

Where there's a Will...there's a family.

Make sure your gift in Will isn't a surprise. Demystify your legacy and charitable giving for your loved ones.



**INCLUDE
A CHARITY**

Don't let your legacy be a mystery...

Your Will shouldn't be a secret.

After all, your Will is about your life, the values you hold dear and the power you have to make a positive impact on the lives of your loved ones, and the world they live in, long into the future. Particularly if you've chosen to leave a gift in your Will to a charity.

Yet many of us may find it difficult to talk to our loved ones about our financial affairs and our legacy decisions. And while this is the case, our legacies will remain a mystery.

Mysteries can mean tension, red herrings and lengthy investigations. They can involve missteps and miscommunications, and the chance that your final wishes may not be fulfilled in the way you intended.

This is why conversations about your Will with your loved ones are so crucial.

If you've downloaded this guide, you may be investigating how best to share your Will with your loved ones, or crack the case of a family member's wishes.

So, how do you solve one of life's great mysteries?

By asking the right people, the right questions.

In this guide, three legacy experts will answer some of your most pressing questions around how to make your wishes clear to your family, and how to demystify the estate plans of your loved ones.



Get an expert on the case



Your legacy experts

"...this isn't my first awkward conversation...!"

Stephen George: Stephen is a fundraising consultant and coach, and a NFP leader with over 30 years of experience in the sector. Stephen works with charities all over the world to raise more money, and do more good.

"It's a natural part of human behaviour to not engage with your own mortality until you either have to, or time starts to make things clear. But as you get older, you start to realise what's important and start to ask questions about your life and your own legacy. Some engage with this, some don't but it's a powerful force. Did I live a meaningful life? In this, leaving a gift in our Will becomes a way we can live on symbolically."

Rohani Bixler: A Special Counsel at Burke & Associates Lawyers, Rohani has an extensive legal background in Wills and Estates, and has been practising exclusively in the areas of estate planning, deceased estate administration and estate litigation and disputes since 2006.

"I do think that gifts in Wills are lovely things. If you've got kids, you can add to their quality of life, but you can leave a legacy that has potentially a greater impact to a greater number of people with a charitable gift."

Michele Davis: Michele is an experienced lawyer, nationally accredited mediator, educator, researcher and writer. A self-confessed 'succession nerd', Michele has practised almost exclusively in Wills and Estates since her admission to legal practice.

"At the end of the day, a Will is what you want, it's your will in every way. But that unwillingness to talk about it can make it a conflicting situation. I'm an advocate for simplicity, openness and trying to take the taboo out of death talk, because there's just so much value in that."

Leave no surprises **MS** GIFT PLANNING

Brenda and Simon - a mother and son with big hearts.

Simon's diagnosis

When Simon was first diagnosed with multiple sclerosis (MS) in 2006, he initially found the news hard to accept. But over time, he has adopted a decidedly optimistic outlook. Now he's making his own positive difference to the future of people living with MS, by leaving a gift in his Will.

Simon said his Mum, Brenda, sometimes felt a bit of guilt about his MS diagnosis, he reflects: *"My Mum was a generous lady. I think she was more upset than me about my diagnosis, feeling that biologically it might have been 'her fault'; I guess many mothers have that sort of reaction when a child gets very sick? She made regular monthly donations to MS before deciding to leave something in her Will."*

A Family legacy

Simon took inspiration from his Mother Brenda's legacy and had a chat to his children that he also wanted to leave a gift in his Will. After all, he was simply following in his Mothers' footsteps. Driven by his desire to help find a cure for MS - Simon says the process of including MS in his Will was very straightforward.



He first talked about his intended gift with his adult children — who fully support his decision — and then he gave his instructions to the solicitor. That's it!

Helping the next generation

Most importantly, including a gift to MS Plus has given Simon a great sense of satisfaction. He says, *"If my gift can help current and future people living with MS, in some small way to better manage their condition, I'll be happy."*



You can help fast-track a cure as well.

You can fund more brilliant research, and make sure services and support continue to give people like Simon the best possible quality of life — by leaving a gift in your Will just like Brenda and Simon — a mother and son with big hearts.

Even 1% or 2% share after gifts to family and friends can make a huge difference. It costs nothing now, but changes so many lives into the future.

For a no-obligation chat, please contact our friendly Gift in Wills Manager, Laura, at futureplanning@ms.org.au, visit mymlegacy.org.au or call **1800 443 867** today.



INCLUDE
A CHARITY

MS



An important conversation for Kathy & Vic Bilbrough

For some families, a gift left to a charity can sometimes come as a surprise or a shock. In others, a legacy gift may have always been known – by simply sharing your wishes and intentions during your life to your loved ones.

The wonderful gift left by Vic Bilbrough in honour of his beloved wife Kathy, is an example of a kind gift that was clearly known by his family, although not specifically included in a Will! Is this even possible? Yes!

To understand how – we need to take a step back to the **love story of Vic and Kathy**.

After meeting at work at the Department of Veterans' Affairs in Melbourne in 1986, they married, bought a house and planted a large garden together. Days were spent attending concerts for Vic's love of music or exploring for Kathy's love of travelling. Then an opportunity came to move to Germany for Kathy to teach.

While together overseas as newlyweds, Kathy started to experience vision problems (optic neuritis). She then broke her arm in a fall and experienced more health issues. It took time to get answers, but Kathy eventually learned that she had an aggressive form of multiple sclerosis (MS).

Life just got harder for them both, but their love was stronger than ever.

Wanting to spend as much quality time together as possible while able, Kathy and Vic travelled around Europe and the UK. They enjoyed pints with relatives in Northern England and later visited Scotland, France and Germany.

"Vic often reminisced about that trip. It was one of the highlights of their life together," said David, Vic's younger brother.

Although Kathy passed away in 1998 at only 41 years old, from complications arising from her MS, their love lived on. The family thinks Vic mourned Kathy for the rest of his life and felt he never recovered from Kathy's absence. Vic passed away at the age of 68 in 2020.

The family soon realised **Vic hadn't left a Will**. But David, a devoted brother knew exactly what Vic's last wishes were for his Estate.

"Vic mentioned a few times he and Kathy wanted to leave a generous gift in his Will to MS Plus as a thank you for their support. He also wanted to help another charity and his siblings. We liked the idea of helping the MS cause," said David.

"By leaving this gift in their names, we hope that others will be supported with their MS challenges when they need help," he added.

A legacy of love

“I can’t leave the inheritance to the cats... can I?”

Alison Pearce is many things – an avid theatre-goer, an animal lover, and a beloved aunt and friend.

Alison wants her legacy to reflect the many passions and values she holds dear in life. To date, she’s left seven charitable gifts in her Will, spanning the areas of emergency animal boarding, environmental protection and expanded access to the arts for children.

“My family knows I’ve always had cats...there’s a joke that I’m a ‘mad cat lady’. When they said to me, ‘you can’t leave (the inheritance) all to the cats, can you?’ I said, ‘No, but I can leave it to cat charities.’”

Alison agrees that bequest conversations with family members can be sensitive. When it comes to initiating the conversation, she believes it’s all about softening the topic.

“If it comes up in conversation, a person could say, ‘I’m thinking of updating my Will,’” she suggests. “Everyone is different – some people are going to stress about it. But I think it’s a good idea not to make it serious. Don’t say, ‘sit down, I want to talk to you about something.’”

Alison also knows from experience that telling the charity beneficiaries is another important step.

“I would advise people to let the charity know what you are doing,” she says. “They have events you can attend to ask questions... Because even though you can’t see the benefit in your lifetime, you’ll get a much better idea about the difference you’ll be making. You can feel connected to what is going to happen, even though you’re not in the financial position to do it while you’re still alive.”

Tied or untied?

An **untied** gift in Will is one that a charity can use for its highest priority at the time of the bequest arriving. Untied gifts are crucial because they allow an organisation to adapt to unexpected needs as they arise in the future.

A **tied gift** is one you want a charity to use for a specific, identified purpose, for a particular area of work.

As many charities’ priorities can change over time, it’s a good idea to talk to an organisation to find out what gifts they prefer.



“ I can’t give specialist care to a person experiencing domestic violence. I can’t personally find a child and give them a ticket to go and see a show, but I can support these charities that can do that.”

– Alison Pearce

The fine art of giving

“How do you tell your children... it isn't all for you?”

Chris Begg OAM is a great lover of decorative arts and ceramics – a passion he shared with his late wife of 30 years, Patricia Begg OAM. Throughout their lives, they visited many ceramics museums all over the world, marvelling at the artworks and observing the origin of each piece. Over the course of their travels, they amassed a significant collection of ceramics, mainly from 18th century European, English, Chinese and Japanese material.

Chris says that for himself and Patricia, talking to loved ones about their wishes was a vital step in the process of creating Wills that included multiple charitable gifts. For Patricia, this included a financial gift in her will to an arts access program that funds tickets to theatre and arts performances for children whose families cannot afford them.

When thinking about what would happen to their ceramics collection in the future, Chris and Patricia decided to donate it to the National Gallery of Victoria as a charitable gift.

“We thought donating it was the right thing to do, because it's a teaching collection. And to give it the opportunity to stay together rather than being split up and sold. We saw ourselves as custodians rather than audience owners.”

“Because the collection was significant, we used to open the house so people could see it,” explains Chris. “The house itself is a Victorian home built in 1879, so it's well worth looking at, apart from what's inside it.”

Says Patricia's daughter, Dr Ruth McNair: *“Mum was always embedded in the arts in some way. She was*

a ballet dancer, and she loved the theatre, so she understood the arts and how it impacted people.”

Chris maintains that conversations with the family about Patricia's intentions were the key to ensuring her wishes were fulfilled.

“In the end, the family is likely going to be the executors of your estate. For them to know in advance what you're intending and what your reasons for doing it, rather than just be hit cold...I think it's essential to tell your family that that's what you're doing.”

What types of charitable gifts can I leave?

The two main types of gifts you can leave in your Will are specific and **residuary bequests**.

A **specific bequest** is a gift of a specified amount of money, shares or other items of value such as property, art or jewellery.

A **residuary bequest** is the gift of the whole or portion of whatever is left in your estate after all gifts, taxes and costs have been paid.

If you are gifting personal property, you will need to grant the charity of choice the permission to sell these items to allow the funds to support their work.



“If you are leaving a large proportion of your estate to a charity rather than your family, then you’ve got a much more difficult task to successfully explain that, unless your children are totally provided for in their own right.”

– Chris Begg OAM

What comes next?

After you've created or amended your Will, and discussed your wishes with your family

Choose your executor:

The executor is the person appointed to administer your estate. You can select between one and four executors – family members, friends, relatives, solicitors, your bank or your local trustee. When choosing an executor, think about whether the person nominated will understand the obligations and how well they will be able to carry out your wishes.

Get informed:

Your Will is a legal document and should be worded in a particular way to ensure your wishes are carried out. You can enlist a solicitor or public trustee to help you with this, or you can contact the charity you are leaving a gift to for support.

Ensure your Will is stored in a safe place:

You can store your Will with your solicitor, with relatives or in a Safe Custody envelope at your bank. Make sure you tell those you love where to find it. It's also vital to keep a copy for your own records, so you can review and update it if necessary.

“Legacies are often not talked about or engaged with because people often think it's about death and taxes. Remember it's very much about life, so start a conversation, explore, act and experience the joy and satisfaction.”

– Stephen

“If you don't know whether someone's done a Will or where it's held, it's as good as them not having done one. Even just saying 'look, I know this is an uncomfortable subject but I just want to make sure that if something ever happens to you, I can act on your wishes. Have you put anything down? Is there anyone I should talk to?’”

– Rohani

“Right now, 50% of Australians don't have a Will... and the chaos that can cause, even without a complicated family, is just not worth the additional grief. So get something underway, and embrace the conversation. Do your family the favour of having something set up.”

– Michele



A happy family is an important part of your legacy.



Make the world a little brighter.

Have the charity chat with your
loved ones and leave a gift in
your Will.

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