

## HOME VISITS

Duncan.Legal offers the possibility of Home Visits to unwell, disabled or elderly clients. We can take instructions, provide advice or execute Estate Planning documents, all from the comfort of home.

Charged at our usual professional hourly rate (including travel time to and from Surrey Hills), Home Visits are welcomed by a number of our clients who have mobility issues.

Call: 9077 7731  
or  
Email:  
[reception@duncanlegal.com.au](mailto:reception@duncanlegal.com.au)

## SUPERANNUATION BENEFICIARY NOMINATIONS

In today's world, superannuation is a significant asset for most people. Reviewing your Beneficiary Nominations in your superannuation fund is an important part of thorough Estate Planning.

You need to ensure that you know exactly how your beneficiaries will receive these monies – either directly from the Super Fund or via your Estate. Most people do not realise that superannuation death benefits do not automatically form a part of your estate. If you want your Will to be the document that governs the distribution of these assets to your beneficiaries, then you have to make a nomination directing the funds to be paid into your estate.

Careful structuring of your nominations may significantly reduce or remove potential taxation liabilities. A spouse will always receive death benefits tax free as will children who are still dependent. However, once your children cease to be dependent upon you, any death benefits payable to them attract a taxation liability of between 15-30% of the “taxed element” in the gift. Why give away money to the ATO when it could go to your beneficiaries instead?

Vulnerable beneficiaries need to death benefits in a form that they can manage or than can be managed on their behalf. In these cases, it may be best to nominate your Legal Personal Representative (LPR) as the beneficiary of your estate. This way the death benefits are governed by the terms of your Will, and can be applied to any protective trust created for that vulnerable family member.

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**LAW  
INSTITUTE  
VICTORIA**

LIV MEMBER 2017/18



## CHARITYWORKS MASQUERADE BALL FOR MS

**Duncan.Legal** will be supporting the Charityworks Masquerade Ball on October 20 at the Grand Hyatt Savoy Ballroom. We will be providing an Estate Planning voucher valued at **\$2,000** for the Silent Auction.

Charityworks is committed to raising much-needed funds for ongoing research into MS. The 2016 Masquerade Ball raised almost \$200,000! One of the current projects being funded is investigating the causes of MS, how genetic changes contribute to MS and how the body responds to therapy. If you would like to donate to this wonderful charity event, visit their website at [charityworksforms.org.au](http://charityworksforms.org.au).

### INDEXED SPECIAL DISABILITY TRUSTS (SDT) LIMITS FOR 2018/2019

Each year the Assets Test Exemption & Annual Expenditure limits are revised for SDT's.

The current limits **to 30 June 2019** for SDT assets before pensions/benefits start to be reduced are:

**\$669,750 – Assets Test Exemption**  
(other than the family home)

There is no limit that can be spent on care & accommodation of the principal beneficiary however there is a maximum limit of

**\$12,000** (indexed annually) that can be spent on other needs (eg entertainment & travel).

### ESTATE PLANNING PRESENTATIONS

If your school or organisation would benefit from a 30 minute Estate Planning Presentation with a particular leaning towards provisions for Special Needs or Disabled children, contact **Duncan.Legal**.

At no charge, we will provide valuable information on Estate Planning with disability in the mix, raise options you may not have thought of, and provide a take-home information pack.

Evening & day sessions available.

**Call Lee on 9077 7731 or**  
**Email: [reception@duncanlegal.com.au](mailto:reception@duncanlegal.com.au)**



*“One generation plants trees, the next enjoys the shade” (Chinese proverb)*

#### ABOUT US

**Duncan.Legal** is a small law firm based in Surrey Hills. We offer personalised, caring service with an interest in assisting families with disability. Each of us are parents of children with autism and bring our life experience to our work.

We operate from a home office in the eastern suburbs in a quiet back street. There is easy access with all day parking (no permits or tickets required), or we are a short walk from Tram Route 109, stop 50. Our meeting room can seat up to 12 people, so family conferences can be accommodated.

We invite you to consider **Duncan.Legal** when you need advice with your Estate Planning.

#### Contact Us

**Duncan.Legal**

PO Box 1309

SURREY HILLS NORTH VIC 3127

**Tel: 9077 7731**

E: [reception@duncanlegal.com.au](mailto:reception@duncanlegal.com.au)