

LAST WILL AND TESTAMENT OF(your full name)

I (your full name) of(residential and postal address) being of sound mind do hereby declare that this is my Last Will and Testament and certify that I am not acting under any undue influence, duress or menace.

1. I revoke all previous Wills and Codicils.
2. This Will applies to all of my real and personal property wherever situated, referred to in this Will as "my estate".
3. I appoint as my Executor and Trustee:-
 - 3.1(name and residential as well as postal address of your executor)
 - 3.2 (name and residential as well as postal address of your executor)
4. My Executor shall hold the whole of my estate on trust and distribute it in the following manner:-
 - 4.1 To(name of beneficiary) of (address of beneficiary), I leave:-
 - (a)(name and description of the estate).
 - (b)(name and description of the estate)
 - 4.2 To(name of beneficiary) of (address of beneficiary), I leave:-
 - (a)(name and description of the estate).
 - (b)(name and description of the estate).
 - 4.3 To(name of beneficiary) of (address of beneficiary), I leave:-
 - (a)(name and description of the estate).
 - (b)(name and description of the estate).
 - 4.4 To(name of beneficiary) of (address of beneficiary), I leave:-
 - (a)(name and description of the estate).
 - (b)(name and description of the estate).

(Do not include your superannuation savings, as it is likely to create confusion with Form SF2. Your superannuation savings is sufficiently catered for under the Superannuation Act by the Nomination Form (SF 2) that you fill in. Your Will should relate to all other property (estate) except superannuation).

.....
(Your Signature)

.....
(Signature of First Witness)

.....
(Signature of Second Witness)

5. In the event that any beneficiary in clause 4 does not survive me than such gifts shall become part of the residue of my estate.

6. My Trustees shall hold what is left of my estate on trust to sell or retain it and:

6.1 Pay my debts, my funeral expenses and tax.

6.2 After meeting these expenses pay the residue of my estate in the following manner:-

(a) To.....(name and address of beneficiary).....%

(b) To.....(name and address of beneficiary).....%

(c) To.....(name and address of beneficiary).....%

7. I have intentionally omitted making provisions for all of my heirs who are not specifically mentioned and included in this Will. I generally and specifically disinherit each any and all persons whoever claim to be, or who may lawfully be determined to be, my heirs at law, except such as are mentioned in this Will. If any such person shall contest in court any of the provisions of this Will, than each and all such persons shall not be entitled to any devises, legacies, bequests or benefits under this Will. To each of such persons who are successful in claiming under this Will or to a portion or all of my estate, I hereby give one Kina (K1-00).

8. If any beneficiary of this Will shall contest the Will or in any manner attempt to have it declared invalid, such person shall receive no benefits from or interests under this Will and my Will shall be carried out as if such person had pre-deceased me.

IN WITNESS WHEREOF I HAVE TO THIS MY LAST WILL AND TESTAMENT written upon this and the preceding one page subscribed by name on this date being.....day in the month ofin the year.....

SIGNED, PUBLISHED and DECLARED)

by the said Testator as his Last Will and)

Testament in the presence of us both)

present at the same time who in his)

presence and in the presence of each other)

have hereunto set our names as witnesses)

.....

(Your Signature)

.....

(Your Name)

.....
(Signature of First Witness)

.....
(Signature of Second Witness)

.....
(Full Name of First Witness)

.....
(Full Name of Second Witness)

.....

.....

.....
(Address of Witness)

.....
(Address of Witness)

.....
(Occupation of Witness)

.....
(Occupation of Witness)

GENERAL INFORMATION AND GUIDE TO COMPLETING THE WILL

1. This guide contains general information and instructions on how to complete your Will. It does not form part of this Will nor does it constitute legal advice. Please read the Disclaimer at the foot of the document. While this is a standard Will, it may not suit everyone and as such you should seek legal advice if uncertain.
2. The *Wills, Probate and Administration Act Chapter 291* (“the Act”) governs the disposition of property by Will.
3. The Will is drafted to achieve the following results:-
 - (a) In clause 3(1) and 3(2) you decide who your executor will be. An executor is the person that will be responsible for carrying out your instructions in the Will. We have allowed for you to nominate an alternate Executor in the event that your first executor is not available. It is important that you talk to this person and get his approval before you nominate him. They can either be a friend, relative, a Lawyer, etc.
 - (b) The Executor will hold your estate on trust and distribute it in accordance with your instructions in clause 4. In clause 4 (1) – clause 4(4) you must clearly fill in the name and address of the beneficiaries and list clearly the description of the gifts that you want your beneficiaries to receive. Note that a beneficiary refers to the person that you nominate to receive some part of your estate. An estate means everything that you own at the time of your death less anything that you owe to others.
 - (c) If any of the beneficiaries of those gifts die before you do then those gifts will form part of the residue of your estate where your executor may sell it and use the proceeds to pay your debts or funeral expenses and the balance will be paid in accordance with your instructions in clause 6.
4. If you are under the age of 21 years the law will treat you as a minor and any Will you make will not be valid.
5. Do not include your superannuation savings in the Will, as it is likely to create confusion with MDUF Form. Your superannuation savings is sufficiently catered for under the *Superannuation (General Provisions) Act 2000* by the MDUF Form that you fill in. Your Will should relate to all other property (estate) except superannuation contributions.
6. The Will won’t be valid unless it is properly signed and witnessed in accordance with the requirements of the Act. You must follow these steps:-
 - (a) Download this form and fill in the details. Do not date it or sign it yet.
 - (b) Find two witnesses or an authorized witness who must either be a Local or District Court Magistrate or a Judge. The witnesses must not be beneficiaries or spouses of beneficiaries of your Will. They must both be present when you sign your Will.
 - (c) Once you are seated before your witnesses you must now fill in the date, month and year as indicated on page 2 and sign and write your name in the space provided.
 - (d) Hand over the signed Will to the witnesses. Both your witnesses must now sign the Will and include their name, address and occupation.
7. Make copies of the Will and make sure to mark them clearly as “copies”.
8. Indicate on those copies where the original Will is kept. You must retain one copy and give the other copy to your executor. Store your Will in a safe place. You could either store it with your Executor, Lawyer, Accountant or in a Bank and advise your Executor of where your original Will is located.

DISCLAIMER

NASFUND has made reasonable effort to ensure that the Will complies with the requirements of the law but does not guarantee or warrant its validity, legal effect, accuracy, adequacy and completeness. This Will may not suit everyone and users are cautioned to read the guidelines and consider carefully their personal circumstances and where possible obtain legal advice before using the Will. NASFUND will not be liable for any loss or damage however arising (whether by negligence or otherwise) from the use of the Will.