

Neighbourhood Support New Zealand



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www.ns.org.nz

Neighbourhood Support Fact Sheet

Making a Will

Where a person dies without making their wishes known in a will, the rules contained in the **Administration Act 1969** apply. Under these rules the spouse of the deceased receives the personal chattels, the first \$121,500 and one third of the estate. The balance is shared equally by the children of the deceased.

Where a house is registered solely in the name of the deceased, there will need to be an application to the High Court before the property can be transferred to the family. This can be an expensive and unnecessary requirement in situations where the house could have been jointly registered in the names of both husband and wife. Where a joint owner dies, the property automatically passes to the survivor without the need and expense of High Court proceedings.

These days it is possible to make a will online with the Public Trust (<http://www.publictrust.co.nz/wills/>) and with many law firms. For more information on making a will, speak to the Public Trust or to a solicitor. Most lawyers and the Public Trust do this for free if they are named as the executor of the will.