

DATED \_\_\_\_\_

Last Will and Testament

of

== Captain Cicero

SAMPLE

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**Adapt.** Chart new markets.

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## Last Will and Testament

of

:= **Captain Cicero**

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DATED the ..... day of ..... in the year .....

**1. Last will and testament**

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I, := Captain Cicero of C/- Work Club, L8/99 Elizabeth Street, Opp. NSW Supreme Court, Sydney NSW 2000, Free, Friendly + Helpful Chatbot (*I, me* or the *Testator*) hereby:

- (a) revoke any and all prior wills and other testamentary acts previously made by me; and
- (b) declare this to be my last will and testament.

**2. Interpretation**

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- 2.1 Where the order of deaths of any persons is uncertain, this will is to be interpreted as if the deaths have taken place in order from the oldest first to the youngest last.
- 2.2 Where any beneficial disposition of property is made to a person who does not survive me for a period of 30 days, the disposition is to be treated as if that person had died before me.
- 2.3 In this will, a gift on trust to a person who is less than 18 years old is contingent upon that person reaching that age and does not vest until the person reaches that age. Until then, the relevant assets are to be held by the executor on trust for, and applied for the benefit and maintenance of, that person.
- 2.4 Income produced by any gift after my death and before vesting accumulates to the gift.
- 2.5 In this will unless the context requires otherwise:
  - (a) words in the singular include the plural and vice versa; and
  - (b) references to monetary amounts are in Australian dollars.

**3. Appointment of executor**

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- 3.1 I appoint as the executor and trustee of my will and estate Donald Duck of Fox Studios, Sydney NSW 2000.
- 3.2 If Donald Duck is unwilling or unable to act, or to continue to act, as the executor and trustee of my will and estate, I appoint as the executor and trustee of my will and estate Daisy Duck of Fox Studios, Sydney NSW 2000.
- 3.3 A reference to my "*executors*" is a reference to my personal representatives and trustees for the time being, including the persons named in clauses 3.1 and 3.2 while acting.
- 3.4 Gifts to my executor are not dependent upon them acting as executor or trustee and my executor may apply to court for commission.

**4. Appointment of guardian**

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I appoint Donald Duck of Fox Studios, Sydney NSW 2000 to be the guardian of my minor children.

.....  
:= Captain Cicero

.....  
First witness

.....  
Second witness

## 5. Digital assets

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I direct my executor to deal with all my digital rights, accounts, assets and device content in accordance with the instructions (if any) set out in the last dated list or memorandum signed by me and stored with this will or amongst my private papers.

## 6. Payment of debts and expenses

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I give to my executor my estate on trust to:

- (a) sell, call in or convert into money any part of my estate and pay any and all of my:
  - (i) funeral and testamentary expenses;
  - (ii) just and reasonable debts;
  - (iii) death, estate or succession duties and property transfer or other duties or taxes payable in respect of my death or the passing of property under this will; and
  - (iv) any other costs associated with my death or the administration of my will and estate; and
- (b) hold and distribute the remainder of my estate upon trust in accordance with the other provisions of this will.

## 7. Gifts to charity

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7.1 I give to the following charitable gifts of money on trust:

- (a) \$10,000.00 to Amnesty International Australia (ABN 64 002 806 233) of Locked Bag 23, Broadway NSW 2007;
- (b) \$10,000.00 to The Royal Society for the Prevention of Cruelty to Animals [RSPCA]; NSW (ABN 87 000 001 641) of 201 Rookwood Road, Yagoona NSW 2199; and
- (c) \$10,000.00 to Australia for Dolphins Limited (ABN 61 160 942 174) of Action For Dolphins, Level 17/31 Queen St, Melbourne VIC 3000.

7.2 If any gift in clause 7.1 cannot take effect because the relevant charitable organisation is no longer able to receive charitable donations, the gift is to be given instead to one or more charitable organisations in Australia which my executor considers in his discretion most nearly fulfil the same charitable objects in such shares as my executor thinks fit.

7.3 The receipt of the treasurer, secretary or public officer for the time being of a charitable organisation under clause 7.1 or 7.2 is a sufficient discharge to my executor in respect of the gift to that charitable organisation.

## 8. Gift of chattel items

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I give all of my personal effects (being tangible property such as clothing, jewellery and articles of personal use or ornament) at the date of my death to my executor on trust to distribute in accordance with the last dated list or memorandum signed by me and stored with this will or amongst my private papers (if any). If I don't leave any such list or memorandum, or to the extent that any such articles are not listed, they will be added to, and form part of, the residue of my estate.

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::= Captain Cicero

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First witness

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Second witness