Wills and Estates Law: Factsheet 6

Who can view my will?

While you are alive

No one is legally entitled to see your will while you are alive.

If you feel comfortable to do so, **speak with your loved ones** about your wishes and your reasons for making your will in the way that you have.

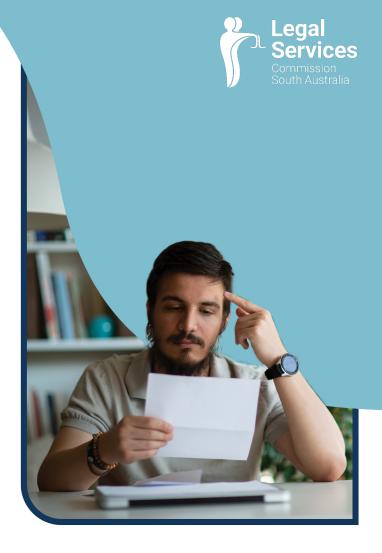
You should keep your will in a safe and secure place and let your executor know where it is.

If a private lawyer has prepared your will, they will usually keep the signed original in a secure location. They cannot legally show it to anyone without your consent.

After you have died

From 1 January 2025, the following people are entitled to see your will after you have died:

- a person named in the will
- · a person named in an earlier will as a beneficiary
- · your surviving spouse, partner, child or stepchild
- any former spouse or partner
- your parents or guardians
- anyone who would be entitled to a share of your estate had you died without a will (see What if I die without a will?)
- a parent or guardian of a child who is named in the will or would be entitled to a share of your estate had you died without a will



 a person managing your estate under a guardianship or administration order immediately before your death.

A person who has access to your will (usually your lawyer or executor) must allow anyone on this list to view or take copies of your will after you have died. This also extends to a revoked will, a document purporting to be a will, a part of a will and a copy of a will.

The Supreme Court may also allow someone not on this list to view your will if satisfied that

- they may have a claim against your estate, and
- they have a proper interest in the matter, and
- viewing your will is appropriate.

Once the Supreme Court has granted probate, anyone may obtain a copy of the will through **CourtSA**.

This information is general and not a substitute for legal advice. The Legal Services Commission provides free advice for most legal problems.

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