

# Testamentary Trust Wills

## Asset Protection



**Beneficiaries at risk of litigation**  
e.g. professionals and business owners



Beneficiary A

### TESTAMENTARY TRUST WILL

Can (or must depending on Will drafting) take their share of the estate into a trust or trusts which (in most cases) protects the assets from litigation



Beneficiary B

### SIMPLE WILL

A beneficiary who carries litigation risk must take their share of the estate into their own name meaning the assets are at risk if the beneficiary is sued



**Beneficiaries earning income**  
and paying tax at higher rates



Beneficiary A

### TESTAMENTARY TRUST WILL

By taking assets received under a testamentary trust Will into a trust or trusts may be able to significantly reduce tax paid on income earned on those assets



Beneficiary B

### SIMPLE WILL

Must add income earned on assets received under a simple Will to their personal income and pay tax on it at their top tax rate

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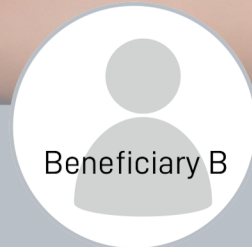
**Beneficiaries under financial risk**  
e.g. pending bankruptcy, litigation etc.



Beneficiary A

### TESTAMENTARY TRUST WILL

May be able to protect the assets from creditors by taking their share of the estate into a trust or trusts



Beneficiary B

### SIMPLE WILL

Must take their share of the estate into their own name meaning the assets are likely to be available to creditors

**Talk to us today about protecting your assets**