

Succession, Asset Protection & Estate Planning Frequently Asked Questions (2025)

Got a question? Simply 'search' for the key word(s) and see what you find. If you still have questions, we can help and offer a variety of options (scroll to the end).

Disclaimer

These FAQs explain general concepts about estate planning, superannuation and asset protection. It is not personal financial, legal or tax advice. Everyone's situation is different, and the law can change. Before acting, seek advice from a qualified accountant, lawyer or SAPEPAA-accredited specialist who understands your circumstances.

1. Did you know?	1
2. Getting Started – Understanding the Basics	3
3. Assets: The Things You Own	5
4. Enduring Power of Attorney (EPOA)	6
5. Advanced Care Directive	7
6. Wills and Basic Estate Planning	8
7. Superannuation and Estate Planning	8
8. Avoiding Mistakes in Asset Protection	9
9. Business and Asset Protection Basics	10
10. Passing Farms and Rural Assets Through the Family	10
11. Trusts Basics	11
12. Special Disability Trusts	11
13. Guardians and Vulnerable Beneficiaries	12
14. What to Do in the First 72 Hours After Death	13
15. Final Thoughts	13
16. Do You Have More Questions?	14

1. Did you know?

Here are some important facts most people do not know about estate law in Australia.

Q – Wills can be challenged

Even if your Will is clear, almost anyone who can prove “need” or “relationship” may challenge it, especially estranged children or dependent adults. Courts will often override your wishes if they believe someone was left without “adequate provision.”

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – Defacto partners have legal rights

If you have been in a defacto relationship for two years or more, that partner is generally treated like a spouse under estate law. They can make a legal claim on your estate — even if you never got married.

Q – Former spouses can claim too

In NSW and some other jurisdictions, a former spouse may still be able to make a claim on the estate — even if the relationship ended long ago — especially where financial ties still exist or documents are out of date.

Q – Did you know blended families are the most common reason for estate disputes?

When stepchildren or new partners are involved, the risk of conflict or legal challenge increases dramatically without clear documentation.

Q – One family member can go to court without involving others

If a family claimant takes a family provision claim to Court and other beneficiaries choose not to participate:

- the Court may rule only in the claimant's favour
- the others may lose rights or inherit significantly less
- the estate may be drained by legal costs

It may feel unfair — but this is how the law works.

Q – Superannuation does not automatically follow your Will

Super fund trustees can decide where your money goes if you don't have valid documentation. This means:

- the wrong person could receive your super
- disputes are common
- payment may be delayed for months or years

Q – “Next of kin” does not mean control

Families often assume the oldest child or closest relative automatically has authority — but legally, that is not the case. Without documents, the government decides who is in charge.

Q – Did you know debts don't just disappear when you die?

Many debts are paid out of the estate before beneficiaries receive anything. Joint debts or guarantees may also continue for the surviving person.

Q – Jointly owned assets may bypass your Will entirely

Joint bank accounts and properties usually pass to the surviving owner — not the people named in your Will.

Q – Signing a new Will does not cancel superannuation instructions

Most people assume updating their Will covers everything — but super needs its own documents, or the Will is ignored.

Q – Did you know your Executor can be personally liable for mistakes?

Executors are legally responsible for paying taxes and distributing assets correctly. Choosing someone capable and supported is critical.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – A Will with errors can be worse than no Will

If it is invalid, unclear, or outdated,

- disputes increase
- costs increase
- delays increase
- the wrong people may benefit

Q – The Public Trustee can take over

If there is no valid Executor, the Public Trustee can run the estate, decide outcomes based on legislation and charge substantial administration fees from the estate.

Q – Does Australia have an inheritance or gift tax?

Australia does not currently have an inheritance or gift tax. Beneficiaries generally don't pay tax on what they receive, but tax can still apply inside the estate — for example, capital gains when assets are sold or superannuation paid to adult children. Australia once had federal and state “death duties,” abolished by 1981. There is occasional discussion about reintroducing a form of inheritance or wealth transfer tax, so keeping your estate structured properly is wise.

Q – How can I reduce taxes on assets I'd like to keep in the family?

Smart structuring helps reduce future taxes and keep assets protected. Using family protection trusts, companies or SMSFs can manage capital gains, improve control and pass assets safely between generations. These structures can also reduce exposure if an inheritance or wealth tax is ever introduced, helping your family preserve wealth over time.

Q – Why does all this matter?

Because without strong, up-to-date planning. The law decides, not you, not your family, not the people you trust. Most people are shocked when they learn how exposed they really are.

2. Getting Started – Understanding the Basics

[Watch our videos here: https://www.youtube.com/playlist?list=PLLIfJr2I0kymQmlswpO5u7X6M0rTQzdUd.](https://www.youtube.com/playlist?list=PLLIfJr2I0kymQmlswpO5u7X6M0rTQzdUd)

Q – What is my 'estate'?

Your estate is everything you own when you die. It includes your home, bank accounts, personal belongings, superannuation (if properly directed), and any investments. Your estate plan decides who receives those assets and how they are managed.

Q – What is 'estate planning' and why should I think about it?

It is making a clear plan for who will receive your assets when you die, and who has authority to help make decisions for you if you cannot.

Q – What is an 'asset'?

Anything you own that has value — such as money, a home, a car, superannuation, investments (eg gold, silver, property, crypto, shares etc), or a business.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – What does ‘asset protection’ mean?

Asset protection means keeping your assets safe from risks like lawsuits, divorce, business failure, or claims against you. It protects your financial security.

Q – What’s the difference between asset protection and estate planning?

Asset protection safeguards your assets while you are alive. Estate planning determines what happens after you die.

Q – Is estate planning just for older people?

No. Anyone over 18 should have some basic planning, because life does not always go as expected.

Q – At what point in life should I start thinking about protecting my assets and making a plan for my estate?

As soon as you start building your financial life. Early planning prevents later problems.

Q – I don’t have much right now — how much do I need to have to even bother?

If losing what you own would cause you or your family stress, or if you don’t want the government to take what you own, you need to have a legally documented plan.

Q – What happens if I don’t have a properly documented plan for when I die?

Government rules decide who gets your assets and who manages everything. It may not be who you would choose, and it may even all end up going to the government and be spent on things you don’t agree with.

Q – Doesn’t the government help protect my assets?

No. The government does not organise your asset protection or estate planning for you. The government’s systems are designed to make sure taxes, debts and claims are paid first — often before your family receives anything. If you do not have a valid plan in place:

- the **Public Trustee** may take control of your estate
- they follow government rules, not your wishes
- your assets may be sold to cover administration costs
- and they often charge substantial fees to manage the estate
- these fees are taken out of your estate, reducing what your family receives.

The Public Trustee is a last resort when people have no documented plan, but it is not designed to protect wealth or keep money in the family. To stay in control — and ensure more of your assets go to the people you care about — proper asset protection and estate planning are essential.

Q – What happens if I lose capacity and don’t have an Enduring Power of Attorney or Advance Care Directive?

The government or a tribunal may appoint someone to take control — not necessarily who you would choose.

Q – Can I leave instructions about my funeral?

Yes, but funeral wishes in a Will are not legally binding. It’s best to record them separately and tell your Executor and family where they are.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – How do I make sure someone knows where my Will is kept?

Keep the original in a safe place, give a copy to your Executor, and record its location in your estate plan.

Q – Don't I do this through a solicitor or lawyer?

Lawyers focus on legal documents like Wills. Accountants and SAPEPAA specialists understand how superannuation, trusts, companies and tax rules protect assets in real life. They also ensure your plan reduces unnecessary tax, both while you are alive and for your beneficiaries after you pass away. The best results come from combining legal and financial structures — so your assets are protected, tax is minimised, and your wealth is passed on the way you intend.

Q – Why should I use FreedomFFS?

FreedomFFS is a one-stop shop, offering both professional accounting and SAPEPAA-accredited legal asset protection, estate planning and Guardian services, so everything is done properly and works together.

Q – What exactly does FreedomFFS do?

We help people protect the things they own and ensure their wishes are followed when they become incapacitated or pass away. This includes making sure:

- your wishes regarding your health and finances are carried out while you are alive but incapacitated
- your assets go to the people you choose when you pass away
- your assets stay out of the hands of those you do not choose when you pass away, and
- your family avoids unnecessary legal battles and expenses.

3. Assets: The Things You Own

Q – What are examples of assets? Is my house an asset?

Yes. Homes, cars, savings, superannuation, investments, businesses, and valuable items – including digital items – are assets.

Q – What types of things can I protect as part of my asset protection plan?

Almost everything you own — especially major assets like your home, investments, and business interests.

Q – Are there assets I can't protect, like my car or savings?

Some everyday assets, such as your personal car, regular bank account or household belongings, are harder to fully protect because they are held in your own name and used for personal life. You can make sure these personal items are passed as you choose after you die by clearly listing who should receive them in your Will. You can also give your Executor written guidance about sentimental items and personal belongings so there is no confusion or argument among family members.

Q – How do I know if I need asset protection? Does it depend on what I own?

If losing your assets would harm your lifestyle or your family, you need protection.

Q – If I'm just starting out, do I really need to worry about protecting my assets yet?

Yes. Early planning prevents future risk and builds long-term security.

Q – Pets and animals

Pets and animals are legally property — without instructions, they may end up in shelters. To protect your animals, make sure your estate planning includes a pet Guardian in and leave funds in trust for lifelong care.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – Digital assets (online accounts, crypto and passwords)

Families often cannot access crypto, bank apps, social accounts or cloud storage when someone dies, so make sure your estate plans covers both your physical and digital life, including having:

- A secure password vault
- instructions for accessing crypto wallets
- directions for social media accounts (memorial vs delete)
- ensure digital assets are included in the Will

Q – What happens to debts or mortgages on assets when I die?

They stay with the asset unless paid off by the estate. For example, a beneficiary inheriting a property may also inherit the loan attached to it.

Q – Can I give away assets before I die to avoid disputes?

Yes, but gifts can be challenged later if they reduce the estate unfairly or were made under pressure. Always seek advice before transferring ownership.

4. Enduring Power of Attorney (EPOA)

Q – What is an Enduring Power of Attorney (EPOA)?

An EPOA is a legal document where you appoint someone you trust to make important decisions on your behalf. This may be when you choose to let them help — for example if you are travelling or ill — or it can be activated when you can no longer make decisions yourself because of incapacity. It continues to operate even if you lose mental capacity, which is why it is called “enduring.”

Q – What is the difference between a Will and an Enduring Power of Attorney (EPOA)?

A Will only takes effect after you die. It sets out who receives your assets and who is responsible for managing your estate. An EPOA only applies while you are alive. It allows someone you trust to make financial and sometimes health and related personal decisions for you if you lose the ability to make them yourself. To be fully protected, you need both: a Will for after death, and an EPOA for during life.

Q – What decisions can they make?

Depending on how you set it up, they can make financial decisions such as paying bills, managing bank accounts, selling property, and business matters. In many states there is also a separate appointment for health decisions, like medical treatment and where you live.

Q – Why is it important?

If you become seriously ill or injured without an EPOA, nobody — not even a spouse or child — automatically has the legal right to act for you. Your family may have to apply to a government tribunal to take control, which can be stressful, slow and expensive. An EPOA prevents this.

Q – Who should I appoint?

Someone you trust completely, who is responsible, calm under pressure and willing to step in when needed. This could be a family member, a friend or a professional adviser if the situation is complex.

Q – When does an EPOA take effect?

You can choose for it to start immediately or only if you lose capacity. Either way, it must be set up while you are mentally capable. Once capacity is lost, it is too late.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – Does an EPOA replace a Will?

No. A Will only applies after you die. An EPOA protects you and your affairs while you are alive but unable to manage them yourself. Both documents are essential.

Q – Can an EPOA be misused?

It can be, which is why choosing the right person is critical. You can also appoint more than one Attorney to act together for accountability or appoint a professional adviser to safeguard decisions and record-keeping.

Q – How often should I review my EPOA?

Every few years, or any time your relationships or circumstances change. If the person you appointed is no longer the right person, update it immediately.

Q – Do I have to pay someone to organise my EPOA?

No. You can usually download the correct form from your State or Territory government website, fill it out yourself and sign it in front of the required witnesses. If you choose professional help, you will pay for that service. Each State and Territory has different requirements for financial and health documents, so if you do it yourself, make sure it's done correctly.

5. Advanced Care Directive

Q – What is an Advance Care Directive?

An Advance Care Directive is a legal document where you set out your wishes for medical care if you cannot communicate for yourself. It includes the type of treatment you would or would not want in situations like serious illness, accident, or end-of-life care.

Q – Why is it important?

It takes the pressure off your loved ones during a medical crisis. Doctors have clear instructions, preventing disagreement among family members and ensuring your personal values and beliefs are respected.

Q – How does it work with an Enduring Power of Attorney?

An EPOA specifies **who** can make decisions. An Advance Care Directive tells them **what** you would want. Together, they protect your health choices and help your family make decisions confidently.

Q – What kinds of things can I include?

You can include preferences about life support, pain management, organ donation, where you want to receive care, and any cultural or religious beliefs you want respected.

Q – When does it take effect?

Only if you are unable to express your wishes. As long as you can speak for yourself, you remain in control.

Q – Who should know about it?

Your family, your medical team, and your appointed Attorney should all have access to it. Keeping it on file but unseen defeats its purpose.

Q – How often should it be reviewed?

Every few years or after major health or relationship changes. Clear and current instructions reduce confusion and protect your dignity.

6. Wills and Basic Estate Planning

Q – What is a Will, and why do I need one?

A Will states who will receive your assets when you die and who is responsible for managing the process.

Q – Can I write a Will myself, or do I need a lawyer?

You can write one yourself, but even small mistakes can make it invalid or cause disputes. Professional support ensures it works properly.

Q – What happens if I die without a Will?

Your assets may go to people you did not intend, and your family may face delays, stress, and legal costs.

Q – What is an Executor?

An Executor is the trusted person you choose to take control of your estate after you die. They make sure your instructions are followed, your debts and taxes are handled properly, and your assets are distributed to the right people. It is a very important role, so you should choose someone capable and willing. You can also appoint a professional adviser to assist them, especially if your situation includes trusts, businesses or complex family needs.

Q – How often should I update my plan?

Every 2–3 years or when life changes — marriage, divorce, children, buying property, selling business, major illness. A plan that is out of date is a plan that fails.

Q – How does life insurance support estate planning?

Life insurance provides quick access to money when someone dies, helping the family cover costs, protect the home, and replace lost income without needing to sell assets. Structuring the policy correctly ensures the right person receives the benefit efficiently and with minimal tax, giving the family stability at a very difficult time.

7. Superannuation and Estate Planning

Q – Why should I include super in my estate plan?

Your super is often one of your biggest assets, and it does NOT automatically form part of your Will. You must plan for it separately.

Q – Who decides where my super goes when I die?

If you don't have valid documentation — such as a current Binding Death Benefit Nomination or SMSF Will — the fund trustees decide who receives your super. They must follow the rules in your trust deed and the *Superannuation Industry (Supervision) Regulations 1994*, but their decision may not match your personal wishes.

Q – What is an SMSF and how does it fit into estate planning?

An SMSF (Self-Managed Super Fund) is a private super fund you run yourself. It gives you full control over investments and who inherits your super, including the option to pass benefits directly to a family trust instead of through your estate.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – What is a Binding Death Benefit Nomination (BDBN)?

It's a legal instruction telling your fund exactly who gets your super. Without one, your family may face delays or disputes.

Q – Can my Binding Nomination expire?

Yes. In most retail and industry funds, it lasts only three years unless renewed. SMSF nominations can be made non-lapsing if the deed allows.

Q – What is an SMSF Will and how is it different from a Binding Death Benefit Nomination (BDBN)?

An SMSF Will is a direction in your fund's deed that sets out exactly how your super should be paid when you die. It can send benefits straight to family or into a Death Benefits Trust for better protection and tax results. Unlike a BDBN, which can lapse and only names dependants or your estate, an SMSF Will is usually non-lapsing and gives you more control and flexibility over who receives your super and how.

Q – Can my super go straight to my family without going through my Will?

Yes. If you use a valid BDBN or SMSF Will, your super can be paid directly to your beneficiaries or to a Death Benefits Trust, bypassing your estate.

Q – How can my SMSF protect family wealth?

Your fund holds assets in its own name, not yours, which helps protect them from creditors, lawsuits or family provision claims.

Q – Why do I need an SMSF succession plan?

Without a clear plan, someone else (like a surviving trustee or spouse) could take control of the fund and your super assets.

Q – Can my super be taxed when it's paid out after death?

Yes — some beneficiaries, like adult children, may pay tax on part of your death benefit. Planning ahead can reduce or avoid this.

Q – How can I make sure my super is passed to my family tax-effectively after my death?

There are many tax-efficient strategies to ensure your family receives your super with minimal loss to tax — including reversionary pensions, recontribution strategies, and Death Benefits Trusts. These require advanced technical knowledge and professional advice from an experienced SMSF or estate planning specialist.

Q – What's the safest way to keep my super and estate plans up to date?

Review them every few years, or when major life changes happen — marriage, divorce, retirement, or adding new beneficiaries.

8. Avoiding Mistakes in Asset Protection

Q – What are some simple mistakes people make when trying to protect their assets?

Owning everything personally, not updating documents, and assuming nothing will go wrong.

Q – What's the biggest mistake people make when creating a Will or estate plan?

Believing a basic Will is enough. In most cases, it is not.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – Can someone challenge my asset protection plan in court?

Yes, if it is weak. Strong planning prevents legal challenges.

Q – How can I avoid family arguments over who gets what when I die?

Make decisions early, document them clearly, and keep everything updated.

Q – Why can't my family just agree among themselves who gets what?

Grief and money can create conflict. A clear plan protects family relationships.

9. Business and Asset Protection Basics

Q – If I own a business, what should I do to protect both my business and personal assets?

Separate business assets from personal assets so one cannot bring down the other.

Q – Do I need a different asset protection plan if I own a business?

Yes. Business owners face more risk and need stronger structures.

Q – What is a trust, and how can it help protect my business and personal assets?

A trust holds assets legally on behalf of beneficiaries, giving strong protection from claims.

10. Passing Farms and Rural Assets Through the Family

Some families have special circumstances that require extra planning to keep unique assets — like farms — in the family line. Getting the right structures in place early makes a world of difference.

Q – Why is estate and succession planning important for farming families?

Farms are often worth a lot of money but produce relatively low cash flow. Without planning, the farm may have to be sold to pay out other family members — ending generations of family legacy.

Q – What is the biggest risk for farming families?

A lack of clear planning. When parents die, siblings may disagree about who inherits the farm or how much they each receive. This can lead to conflict or forced sale of the property.

Q – How can a trust help protect a farm?

A trust allows the farm to stay in the family line and remain protected from legal disputes, business risks, and family breakdowns. Control can pass down the family without transferring the land itself.

Q – How does tax planning affect farm succession?

Good planning can minimise capital gains tax, stamp duty, and death-related taxes. Poor planning can trigger large tax bills that force land to be sold.

Q – How early should a farm succession plan be done?

Much earlier than most families think. Ideally when the next generation first becomes involved in the business — not when health problems arise.

Q – Who should be involved in the planning?

The whole family. Everyone needs clarity about roles, expectations, future ownership, and how non-farming children will be treated fairly.

11. Trusts Basics

Q – What’s the difference between a regular asset protection plan and using a trust?

A trust removes assets from your personal name, making them harder to attack legally.

Q – What type of trust should I use if I want to protect my assets from people suing me?

A Family Protection Trust, when set up correctly, offers powerful long-term protection.

Q – How does setting up a family trust work, and why would I use one?

You choose who manages the assets and who benefits. The trust protects assets across generations.

Q – Can my children be both trustees and beneficiaries of a trust?

Yes, but they must act in the trust’s best interest, not just their own. Having an independent or professional trustee adds protection.

12. Special Disability Trusts

Some families have special circumstances that require extra planning to protect vulnerable loved ones. Getting the right structures in place early makes a world of difference.

Q – What is a Special Disability Trust?

A Special Disability Trust is a special type of trust set up to provide for a family member with a severe disability. It lets them receive support for life without losing important government benefits.

Q – Why would a family set up a Special Disability Trust?

It protects the person’s future needs, ensures funding is used only for their benefit, and keeps access to disability support payments like the DSP (Disability Support Pension).

Q – Can anyone be a beneficiary of a Special Disability Trust?

No. The trust can only support one person — the person with the disability — and they must meet strict government eligibility criteria.

Q – How does it protect assets?

The money and assets placed in the trust cannot be taken by other family members or used for anything other than the disabled person’s needs. It also shelters assets from means testing for government benefits.

Q – Who controls the Special Disability Trust?

Trustees — chosen by the family — manage funds and make sure spending follows the rules and supports the person’s wellbeing.

Q – When is the right time to set one up?

Ideally while parents or carers are still healthy and able to make decisions, so the support continues smoothly when they are gone.

13. Guardians and Vulnerable Beneficiaries

Q – What is a Guardian in estate planning?

A Guardian is the person you legally appoint to raise and care for your children if you die before they are adults. They take on the parenting role — everything from where children live to school and medical decisions.

Q – What should I consider when choosing a Guardian?

Choose someone who:

- shares your values and views on education and lifestyle
- can provide stability and emotional support
- has the time, health and commitment to raise children
- your children already trust and feel comfortable with

Always appoint a back-up Guardian.

Q – Should the Guardian also handle the money?

Not usually. That can be unfair and overwhelming. Most families separate the roles:

- **Guardian** = cares for the children
- **Trustee** = manages the money for the children

This ensures accountability and reduces conflict. You can also appoint a ‘professional’ Guardian to support the family Guardian (see next).

Q – What is a ‘professional’ Guardian?

A professional Guardian is an independent, qualified specialist — often SAPEPAA-accredited — appointed to protect the financial and personal wellbeing of family members. They act under the terms of a trust, Will or family protection plan to make sure assets are managed properly and used only for the intended purposes.

Q – Why would someone appoint a ‘professional’ Guardian?

A professional Guardian isn’t only for families with children. They are often appointed to:

- support elderly, disabled or vulnerable family members
- protect relatives affected by addiction, mental illness or financial instability
- provide a neutral safeguard where family conflict might arise
- act as a failsafe for families who want continuity, even when there are no current issues
- ensure investments, property, SMSFs and trusts are managed lawfully and tax-effectively

This role doesn’t replace the personal or emotional support of loved ones — it ensures professional oversight, accountability and protection for the family’s financial future.

Q – How long does this control last?

It lasts for as long as the trust or legal arrangement provides — sometimes until a person recovers capacity, or for life where protection is needed. In many cases, control continues until beneficiaries reach a set age, such as 25 or 30, or the trustee determines that ongoing support is no longer required.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – Can a Guardian and Trustee be the same person?

They can, but it's often better to separate the roles so one cares for the children and the other manages the money.

Q – Can I update my Guardian choice later?

Yes — it's common to update Guardians as children grow and relationships change.

14. What to Do in the First 72 Hours After Death

Q – Why is the first 72 hours after death so important?

Families are grieving, yet key decisions must be made quickly. Without clear guidance, stress and mistakes multiply at the worst possible time. What should families do first? Here is a simple, essential checklist:

- Notify close family
- Contact the doctor or hospital
- Contact the funeral director
- Secure the home, pets and valuables
- Locate key documents (Will, ID, funeral wishes)
- Inform the Executor and follow their direction

Not everything must be done immediately — but the right steps matter.

Q – Should I cancel bank cards and direct debits immediately?

Yes, but only after confirming with the Executor, as early cancellation can disrupt automatic payments for mortgages, utilities, or business expenses.

Q – How do I make sure my family knows what to do?

Clear instructions in your estate plan help protect your loved ones when they need it most. For more detail, download our guide *When Death Comes – The Ultimate Guide to Navigating Death, Loss and Legacy* written to help families avoid stress, confusion and conflict. Download it free here: <https://payhip.com/b/U0uHE>

Q – Who pays for the funeral?

Usually the Executor arranges this and pays from estate funds or a joint bank account. Funeral directors can often access funds directly from the bank.

15. Final Thoughts

Q – If I'm just getting started, what's the first thing I should do to protect my assets?

Stop holding everything in your personal name. Use structures that keep assets legally protected.

Q – What documents should I have in place for a simple estate plan?

An Enduring Power of Attorney, a valid Will, and a binding superannuation nomination.

Q – How do I store my estate planning documents securely?

Keep originals in a fireproof safe or secure legal archive. Store digital copies with encrypted access for your Executor.

Succession, Asset Protection & Estate Planning A-Z Frequently Asked Questions (October 2025)

Q – When should young adults make their first Will?

Once they start work, own assets, or have superannuation — even a simple Will is worthwhile.

Q – What if I live or own property overseas?

You may need separate Wills or legal recognition in each country. International planning prevents tax and legal complications later.

Q – How do I know if I’m doing it right?

If your plan protects you while alive, protects your beneficiaries after death, and cannot be easily challenged, then it is strong.

Q – What’s one mistake to avoid when planning my estate or protecting my assets?

There are two big mistakes: assumption and procrastination.

Assuming your Will covers everything — it doesn’t. Your superannuation, trusts, and company assets usually sit outside your personal estate. Without the right documentation, control and tax planning, those assets can end up in the wrong hands or exposed to claims. Always make sure your super, SMSF and estate plans are coordinated and legally aligned.

Thinking “I’ll do it tomorrow” — *and tomorrow never comes*. Too many families lose wealth or control because key documents were never signed or updated. Estate and super planning only work if they’re done now, while you have capacity and choice. Acting early means your wishes — not someone else’s — decide what happens to your assets. It doesn’t have to be hard. Just take one small step and contact us today enquiries@freedomffs.com.au

16. Do You Have More Questions?

Q – I feel overwhelmed with all this information/I’m having trouble filling out the form/signing the documents. What should I do?

If your questions relate to the Wills and Estate Planning process, it is best to email the person who sent you your most recent email to ask them for help, and you can also book into a free consult with Cass here <https://outlook.office365.com/book/FREEDOMFINANCIALSOLUTIONS1@freedomffs.com.au/>

Q – I have a Will and have technical/annual paperwork/pension/contribution/process questions. What can I do?

You can email your questions to enquiries@freedomffs.com.au, or book a consult (select Wills and Estate Planning – current client) here <https://outlook.office365.com/book/FREEDOMFINANCIALSOLUTIONS1@freedomffs.com.au/>

Q – I have broad financial/accounting/investing/tax questions. What can I do?

You can either join a free group Q&A session with Cass or set up a private personal paid consult here <https://outlook.office365.com/book/FREEDOMFINANCIALSOLUTIONS1@freedomffs.com.au/>

To get the most out of a session, when you book, email her a summary of your situation, and what you’d like to achieve, in the note sections when you make the booking.