

FAMILY Flyer



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SEMINAR SERIES STARTS NEXT WEEK!

Our public seminar series starts next week and offers you the chance to learn about post-separation issues from an industry expert. Michael Lynch, Principal and Accredited Family Law Specialist presents seminars on property settlement, separation and children's arrangements in a way that is relevant to you, without the unnecessary legal jargon.

For only \$20 you will receive a one hour information session (valued at over \$500!) You will have the opportunity to ask questions and there will also be a **Special Offer** for all attendees.

"Separation and Property"

- [Sunnybank](#): 6:00pm – Tuesday, 28 February, Sunnybank Community and Sport Club, 470 McCullough Street.
- [Brisbane City](#): 1:00pm – Tuesday, 6 March, The Sebel Suites, 95 Charlotte Street.

"Separation and Children"

- [Grange](#): 6:00pm - Wednesday, 29 February, Crushers Leagues Club, 41 Agincourt Street.
- [Springwood](#): 6:00pm – Wednesday, 7 March, Springwood Hotel, Cnr Springwood & Rochedale Rds.

Book now! Phone (07) 3221 4300 or email law@mfl.com.au. Be quick, seats are limited!

STAFF APPOINTMENTS

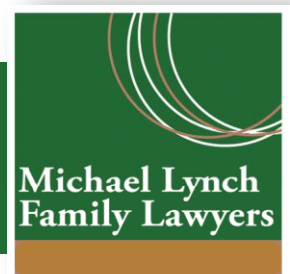
It is with pleasure we announce the following appointments in our office:

- *Amelia Trotman* was appointed Senior Associate late last year. Amelia is an Accredited Family Law Specialist and has over 8 years experience in all facets of Family and Relationship Law with a special interest in complex property matters.
- *Amy Honan* has recently been appointed Associate. Amy practices exclusively in Family and De Facto Relationship Law, with a particular interest in children's matters.
- *Clare McCormack* has also recently also been appointed Associate. Clare has successfully represented clients in a broad range of Family and Relationship Law matters, from negotiations through to Court appearances.

TIPS TO SURVIVING SEPARATION

Working through the emotional and legal stages of a separation are complex, but here are 3 basic steps that will definitely assist.

1. **Stay calm:** try not to make decisions in the heat of the moment. Make rough plans that meet your needs and keep any plans flexible.





2. **Get help:** it is important to talk to someone about how you are going and we strongly recommend that you speak with a counsellor. It is also important that you get family law advice before embarking on arrangements for children and property division.
3. **Get a plan:** having obtained advice it is important that you formulate a plan and stick to it. You will save significant time and cost by following your own pragmatic plan with your family lawyer and not being led by the agenda of your former spouse.

If you have not obtained family law advice please contact us for a – no obligation – fixed cost (\$275 incl. GST) initial appointment, phone (07) 3221 4300.

SELF-MANAGED SUPERANNUATION FUNDS: A CAUTIONARY TALE

Self-managed superannuation funds are increasing in popularity, offering more control over your money. If you are a trustee however, it is important that you understand your on-going legal obligations, as was highlighted in a recent Australian case.

The Facts:

- A husband and wife were co-trustees of a self-managed superannuation fund.
- In 2005, the husband withdrew \$3.46 million from the fund illegally and fled overseas.
- The wife had no idea the husband had taken the money, and received no benefit.
- The ATO went after the wife, as co-trustee of the fund for the tax payable on the unauthorised withdrawal.

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- The ATO held the wife liable for the breach and penalised her nearly \$2 million.

What can you do?

It is common for a married couple to be co-trustees in a self-managed fund. Both parties must be aware of their obligations as a trustee, and the consequences of any breach.

It may be wise to consider making both trustees signatories to the money and investments of the fund. This "safety-net" will ensure that, in the event of separation, both husband and wife are aware of any money coming out of the fund.

Q & A

Q: I have organised an overseas holiday for myself and my children, and I need to get passports for them. Do I need the consent of their father?

A: By law, the consent of both parents is required before making an application for children's passports. Both parents will be required to sign the application form. In the event that the father refuses to sign, you may apply to the Court for an Order allowing the application without consent.

GETTING A SECOND OPINION

Family Law is a complex and ever changing area of law. All of the lawyers at Michael Lynch Family Lawyers practice solely in Family Law and are often requested to provide a second opinion on legal advice people have received elsewhere.

If you would like a second opinion contact us on (07) 3221 4300 to make an appointment.

Principal: Michael Lynch*
*Queensland Law Society
Accredited Family Law Specialist



CONTACT:
Telephone: 07 3221 4300
Address: Level 6, 193 North Quay
Brisbane QLD 4000
Website: www.mlfl.com.au

