



If you don't have a will, what you'd like to happen, won't.

Without a will a deceased person's assets are distributed by the court, according to New Zealand legislation. In the first instance this would mean everything would be shared between the surviving spouse and their children, and if there is no spouse or children, it can immediately become problematic.

A will means your assets are distributed exactly as you desire - and that means a lot less stress for you and your family.



If you'd like to know more about what can happen with or without a will, we've made a 2 minute video to explain.

It's on our website - thelawconnection.co.nz



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If you haven't got a 'pre-nup' did you know you can get a 'during-nup'?

The Property (Relationships) Act 1976 (PRA) is the piece of legislation that defines how assets (and liabilities!) are shared in the event a married couple or couple in a de facto relationship separate.

Put simply, the PRA categorises whether your asset or liability is relationship property or separate property. In most situations 'relationship property' is shared equally when a couple separates, but that is not always the case.

The PRA also provides that you can 'contract out' of the Act, not just at the beginning of your relationship - sometimes called a 'prenup' - but even during your relationship.

For anyone facing separation it is valuable to understand the basic principles of the Act and it can be equally useful to know when you are entering a relationship - regardless of your age.



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If you don't have an EPOA you won't have a say in who speaks for you if you become incapable of speaking for yourself.

At some point in your life you may find that you are unable to manage your own affairs. It could be because you are involved in an accident or have a sudden or slow onset illness such as a stroke or dementia.

Having an Enduring Power of Attorney (EPOA) means that your property, personal care and welfare matters can be managed seamlessly by someone you have chosen.

Without an EPOA, a family member will need to obtain an order through the Courts to be able to manage your affairs - something that can be costly and stressful.

It is important to understand that EPOA's can only be put in place when you are mentally capable because you need to have a complete understanding of the document you are signing.



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