

THINGS TO CONSIDER POST SEPARATION

If you and your spouse have separated but are still legally married and no divorce order has been made by the Family Court, your former spouse could potentially make a claim that they are entitled to the majority, if not all, of your assets if you were to pass away.

If you do not have a will and you pass away then you will be considered to have passed away “intestate”. For any of your assets to be distributed an interested party would need to make an application to the Supreme Court for Letters of Administration which could include your former spouse who may be able to argue they should receive some or all of your estate.

Have you recently gone through a separation? If so you should consider:

1. Preparing a new Will;
2. Revoking any existing Enduring Power of Attorney and preparing a new Enduring Power of Attorney; and
3. Reviewing and amending your Binding Death Nomination of your superannuation fund to protect your assets.

Please contact any of our friendly legal team members for further information on legal@austasiagroup.com.

How can we help you?



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