

CHECKLIST

Questions for EOFY review *Accountants and Financial Advisers*

A single-page checklist for Accountants and Financial Advisers preparing for client reviews.

Four of the five questions already sit inside a normal tax or financial planning review. **The fifth is the one most advisers skip**; it sits outside the usual scope, and that is precisely why a Binding Financial Agreement gap goes unnoticed for years. Designed to slot into your existing EOFY process. No additional time required.

How to use this checklist

Run through the five questions during your normal EOFY review. If any answer is No or Not sure, the client may benefit from a fifteen-minute conversation with a family lawyer. You do not need to make the recommendation in the meeting; you can flag it in your follow-up note.

Business structure and valuation

Trigger question: Is the business interest held in a way that reflects the current relationship?

Look at the shareholding, Trust deed, or Partnership agreement. A structure set up before a marriage or de facto relationship may now sit awkwardly against current relationship reality, succession plans, or buy-sell terms. Recent valuations and any planned sale or restructure are particularly worth flagging.

☐ Yes ☐ No ☐ Not sure

Superannuation

Trigger question: Is the SMSF or superannuation balance structured in a way that considers both parties?

For SMSF clients, look at trustee structure, member balances, and the deed. For accumulation or industry fund clients, look at imbalance between the two parties' balances and any planned consolidation. Superannuation is splittable on separation under Part VIIIB of the Family Law Act 1975 (Cth); the structure

☐ Yes ☐ No ☐ Not sure

Binding Financial Agreement status

Trigger question: Does the client have a Binding Financial Agreement, and if so, when was it last reviewed?

This is the one most advisers skip. It does not normally appear in a tax or financial planning review, but it should. A Binding Financial Agreement governs how the assets you are reviewing today will be treated if the relationship ends. If the client does not have one, or has not reviewed theirs in the last three to five years, this is a referral conversation worth having.

☐ Yes ☐ No ☐ Not sure

Property

Trigger question: Is property held individually, jointly, or in a Trust, and does that align with the client's intentions

Check the title, the mortgage, and any contributions made by one party from pre-relationship savings or family financial support. Investment properties acquired during the relationship deserve a second look; so does the family home if title and contribution history do not match.

☐ Yes ☐ No ☐ Not sure

Inheritance or family financial support

Trigger question: Is any contribution from a parent or family member documented?

Loans, guarantees, and gifts from family are routinely undocumented. They are also among the most contested categories on separation. A Loan Agreement, Deed of Gift, or Family Guarantee is the difference between a clean trace and a contested fact.

☐ Yes ☐ No ☐ Not sure

If any answer is No or Not sure

A fifteen-minute conversation with our Family Law team is the next step. There is no obligation, no fee for the initial call, and no expectation that a referral will follow. The intent is to give your client the information; the decision is theirs.

Contact our **Family team** for a confidential consultation to understand your options.

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