

ESTATE PLANNING IN AUSTRALIA

OR: IT WILL NEVER HAPPEN TO ME



A report prepared by Charles Sturt University and The University of Adelaide



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INTRODUCTION

The following report details the findings of a survey into the estate planning practices of a representative random sample of over 1,000 adult Australians. Research on estate planning and the factors that impact Estate Planning decisions in Australia is limited and constrained by poor availability of data (Perkins 2016). The little research that has been done usually involves small samples and tends to focus on whether people have an up-to-date will. This study is the first attempt of a large scale national survey of the general public. Our aim is to gain greater insight into how issues such as trusts, digital assets and professional advice impact on Estate Planning decisions.

Results from this study may assist Australians to better understand and appreciate the issues involved in undertaking effective estate planning. This study is funded by The Society of Trustees and Estate Practitioners (STEP)

and Charles Sturt University (CSU). The research is led by Professor Adam Steen from CSU with CSU researchers, Professor Steve D'Alessandro, Dr Dianne McGrath and Dr Nicholas Davis and University of Adelaide researchers Dr Chris Graves, Dr Francesco Barbera and Dr Henry Shi.

In addition we would like to thank Mr Michael Perkins who provided invaluable assistance particularly with respect to the questions and analysis of results relating to trusts and estate planning and Mr Rod Genders who provided invaluable assistance with respect to the questions relating to Digital Assets.

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1. Suggested citation. Steen, A., D'Alessandro, S., Graves, C., Perkins, M., Genders, R., Barbera, F., Shi, H., McGrath and Davis, N., (2017). Estate Planning in Australia. Charles Sturt University.

EXECUTIVE SUMMARY

We report on the findings of a representative survey of Australian adults into their engagement with and understanding of estate planning issues. We find that roughly half of adult Australians have a will but nearly half of those who do don't feel that their will is up to date or adequately expresses their wishes. Further we find people are relatively more unprepared for disability and incapacity than they are for death with only a relatively small proportion of those responding having powers of attorney or delegations in place and the majority of people not possessing life insurance. Of those who have children only a quarter have nominated a guardian for their children in the event of death.

Most of those who own businesses do not have a succession plan. While it is common for Australians to jointly own assets most who did were unaware of what will happen to those assets if they died or became incapacitated.

Australians are known for their adoption of technology and most are immersed in the digital world with multiple digital assets. However few of those surveyed knew what would happen to their digital assets on death.

While only a relatively small proportion of those surveyed were involved as a trustee, controller or beneficiary of a trust the survey found a large proportion of those involved were unaware of basic issues such as the rights of trustees and longevity of trusts.

In summary our results indicate the 'it will never happen to me' mentality is alive and well. Clearly there is a need for people to be more adequately prepared for end of life events and incapacity. In addition, there is a great need to educate of the community particularly with respect to issues such as the impact of digital technology and trusts on the administration and succession to their property.

DO YOU HAVE A CURRENT UP-TO-DATE WILL?

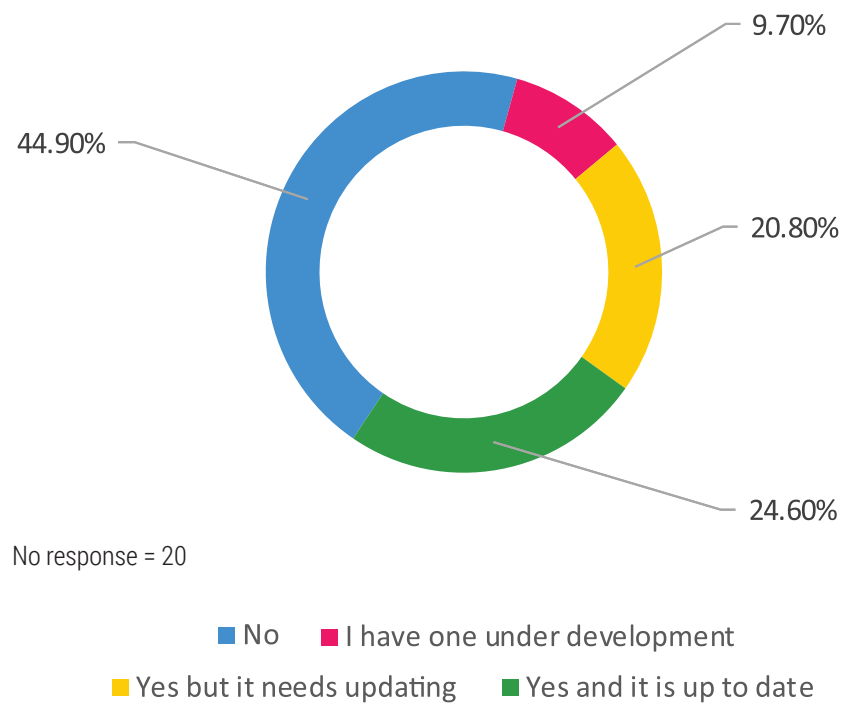


fig. 01 / Do you have a current up-to-date will?

General Questions on Estate Planning

Intergenerational transmission of wealth is a significant social, economic and policy issue internationally. The decisions that people make about handing on their wealth are impacted by, and have implications for inter familial relationships, income security, aged care and taxation as well as for generational equality. Intergenerational transfer of wealth is usually facilitated through testamentary bequests through wills after death and inter vivos through transfers made while alive. It needs to be recognized though that wills are just one important document relating to end of life matters. Further, it should be acknowledged that wills are more than just legal documents. “On the one hand they deal with the transmission of property and assets on the other they are documents that spell out intra family and intergenerational relationships as well as how people relate to the wider community and establish their legacies”³.

Figure 1 shows that only 45.40 per cent of those surveyed (465 of the 1,012 responses received) have a current will, but almost half of those acknowledge that it needs updating (20.80% or 213 of the 465 individuals). Almost 10 per cent (9.70% or 99 respondents) indicated that have a will under development. What is concerning is that 44.90 per cent (460 respondents) have no will at all. These results compare favorably with other studies for example one recent Australian study found that 43.4 per cent of those surveyed had a will but 56.6 per cent did not². Further analysis reveals that the likelihood of having a will is influenced by an individual's age, wealth, relationship status, and whether they have children. While it's encouraging to see individuals being more prepared as they age, the results suggest that those aged below 55 years of age are particularly exposed to estate planning issues in the event of incapacity or death.

Of those who did have a will, most believe that it generally expresses their wishes with regards to how they would prefer to leave their estate.



2. Rosenman, L., Tilse, C., Wilson, J. Feeney, R. and White, B. (2015), Wills and the Intergenerational Transfer of Wealth: APRU Symposium September 28–29, 2015 University of N.S.W <http://cepar.edu.au/media/166996/linda-rosenman.pdf>

3. CoreData (2017) Real Insurance: Family Protection, April 2017. <https://www.realinsurance.com.au/RealInsurance-Mk2/media/documents/resources/2017-family-protection-survey-report.pdf>

HAVE YOU DISCUSSED YOUR WILL ?

For those who have already prepared a will figure 2 reports whether they had thoroughly (46.75% or 216 respondents) or at least partially (43.51% or 201) discussed their will with family. While the results are positive they do indicate that not all family members have been included in discussing aspects of the will to ensure it considers all issues and that family members understand why particular arrangements have been put in place.

Without an inclusive and open discussion about how the operation of a will impacts their interest as an estate claimant, substantial conflicts and estate claims can arise following the death of a will maker. The economic impact of those claims on the wealth of families is intended to be followed up in subsequent research.

In addition just on 8 per cent indicated they had not (8.01% or 37) as yet had this discussion. Under 'other' 8 respondents (1.78%) noted they had no spouse, partner or family to discuss the issue with or that the question was not applicable to them.

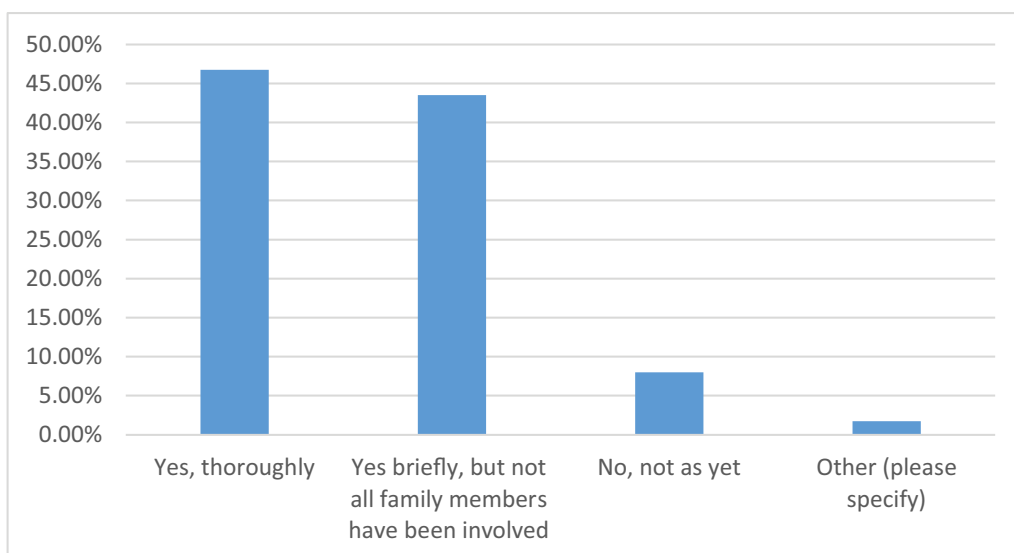


fig. 02 / Have you discussed your will with your spouse, partner and/or family?

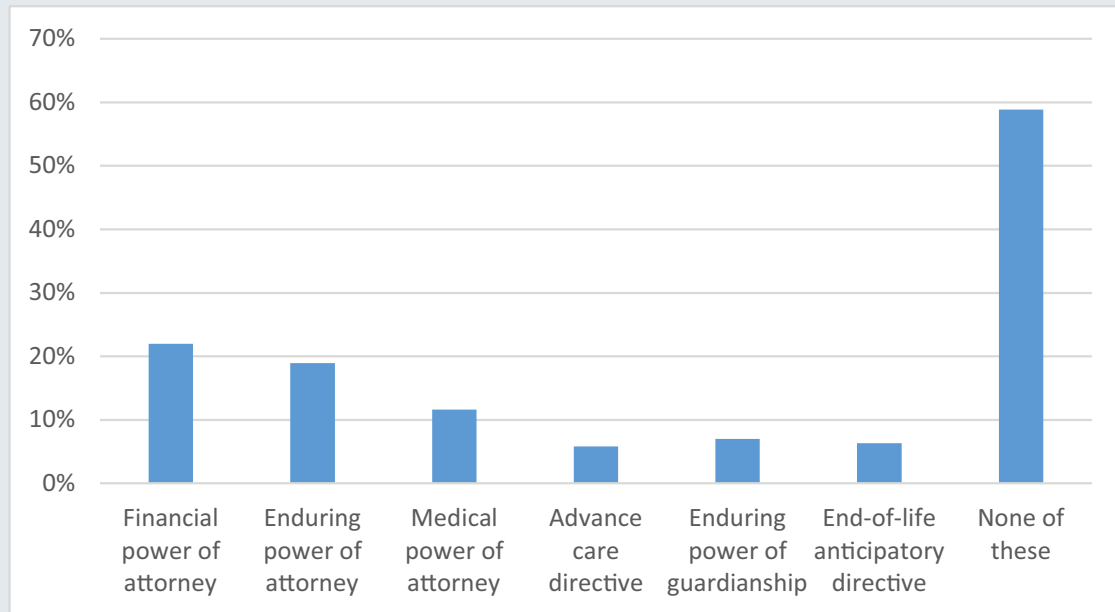


fig. 03 / Have you established any delegations or directives such as ...

Type of Delegations and Directives	Per cent	Count
Financial power of attorney	22%	223
Enduring power of attorney	19%	192
Medical power of attorney	12%	118
Advance care directive	6%	59
Enduring power of guardianship	7%	71
End-of-life anticipatory directive	6%	64
None of these	59%	597
Total	100%	1014

table. 01 / Delegations and Directives

Some individuals may not have a will but may have delegations and directives hence we report in Figure 3 and Table 1 the results of this question for the entire survey population. Figure 3 illustrates that most of those surveyed did not have any delegations or directives (58.88 % or 597 respondents). Around 22 per cent (21.99 %) have a financial power of attorney, 19 per cent (18.93 %) enduring power of attorney and less than 12 per cent only (11.64 %) medical power of attorney. The implications of these findings are that even those with a will need to understand and appreciate end of life matters are more than

the distribution of assets and (given the results reported in Figure 1) Australians are more unprepared for disability and incapacity than they are for death. This is of real concern given the fact that 16 per cent of Australia's population is aged 65 years and over (Australian Bureau of Statistics 2016 Census). Further analysis reveals that the younger and less educated people are, the less likely they will have any delegations and directives in place. In contrast, those in a relationship or with children are more likely to have some delegations and directives in place.

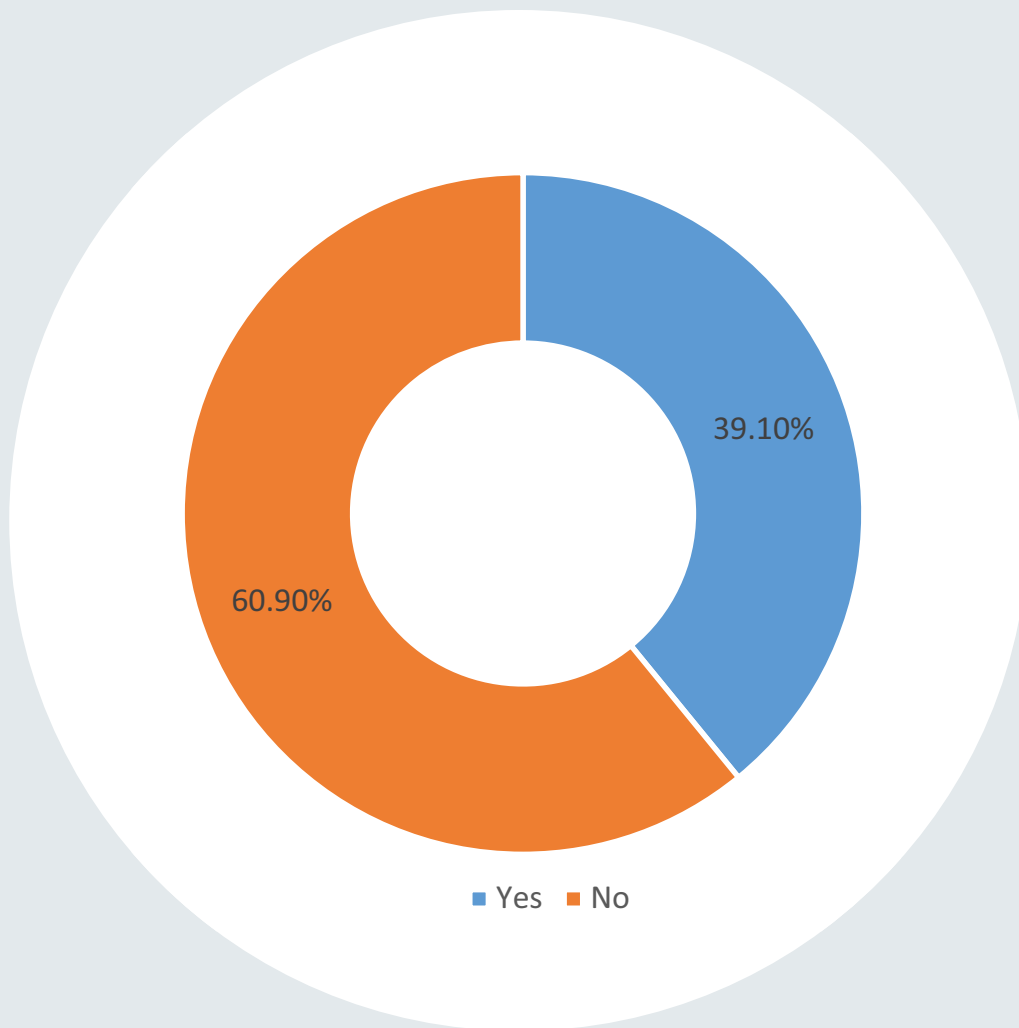


fig. 04 / If you have a will and children under 18 years of age have you formally nominated substitute guardians?

Have you Formally Nominated Substitute Guardians?

With regard to those who have a will and have children under the age of 18, Figure 4 reports only around 39 per cent (39.10%) have nominated guardians in their will; conversely around 60 percent (60.90%) have not which represents a real concern as they are placing such children at risk of family disputes, the financial cost and disruption of court cases and possibly foster care.

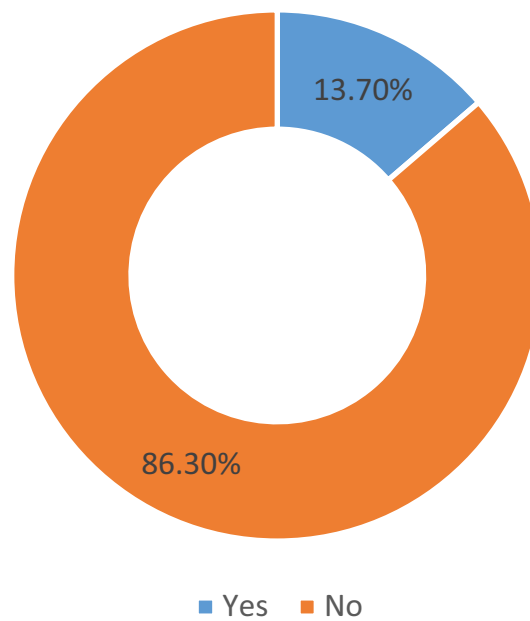


fig. 05 / Have you created a pre-paid funeral plan?

Have you created a pre-paid funeral plan?	Per Cent	Count
Yes	13.70%	139
No	86.30%	873
Total	100.00%	1012

table. 02 / Pre-paid funeral plans

Have you Created a pre-paid Funeral Plan?

According to the results displayed in Figure 5 very few people have a prepaid funeral plan (13.7 %). ASIC's MoneySmart website (<https://www.moneysmart.gov.au>) discusses the pros and cons relating to prepaid funeral plans⁴. While there are several benefits of using prepaid funerals it should be noted there are also several disadvantages. Prepaid funeral plans lock people into a specific service provider. Further, there is no protection if the funeral home becomes bankrupt and there is generally lack of transportability – meaning if people move they may not be able use their prepaid plan.

We find that in general the use of pre-paid funeral plans increases with age. Only around 10 per cent of those in the 18-25 years age group report having a prepaid funeral plan while around 20 percent of those 55 years of age or older have one. This statistics does not improved with the age of the respondents, with only 22 per cent of those in the 75-84 years age group having a pre-paid funeral plan.

Whether the financial costs of funerals is taken up in normal financial planning advice is intended to be explored in subsequent research.

⁴ See <https://www.moneysmart.gov.au/life-events-and-you/over-55s/paying-for-your-funeral>

Do you have Life Insurance?

Worryingly the majority of those surveyed do not have life insurance (63.24 % compared to 36.76 %). Further analysis reveals that individuals in a relationship, with children, and a higher disposable income are more likely to have life insurance. This is most likely because of the financial consequences on others if such individuals are incapacitated or die suddenly. As US financial publication Forbes recently noted, “Most everyone is aware that they need life insurance but, from my experience, most people procrastinate until there is an important life event that pushes them to buy it.”⁵

The issues are that if you have a mortgage and other debts will other people assume those debts when you die and if you have children how will they be financially provided for?

Whether the current financial services licensing regime acts as an impediment to the community accessing life insurance will be examined in future research.

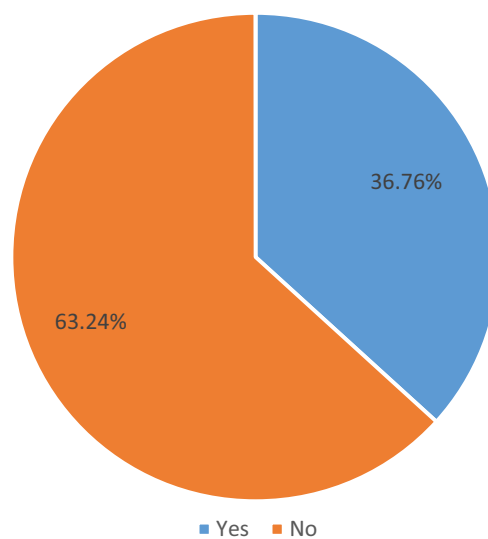


fig. 06 / Do you have life insurance?

Do you have life insurance?	Per cent	Count
Yes	36.76%	372
No	63.24%	640
Total	100.00%	1012

table. 03 / Do you have life insurance?

No response = 22

⁵ O'Keeffe Merrick, K (2017) Yes, You Probably Need Life Insurance and Here's Why, Forbes, May 11 <https://www.forbes.com/sites/kristinmerrick/2017/05/11/yes-you-probably-need-life-insurance-and-heres-why/#2f3ad4907f30>

Self Managed Super Funds

The majority of those surveyed don't have a Self-Managed Superannuation Fund (SMSF).

Only 23.62 per cent of the total number of people surveyed have an SMSF compared to 76.38 per cent of those who do not. Business owners were slightly more engaged with SMSFs with 38.21 per cent of those operating a business having a SMSF and 61.83 per cent of those operating a business not operating a SMSF.

Although it is not illegal to operate a business and not have a SMSF these figures raise the question of how well prepared business owners are to self-fund their retirement, particularly when the majority do not have a formal succession plan (which often includes an assessment of when the owner is financially able to retire).

Whether business owners who have superannuation are advised about the contribution business equity realisation can make to their superannuation will be explored in future research. The potential impediments the current superannuation regime may make to this objective is also intended to be explored at that time.

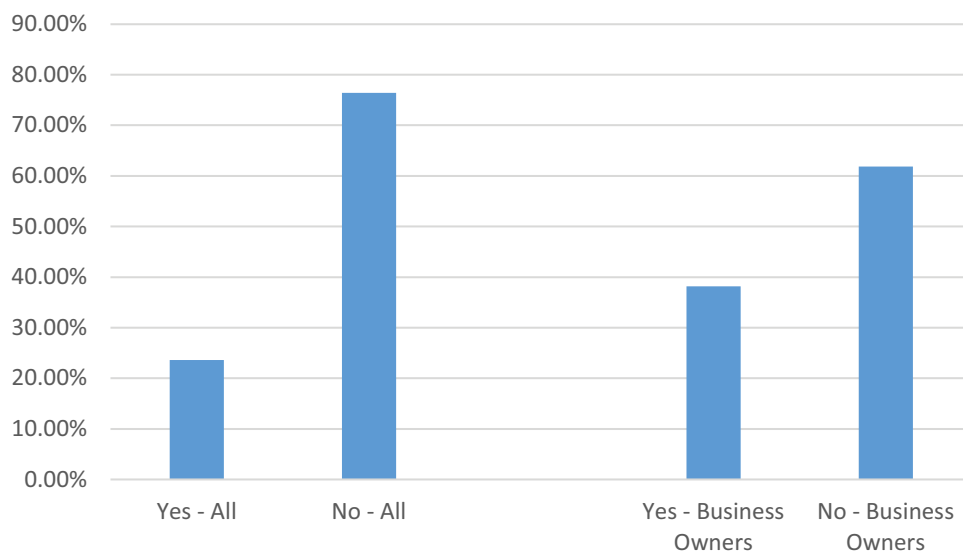


fig. 07 / Do you have a SMSF?

No response = 22

If you own a Business have you prepared a Formal Succession plan?

Around 31 percent of respondents owned a business (317 respondents). For any business owner, an important component in preparing for the future includes developing plans for the future leadership and ownership transitions of the business. Such plans provide direction on the future leadership and ownership of the business if the owner is incapacitated or passes away. Despite the importance of doing so, just over 25 per cent of business owners have prepared a formal business succession plan which is slightly more encouraging than that reported in other research^{6 research}.

The result is not surprising given the earlier results regarding the low percentage of Australians with a will. With the ageing population clearly business succession is a major issue which needs to be dealt with earlier than later. Failure to do so will place many businesses at risk from the lack of adequate planning for transition as well as potential disruption, uncertainty and conflict if the owner is incapacitated or passes away.

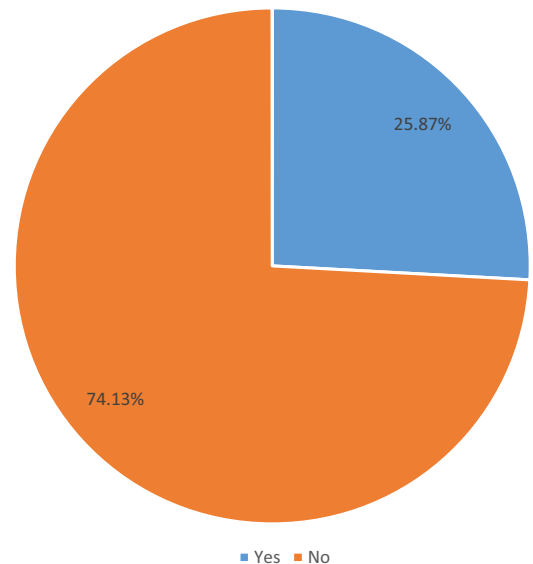


fig. 08 / If you own a business have you prepared a formal succession plan?

6. KPMG–Family Business Australia (2015) family Businesses: Optimistic, entrepreneurial, open to disruptive technologies: Family Business Survey <<http://www.asbfeo.gov.au/sites/default/files/KPMG%20Family%20business%20survey%202015.pdf>>

Business Arrangements

Of those responding to the survey 317 indicated they operated a business of one sort or another. The largest specific business type indicated was sole trader (24.9% or 79 respondents) followed by partnership (22.7% or 72 respondents) while just over 12 per cent indicated they operated their businesses under a trust (39 respondents) or company structure (38 respondents). Interestingly, around 35 percent indicated that the legal structure of their business was something other than these categories, which may suggest a number of respondents do not know the actual legal structure of their business.

Table 4 shows that around 35 per cent (35.81% or 111 respondents) of those responding indicated the business they owned was a family business ⁷ business. Interestingly, further analysis of the results suggest these family business owners more likely to have businesses with succession plans in place (56% for family business owners versus 9% of owners of non-family businesses).

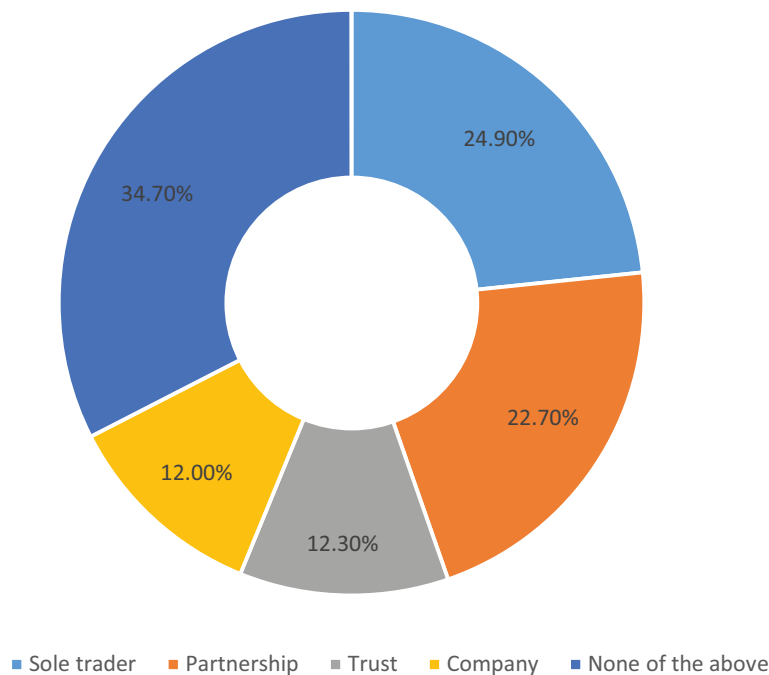


fig. 09 / Legal structure(s) of the business(es) you own and/or control

Note: percentages add up to more than 100% because respondents may own more than one business which have different legal structures.

7. For the purposes of this study a family business is a business comprised by two or more members of the same family involved in the business with one of the related members having a controlling interest

Family Business

When respondents were asked if they knew what would happen to the control of the legal structures mentioned in Figure 9 in the event of your incapacity or death the majority (60.88% or 193 respondents) stated they did not know. This must be of concern to those involved and highlights the pressing need for the development of succession plans.

Consistent with that reported earlier, owners of family businesses⁷ had a much greater understanding of what would happen to the control of their business in the event of incapacity or death (74% for owners of family businesses versus 20% for owners of non-family businesses). Overall these results suggest that business families are more organized when it comes to estate planning when compared to other business owners.

Exploring the incidence of professional adviser capability across business owner type and the correlation of business owner membership of business networking organizations across family and non-family businesses is intended to be the subject of future research.

Are any of these structures a family business	Per cent	Count
Yes	35.81	111
No	64.19	199
Total	100	310

table 04 / Family Business

Do you know what will happen to the control of the legal structures mentioned in the event of your incapacity or death?	Percent	Count
Yes	39.12	124
No	60.88	193
Total	100	317

table 05 / Control of businesses in the event of death

⁷ For the purposes of this study a family business is a business comprised by two or more members of the same family involved in the business with one of the related members having a controlling interest.

Figure 10 illustrates the responses to the question of what jointly owned assets respondents have. In total 629 individuals noted they jointly owned assets comprising real estate (38.77%), shares (18.86%), bank accounts (44.64%) and other assets (1.90%).



fig. 10 / jointly owned assets

Under the response 'other' eight respondents indicated SMSE, three noted they jointly owned vehicles and single respondents noted each of the following: annuities, collectables, managed funds, house and burial plot and camera equipment. The results indicate a high level of asset ownership with other people, predominately through bank accounts and real estate.

When we asked if people knew what would happen to the ownership of these jointly-owned assets in the event of your incapacity or death the majority of respondents (51.98% compared to 48.02%) did not know.

Do you know what will happen to the ownership of these in the event of your incapacity or death?	Percent	Count
Yes	48.02	484
No	51.98	524
Total	100	1008

table 06 / Fate of jointly owned assets in the event of incapacity or death

Given a large number individuals jointly owning assets the fact that the majority of those surveyed don't know what will happen to these assets on their death or disability is a concern. Further analysis reveals that younger, less educated individuals on low to moderate salaries are less likely to know what will happen to their joint assets in the event of their incapacity or death.

Online Assets

The term “digital asset” has been variously defined. Johnston (2015)⁸ notes digital assets include things such as domain names, online businesses or bitcoins but more commonly data of sentimental value such as photographs and emails. Some of these things may be held in cloud storage or on third-party hosting sites. A digital asset can range from passwords and usernames to software registration codes, images, audio, video, email and documents and can often be spread across multiple platforms with different policies.

Survey responses show that Australians own a significant number of digital assets, predominately social media, email and banking records. Only 183 (18.35%) of those surveyed stated they did not own any digital assets.

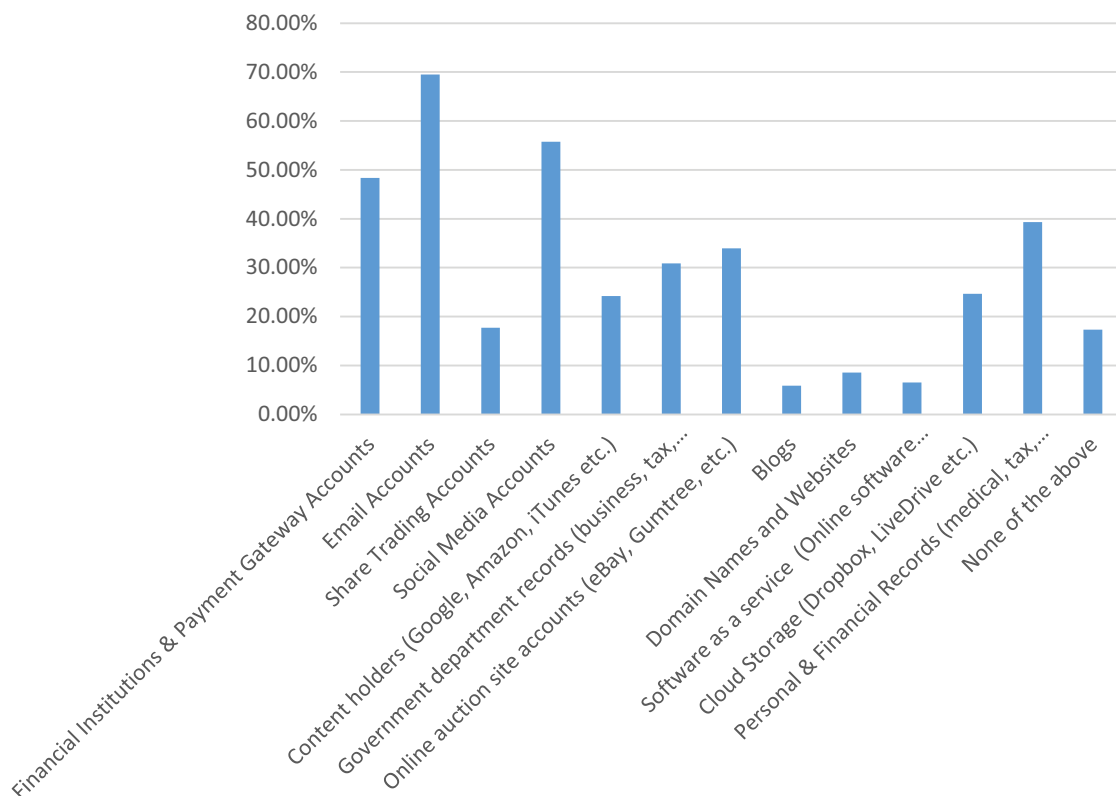


fig. 11 / Do you own or control any of the following online assets

8 Johnston, C. (2015) Digital inventory in wills provides access to social media pages after death, Sydney Morning Herald March 1 <<http://www.smh.com.au/technology/technology-news/digital--inventory-in-wills-provides-access-to-social-media-pages-after-death-20150301-13rwt.html>>

Of those who had digital assets (821 in total) the vast majority (585 or 71.25%) indicated that they were unaware of what would happen to these assets. This is a major cause for concern as legislation regarding digital assets and their transferability or access by executors or beneficiaries on death is non-existent in Australia as it is in most jurisdictions. Further analysis reveals that younger, less educated individuals on low to moderate salaries are less likely to know what will happen to their digital assets in the event of their incapacity or death.

A major problem is that companies operating in the online or digital asset space have different policies in dealing with accounts belonging to deceased users. In most cases, getting an account shut down requires a close family member to produce a range of documentation to prove that they have the right to request that the account is terminated. This often doesn't allow for those relatives to get access to the content of the accounts however.

In some cases there is automatic termination of the account upon the death of the individual account holder (for example Yahoo and LinkedIn do this). In other cases the records or files (e.g. iTunes music) are non-transferrable at the account holder's death and thus all individual rights terminate at his or her death. Most people don't realise that they are in effect, leasing those songs from Apple.

Facebook Australia notes that it allows an "authorised" person to request a Facebook page be deleted after death or a page be "memorialised" with links to obituaries or documentation of the death. This freezes the page with the same permissions as it had when it was last accessed by the user but will stop the page from being discovered in a search and will not actively promote the page to others.

Our results add to those of a recent online survey of 1,139 Australians for the NSW Trustee and Guardian⁹. Their results showed nine out of ten Australians have a social media account but eighty three per cent have not discussed with their loved ones what they want to happen to their accounts when they die. Further, only three per cent of Australians who had a will have decided what to do with their social media accounts after their death.

The increasing deployment of tradeable digital assets will only exacerbate these problems. Consideration of public policy advocacy for improved government response is under consideration by the researchers in this project.

Do you know what will happen to your online assets in the event of incapacity or death?	Percent	Count
Yes	28.75	236
No	71.25	585
Total	100	821

table 07 / Fate of online assets in the event of incapacity or death

9. Southward, J. (2015) Death and Your Digital Data, LSJ April, 39-41, <<https://eclosure.com.au/wp-content/uploads/2015/03/eClosure-LSJ-April-2014.pdf>>

Trusts and Trust Assets

Just over 15 per cent (15.45% or 155 respondents) of those surveyed were the trustee, controller or beneficiary of a trust however as indicated earlier over 23 per cent of those surveyed were involved with a SMSF. This could indicate that not all of those operating a SMSF were aware that such structures operate as trusts. In fact of the 239 individuals who indicated they had a SMSF only 90 (37.7%) indicated they were trustee, controller or beneficiary of a trust while 147 (62%) indicated they were not.

SMSF's represent a substantial portion of the regulated superannuation savings of Australia. The focus of regulators is in managing SMSFs as a financial product, not as a legal structure that facilitates the management of property for the legislated purpose of primarily generating retirement income. This is evidenced by the fact that professionals engaged to the establishment of SMSF's are normally accountants and financial advisers, not lawyers.

Accountants and financial planners are generally not skilled in property, trust and equity law. The result is that clients primarily advised by these professionals are normally unprepared and unaware of the independent legal obligations that are imposed on them as controllers of a trust such as an SMSF or a Family Trust. These clients are therefore normally unprepared with regard to their exposure to governance, regulatory and compliance risk of operating an aspect of their affairs as a trustee. They are similarly unprepared with regard to succession risk for the operation of the trust and the planning that needs to occur to respond to the risk of death, disability, beneficiary vulnerability and relationship breakdown on the operation of the trust.

This means that the substantial wealth controlled by trusts and the Court systems that has responsibility for the ultimate administration of trusts are exposed to higher risk of disputes. This results in higher costs for the administration of trusts and propagation of family dysfunction instead of sustainability.

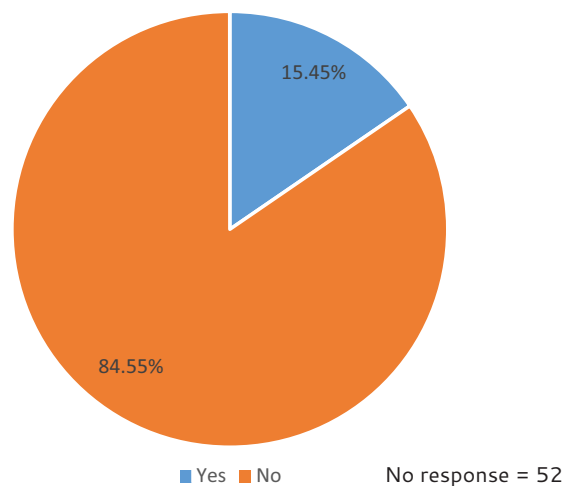


fig. 12 / Are you the trustee, controller or beneficiary of a trust?

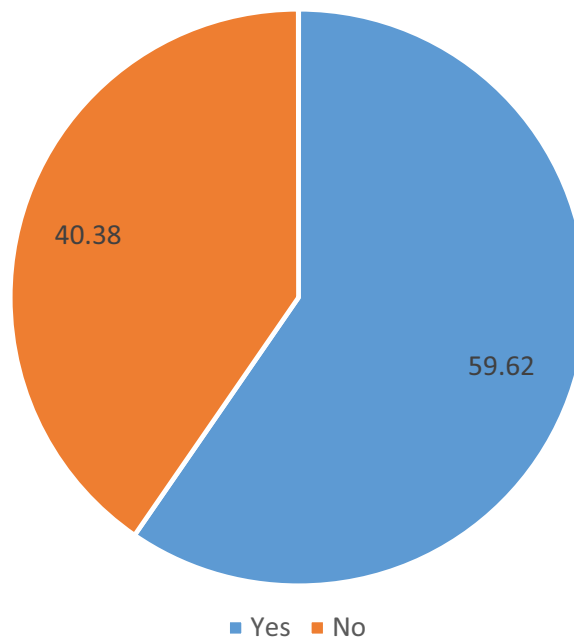


fig. 13 Are you the trustee or controller (e.g. director or shareholder) of a company that is a trustee and you used a professional advisor to form the trust, are you aware that a will cannot deal directly with property which is controlled by a trust

While the majority of those who are involved as a trustee or controller of a company that is a trustee are aware they cannot deal directly in the assets of the trust (93 or 59.62%) there is a significant percentage of those (40.38% or 63) who are not aware. An implication of this is that there is a need for additional education for those who act as trustees and those who are engaged in the formation and administration of these estate administration structures.

This result also highlights the need for estate structures to be formed as part of the operation of an overall estate administration plan through which the client can be educated efficiently and cost effectively about the relevance of the additional obligations of being a trustee or company director to the risk of operating their affairs.

Trusts and Trust Assets

Just under 45 per cent (44.87% or 70 respondents) of those acting as a trustee, controller or beneficiary of a trust understand that trusts have a limited life expectancy however the majority 55.13 per cent (86) do not. Once again, this indicates there is a need for greater education for those involved with trusts whether as clients, advisors or regulators.

The necessary conclusion is there is no uniform professional designation in the formation of trusts whose responsibility it is to educate and support clients in the prudent operation of trusts.

In this context it is important to note that some 70% of all businesses in Australia are family businesses¹⁰. The engagement of the professions to address adequate support of the governance of these businesses is essential if their economic value to the Australian economy is to be optimised. What is clear from this research that there is insufficient expertise within a significant number of closely held businesses to assure their sustainable, long term operation.

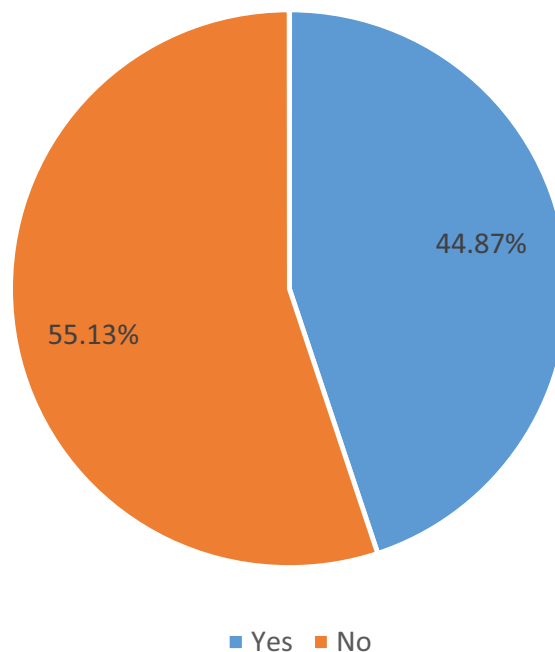


fig. 14 / Are you aware a trust must end no later than 80 years after inception in all states other than SA?

¹⁰ See Macquarie Bank business of families report at <https://www.macquarie.com/dafiles/Internet/mgl/global/advisers/docs/expertise/4%202%203%20the%20business%20of%20families.pdf?v=2>.

Trusts and Trust Assets

Figure 15 illustrates the responses to whether respondents are aware that in a normal discretionary trust the trustee has the absolute power to prefer the interest of one beneficiary over another.

Just over 55 per cent (55.12% or 86) of those who indicated they are trustees confirmed they were aware but that leaves just under 45 per cent (44.87% or 70) indicating they were not. Once again these results imply that the level of financial literacy amongst the Australian public is not as high as it could be and the advisers supporting the operation of these trusts are not actively managing the financial abuse risk of the operation of these enterprises.

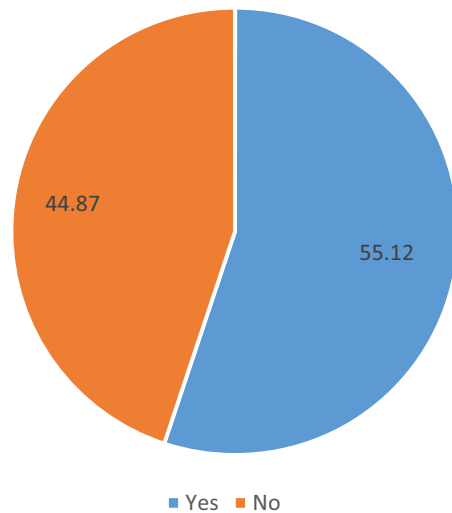


fig. 15 / Are you aware that in a normal discretionary trust the trustee has the absolute power to prefer interest of one beneficiary over another ?



SUMMARY AND CONCLUSION

We find that roughly half of adult Australians have a will but nearly half of those who do don't feel that their will is up to date or adequately expresses their wishes. Further we find people are relatively more unprepared for disability and incapacity than they are for death with only a relatively small proportion of those responding having powers of attorney or delegations in place and the majority of people not possessing life insurance. Of those who have children only a quarter have nominated a guardian for their children in the event of death. These results are not dissimilar to those of previous studies in Australia and elsewhere and indicate the reluctance of people to engage with such issues. Most of those who owned businesses do not have a formal succession plan nor do they know what will happen to the businesses they are involved with when they pass on. The lack of planning in these regards can cause significant problems for employees, other stakeholders and the continuing operation of the business down the line. While it is common for Australians to jointly own assets most who did were unaware of what will happen to those assets if they died or became incapacitated

From an estate planning point of view digital assets present a particular problem in that most people don't know what will happen to these digital asset in the event of death or incapacity. Further relatives of the recently deceased are frequently left with a range of decisions and challenges when it comes to dealing with online accounts of the deceased, especially social media accounts. A major problem is that all of the companies operating in the online or digital asset space operate different policies in dealing with accounts belonging to deceased users as stated earlier. Further, with some providers legal disputes may only be resolved in a particular forum that may not be convenient to the account holder (for example any disputes involving Facebook or Google must be litigated in the Federal District Court of Northern California - where these entities are headquartered; in Microsoft's case, disputes must be litigated in Federal District Court in Washington State). Such issues are impacting on ordinary Australians. In a recent case a Queensland family lost their adult son to suicide and could not access his Google account or gmail without a US court order¹¹. This situation may change in the future. The Supreme Court of Canada recently approved a class-action lawsuit against Facebook to be heard in court in British Columbia even though the company's terms of use require all lawsuits to be filed in California. One hopes Australian

courts have the intestinal fortitude of their Canadian counterparts. The central point that needs to be made here is that Australia needs laws to give executors control over the digital estates of friends or family who have died.

While only a relatively small proportion of those surveyed were involved as a trustee, controller or beneficiary of a trust the survey found a large proportion of those involved were unaware of basic issues such as the rights of trustees and longevity of trusts. Results with respect to people's knowledge of trusts imply that the level of financial literacy amongst the Australian public is not as high as it could be and that advisers supporting the operation of these trusts are not actively managing the potential financial risk involved in the operation of these arrangements. These results should be particularly worrying for regulators, trustees, beneficiaries and professional advisors as well as professional bodies.

11 Johnston, C. (2015) Digital inventory in wills provides access to social media pages after death, Sydney Morning Herald March 1 <<http://www.smh.com.au/technology/technology-news/digital--inventory-in-wills-provides-access-to-social-media-pages-after-death-20150301-13rwta.html>>

ABOUT THE SURVEY

This results above report on an on-line survey of the general population. Funding for this project was gratefully received from the Society of Trustees and Estate Practitioners (STEP) and the Institute for Land Water and Society of CSU. The survey invited people to share their experience and engagement with estate planning and various issues surrounding the intergenerational transfer of assets. The aim of this research project was to gain greater insights into estate planning issues in Australia.

The research team drafted a survey and completed a pre-test with several colleagues in early 2017. Ethical clearance for this research was obtained from Charles Sturt University and the University of Adelaide.

The on line survey was made live on Qualtrics on line survey platform in April 2017. The data were collected via leading online panel provider Research Now, and there was a 98 per cent response rate (1,055 individuals with 21 indicating they did not wish to participate (resulting in a total of 1,034 survey participants). The data were evenly split between genders, 39.05 per cent being aged between 35-55 years. Around 29 per cent were aged 65 and overall.

Overall the data provides a good representation nationally in terms of income, occupation and education. Nearly two thirds sampled (61%) had children and a further 20 per cent were grandparents.

An email containing background information and a survey link was sent to members of the national Research Now panel. The online survey was open to participants for a period of six weeks and took around 15 minutes to complete. Qualtrics does not store IP addresses or other information that could be used to identify the participants. All responses, therefore, remained anonymous and confidential.

Gender of Respondents	Percent	Count
Male	50.2	504
Female	49.8	500
Total	100	1004

No Response =30

Age of Respondents	Percent	Count
Under 18	0.10	1
18-24	12.95	130
25-34	19.12	192
35-44	21.02	211
45-54	18.03	181
55-64	14.44	145
65-74	12.45	125
75-84	1.79	18
85 or older	0.10	1
Total	100.00	1004

No response = 30

The survey population roughly fits the demographic spread of adult Australians.

Marital Status	Percent	Count
Yes, married	48.61	488
Yes, de-facto relationship	17.43	175
No, not in a relationship	33.96	341
Total	100	1004

Given that the majority of those surveyed were either married or in a de-facto relationship (48.61 % and 17.43 % or a total of 66.04 %) it is somewhat surprising and worrying to note that only 45.41 per cent of those surveyed have a will.

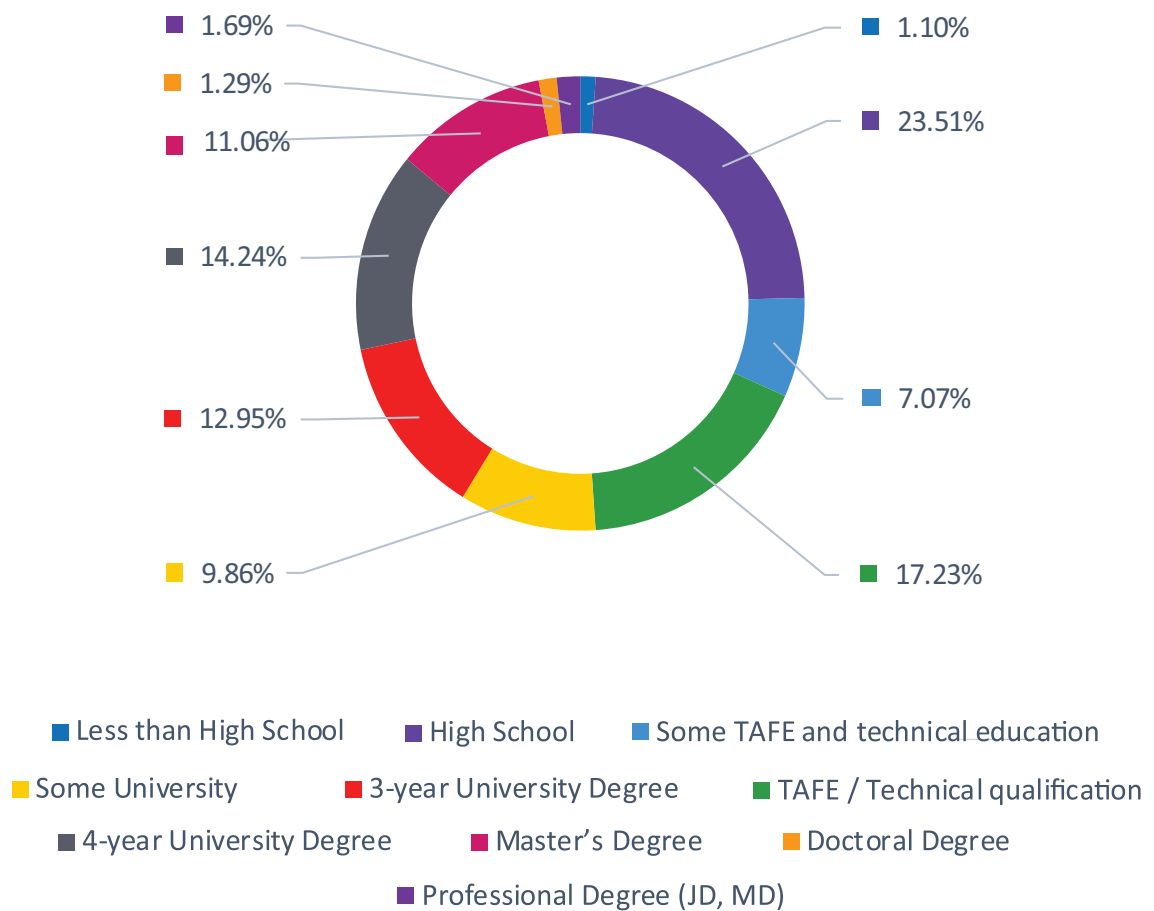
How Many Children do you have?	Percent	Count
One	16.67	165
Two	25.96	257
Three	12.12	120
More than Three	5.96	59
None	39.29	389
Total	100	990

The majority (59%) of those who responded to the survey had children (601 out of 1,012 individual respondents in total).

Do you have any grandchildren?	Percent	Count
Yes	19.86	197
No	80.14	795
Total	100	992

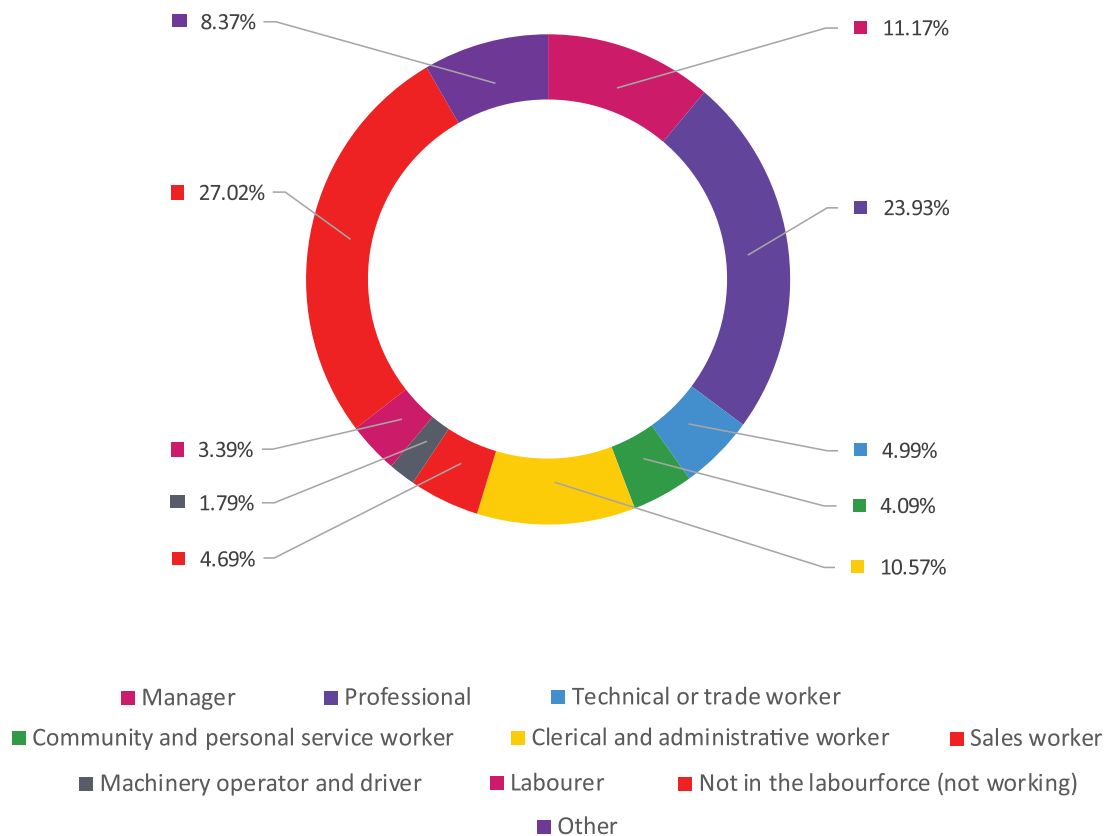
Approximately 20 percent (197 respondents) indicated they had grandchildren.

Highest Level of Education Completed



No Response = 20

Occupation



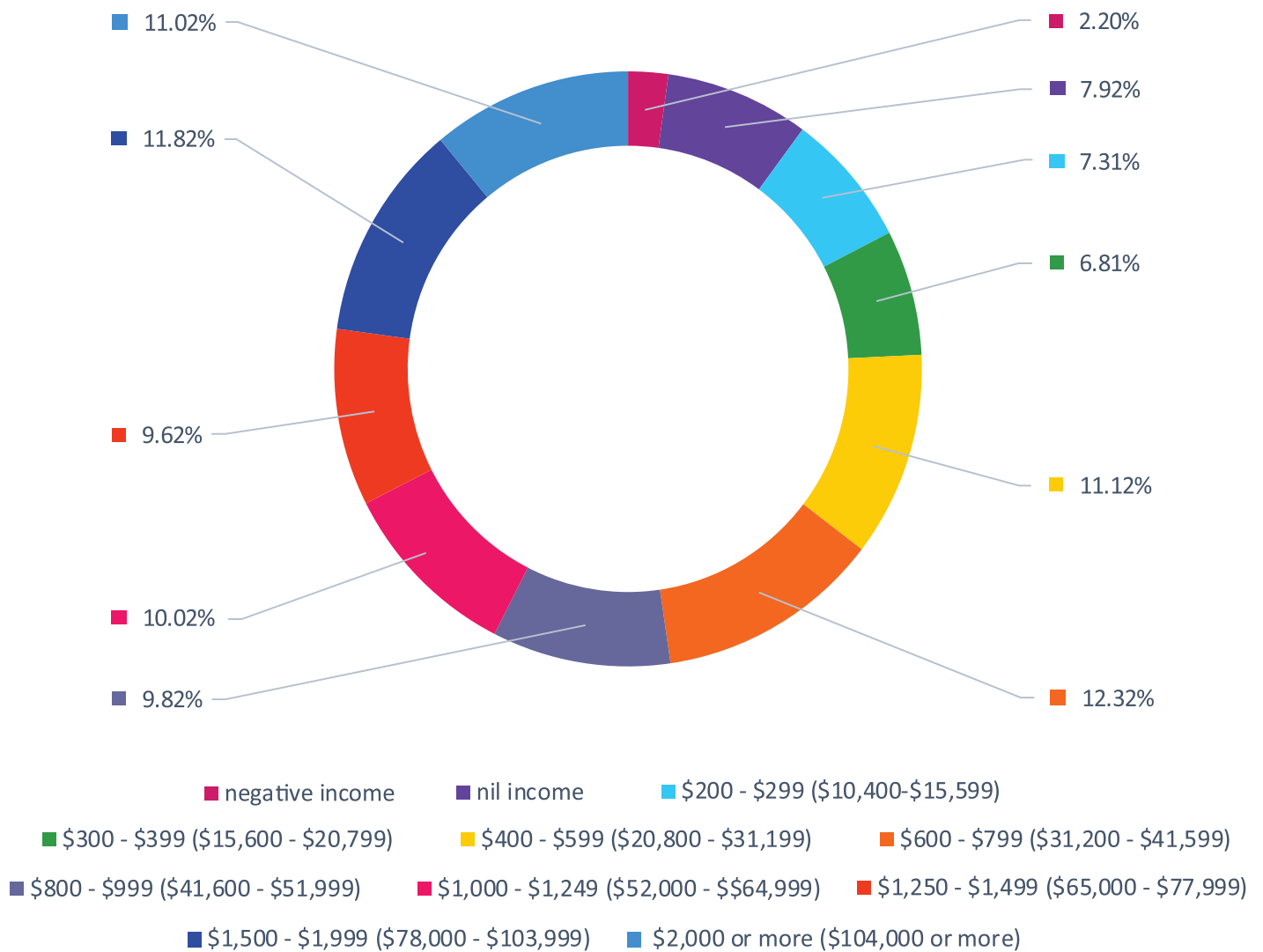
No Response = 31

Of those who stated “other” there was a wide variety of responses as indicated in the following table. The highest responses were retired, home duties, self-employed and student.

Adult Services	1	I Don't work	1
Ambulance Officer	1	Minister of Religion	1
Artist	2	Postal Worker	1
Carer	2	Retired	36
Cleaner	1	Security	1
Cook	1	Self Employed	8
Disability	2	Student	7
Dying	1	Technical Operator	1
Home Duties	11	No or Invalid Response	5
Hospitality	1	Total	84

table 13 / Occupation: other responses

Annual Income





A report prepared by Charles Sturt University and The University of Adelaide

