

Administrator

Can be:

1) a person appointed by the Court to administer an estate where there is no executor, or no will or

2) a person appointed by QCAT to administer someone's financial affairs when they are alive but do not have capacity to manage their own finances.

Beneficiary


A person named in a will
to receive a gift/s.

Codicil



Our role and commitment are reflected in a whole of organisation approach to working alongside First Nations peoples as a community member, as an employer and as a service provider.





A document that allows
a change to an existing will.

Contest



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To challenge the validity
of a will in Court.

Customary law obligations

Obligations and
responsibilities to community
passed down by your mob.

Dependent

A parent of a deceased person, the parent of a surviving child under the age of 18 who is also the child of the deceased person, or a person under 18 who was wholly or substantially maintained or supported by the deceased person (ie. financially supported).

Distribute

To complete the formal process of giving something to a beneficiary through your will or other rules.

Enduring power of attorney

A legal document where you appoint someone (called an 'attorney') to make decisions about financial and legal matters on your behalf, while you are still alive.

Estate

Property owned by the person making the will. This includes a house, money, art, jewelery, ritual objects, secret knowledge, or information.

Does not usually include joint property (eg. a house you jointly own with a partner) and often may not include superannuation.

Executor



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The person you have chosen
to carry out your wishes in
your will. This person must
be 18 years or older.

Guardian



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A person you want to
look after your child.
This is not binding.

Intestate

When a person passes away
without a will.

Joint tenants

A person is a joint tenant when they jointly own a property (usually a house or land) with one or more parties. When the person dies the property passes to the other party/parties and does not form part of their estate.

Mental capacity

Having mental capacity means
you can think, understand and
communicate decisions for yourself.

Probate



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The court's legal recognition of the will and of the executor's authority to distribute property or assets in the estate.

Property



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Land, houses
or other buildings.

Revoke

To legally cancel.



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Spouse

A married husband or wife, civil partner or the de facto partner of a person (i.e. someone who isn't married to a person but lives with them as a couple). Includes same-sex couples.

Sound mind



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To understand yourself, situation, and surroundings. A person has a sound mind when they are capable of making rational decisions and judgements. You are able to understand what you are physically doing, the situation you are in, and your surroundings.



Tenants in common

People are tenants in common when they each own individual shares of a property. On the death of one person, their share in a property is distributed according to their will (compare with Joint Tenants).

Testator



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The person who makes the will.

Testamentary capacity

A person who has a sound
mind, memory and
understanding to make a will.



Will

A legal document that sets out
how a person would like to
distribute their estate when
they pass away.