



## Attorney-General

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Our ref: CD/12/309273

Mr Edward O'Donohue  
Chair, Legal and Social Issues Legislation Committee  
C/- Department of the Legislative Council  
Parliament of Victoria  
Spring Street  
MELBOURNE VIC 3002

Dear Mr O'Donohue

### **Inquiry into the Wills Amendment (International Wills) Bill 2011**

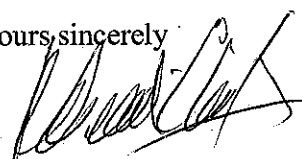
On 20 June 2012, as Chair of the Legal and Social Issues Legislation Committee, you tabled the Committee's report of its inquiry into the Wills Amendment (International Wills) Bill 2011 (the Bill). The Bill, which has since received Royal Assent, adopts the Uniform Law of the UNIDROIT Convention providing a Uniform Law on the Form of an International Will 1973 (the Convention).

In supporting the passage of the Bill, the Committee made two recommendations to increase the benefits that will flow from the introduction of a new form of international will in Victoria. The Committee recommended that the Victorian Government advocate to the Commonwealth Government to engage with the international community to encourage further countries to become signatories to the Convention. The Committee also recommended that, once Australia has acceded to the Convention, the Victorian Government liaise with relevant stakeholders to undertake an education and community awareness campaign with respect to making an international will.

For your information, I attach a copy of my recent letter to the Commonwealth Attorney-General, in which the Victorian Government offers its support for the Commonwealth's continued efforts to engage with the international community to encourage further countries to become signatories to the Convention. The letter also raises the issue of education and communication about international wills and suggests that, in addition to work done at the local level, this issue be dealt with at the national level so that consistent information can be disseminated across Australian jurisdictions.

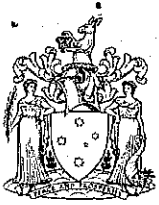
I would like to thank the Committee for its work on the inquiry.

Yours, sincerely

  
**ROBERT CLARK MP**  
Attorney-General

10/7/12





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Our ref: CD/12/308553

The Hon. Nicola Roxon MP  
Attorney-General  
PO Box 6022  
Parliament House  
CANBERRA ACT 2600

*Viola*  
Dear Attorney-General

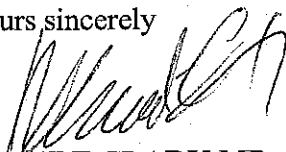
### UNIDROIT International Wills Convention

The Victorian Parliament has recently passed legislation adopting the Uniform Law of the UNIDROIT Convention providing a Uniform Law on the Form of an International Will 1973 (the Convention). The *Wills Amendment (International Wills) Act 2012* implements the 2010 decision of State and Territory Attorneys-General to adopt the Uniform Law to allow Australia to formally accede to the Convention. I understand that all jurisdictions are endeavouring to have the model legislation in place by the end of 2012.

During its passage, the Victorian legislation was considered by a Parliamentary Committee, which heard evidence of the benefits to Victorians of the additional form of will provided for by the Uniform Law. However, the Committee noted that the legislation will only benefit Victorians who have ties to a country that has acceded to the Convention. For this reason, the Victorian Government offers its support for the Commonwealth's continued efforts to engage with the international community to encourage further countries to become signatories to the Convention.

The Committee also heard evidence of the need for an education and community awareness campaign about the scope and effect of the Uniform Law. Once Australia accedes to the Convention, the Victorian Government will work with local stakeholders to provide information to legal practitioners and will-makers about international wills. However, given all States and Territories are adopting the Uniform Law, I would also suggest that this issue be pursued at the national level so that consistent information is disseminated across jurisdictions. I have asked my Department to raise this matter through the inter-jurisdictional working group set up through the Standing Council on Law and Justice, noting that Victoria is more than willing to contribute to the development of information that can be used by all jurisdictions.

Yours sincerely

  
**ROBERT CLARK MP**  
Attorney-General

cc:  State and Territory Attorneys-General

