'.  
Word 2007: Office button/Word options/Advanced/Print. Tick 'print field codes instead of values'.  
Word 2010: LH Menu/Word/Options ....
- F11 to move cursor to next field code.

*Note: Statement of Advice:* As with all of the research material on the website, the above material is for general information only & should not be relied on as (or in substitution for) legal, personal financial or other professional advice. See the website for the latest version and cross references.

**Further information – see Legal Services and Newsletter sections of [www.mooreslegal.com.au](http://www.mooreslegal.com.au)**