



GUIDE TO MAKING A WILL



PETS^{OF}_{THE} **HOMELESS**
Keeping best friends together

Leave a Legacy That Lasts: Your Gift Can Change Lives Forever

Leaving a legacy is a new beginning. It's the beginning of one act of kindness making a long-lasting and positive impact on countless lives, well into the future.

By leaving a gift in your Will, no matter the size, you will enable Pets Of The Homeless to deliver support services to pet guardians facing hardship and help work towards a community where no person is separated from their pet due to homelessness or disadvantage.

Leaving a gift in your Will to Pets Of The Homeless is more than just a donation – it's a testament to your values, your compassion, and your desire to make the world a better place. **It is your legacy of compassion, support, and hope.**

“

The support Pets Of The Homeless provides to humans and their pets in keeping best friends together resonates with us like no other charity, so it was only natural that I would name them in my Will. – Sarah



”

Making a Will

What is a Will?

A Will is a formal legal document that gives you the opportunity to:

- provide for the people you care about;
- appoint a guardian for your children;
- leave particular items to certain people;
- make a gift to your favourite charity;
- appoint a person you trust to carry out the instructions in your Will (your Executor);
- leave any other instructions you may have (for example, about your funeral arrangements).

Even if you don't have a lot of money or you don't own any property, you may have superannuation or you may want to leave valuable or sentimental items to particular people.

Why is a Will important?

Having a Will is one of the most important things you can do for yourself and your family. Not only can a Will legally protect your spouse, children and assets, it ensures that your possessions go to the people you want, such as your family or friends. Without one, known as "intestate", your estate may be divided amongst relatives according to a government formula ("intestacy rules"), which may not reflect your wishes and can cause complications, delays and extra costs for your loved ones. If you don't have relatives closer than a first cousin, your estate will go to the government.



What is an Executor?

The Executor is responsible for the administration of your estate, from paying your debts to the ongoing management of your assets until the estate administration is completed.

Your Will must nominate one or more individuals.

Administering an estate can take many months (sometimes years) so you need to be sure the nominated person is both willing and capable of undertaking the task of Executor.

How do I make a Will?

Making a Will can be a simple process and does not need to be expensive. A Will must be signed and witnessed properly to be legally valid. You can have a solicitor, or Trustee and Guardian, or a Trustee Company do your Will for you. There is also the option of online companies who are affiliated with solicitors to guide you.

It is important to review your Will every few years or when there are significant changes to your circumstances such as,

- you have acquired property or other assets, or if you dispose of an asset or an asset changes its nature,
- you have a new child/children,
- you are in a de-facto relationship,
- you divorce or remarry after the date of your Will (marriage will revoke your original Will),
- your family situation otherwise changes,
- your Executor passes away or becomes too unstable to act in the role due to change in your relationship, their age or ill health,
- you have more than one Executor, if those Executors are arguing or their relationship is strained,
- a beneficiary passes away,
- your children have turned 18 and you would like them to be your Executor/s.

If you are generously considering leaving Pets Of The Homeless a Gift in Will, there are a few recommended steps you can take.

1

Talk to your loved ones

Discuss your decision to leave a gift to Pets Of The Homeless in your Will with family members and anyone else who may be affected.

2

Seek legal advice

It's important to seek legal counsel when creating or amending your Will.

3

Use the correct Gift in Will wording

For cost-effective and timely estate settlement, we recommend providing the correct wording (see below) to your solicitor for inclusion in your Will.

How do I leave a gift to a Charity?

Leaving a gift in your Will to Pets Of The Homeless is a meaningful way to ensure that vulnerable people and their pets will have access to the very basic of essentials. With your support, we can continue to provide pet food, access to veterinary care and a safe shelter to those in need. A bequest doesn't impact your wealth during your lifetime and only takes effect when administering your estate. Once you've looked after the ones you love, a gift of even 1% in your Will, or as much as you can afford, will make a difference to the impact of our work.

If you would like to leave a gift to a charity (otherwise, known as a bequest), you may choose to leave:



A Residual Gift

The remainder of your estate after considering your loved ones and the deduction of expenses.



A Percentage Gift

A percentage of either the residue or the entire estate such as 25% of estate.



A Pecuniary Gift

A gift of a specific amount such as \$10,000.



An Asset or Assets

This can be property or shares.

If you would like to leave a gift in your Will to Pets Of The Homeless, we recommend you consider using the following suggested wording (which should be discussed further with your solicitor).

"I give to Pets Of The Homeless LTD (ABN 87 612 417 277)

- The residue of my estate (or ___ % of the residue of my estate) or
 - The whole of my estate (or ___ % of my estate)
 - The sum of \$ ___
 - Asset or assets

free of all duties, for its general charitable purposes. I declare that the receipt of the CEO or other authorised officer of Pets Of The Homeless shall be a full and sufficient discharge to my executors for this legacy.

Pets Of The Homeless also has a partnership with **Gathered Here** – a trusted resource where you can create a Will for **free** to ensure that the legacy you leave can create a better future for people and pets in need.

Shelley Smith

Shelley was a passionate volunteer and supporter of Pets Of The Homeless. She left us a gift in her Will that allowed us to establish the Farewell Fund, which covers the cost of veterinary euthanasia for sick pets, as well as paying for cremation and the return of their ashes to their bereaved human companions.



Other Legal Services

When you are making your Will, you might also consider appointing a **Power of Attorney** as well as a Guardian under an Enduring Guardianship. Unforeseeable circumstances such as illness, absence or injury can sometimes prevent a person from making important decisions which affects them in managing their financial, legal, medical or personal matters. To ensure peace of mind for your future wellbeing, it is important for you to consider what you would like to happen should such a situation arise.

There are three important steps in planning ahead:

- talk to significant people in your life to communicate your wishes,
- identify suitable people who you trust to act for you,
- decided whether you need to make any formal arrangements, or whether your trusted family and friends could make the decisions you would want to make, if you were to lose capacity yourself.

There are some situations that require legal authority for someone to act on your behalf. This requires a **Power of Attorney** and in some cases the appointment of an Enduring Guardian.

What is a Power of Attorney?

A Power of Attorney is a legal document that gives another person, known as "Attorney" the formal authority to manage your assets and financial affairs in the event that you are unable to do so and in accordance with your instructions. Reasons may include illness, injury because of an accident, or simply because of an absence.

What is an Enduring Guardian?

Enduring Guardianship authorises another person to make personal, health and lifestyle decisions on your behalf should you lose the capacity to make them yourself. Your solicitor can provide you with the appropriate forms.





It's a reflection of my belief in the power of kindness and the impact that even the smallest acts of generosity can have on someone's life. When I think about the legacy I want to leave behind, supporting a cause like Pets of the Homeless feels like the right thing to do. I know that my contribution will continue to make a difference in the lives of those who need it most. – Rachel



How do I choose an Enduring Guardian?

The foremost duty of your Enduring Guardian is to act in your best interest. Therefore, when choosing the right person to assume this very important role, it is essential to consider:

- Will he or she thoroughly respect my wishes?
- Is he or she likely to make the same decision as I would?
- Will he or she avoid situations where there is a conflict of interest?
- Is he or she likely to survive me?
- Will he or she do everything reasonable to protect me from abuse and neglect?

You Can Make a Difference

If you're considering leaving a gift in your Will to Pets Of The Homeless, we would love to talk to you, discuss some of the options available and hear about the areas of our work you would like to support.

Because our work is constantly evolving to meet the needs of the community, many donors don't specify a purpose for their gift, allowing us to use their gift where it is needed most. If you would prefer to direct your gift to a specific program, we can also help you craft a gift that reflects your wishes.

To get in touch, please email donation@petsofthehomeless.org.au.



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Pets Of The Homeless LTD | ABN 87 612 417 277
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