



Christmas Greetings

from the Team at Quinlaw

Wishing you and your family a very happy holiday season. Our sincere thanks for your continued support throughout the past year, we look forward to working with you in 2017.

Our office will close at 5pm Thursday 22 December 2016 and reopen Monday 9 January 2017. A skeleton staff will be available for any urgent matters and conveyancing. Please leave a message on the office answer phone 769 9687 or phone Catherine 021 444 678 or email action@quinlaw.co.nz

GIFTING, GIFTING, GIFTING

Despite the Government repeal of gift duties some years ago it remains an issue to be discussed. If you have loans from yourselves to your Trusts still outstanding, then you need to gift those sooner rather than later. If you are heading towards a resthome in the near future then you should only gift \$6,000.00 in any twelve month period. Any more than that is seen as depriving yourself of assets. This gifting of \$6,000.00 can not be continued once receiving a Rest Home Subsidy.



Catherine Quin

See us to talk about your circumstances, plans and needs. We will give you personalised up to date information. You then make your decisions and we will assist you and carry them out.

FRINGE BENEFIT TAX

Inland Revenue has recently released a draft item for public consultation clarifying when charitable and other donee organisations are excluded from paying fringe benefit tax. This draft item may affect your charity if it provides non-cash benefits to employees (such as the use of a car) where those employees are engaged in business activities for the charity.

This draft item will shortly be available at Public Rulings current consultation. You can email your feedback and comments direct to Inland Revenue at public.consultation@ird.govt.nz. Public consultation closing on 23 January 2017.

DISABILITY LAW

- A New and Growing Area of Law

At QuinLaw we have always been involved with persons with disabilities. Some of us are parents of children with disabilities. Also some of the Lawyers working at QuinLaw were nurses and have worked in hospitals and other parts of the community.

There is a whole world called "The Disability Sector" which really is quite different to what is known as the "Health Sector" and Catherine says she has learnt a lot from some wonderful people who work in this area. The education and advocacy available from Disabled Persons Assembly is wonderful.



Nan Jensen

Nan Jensen our specialist lawyer in disability law, runs workshops for families and professional groups, these cover:

- Employment
- Education
- Cybercrime/cyberlaw (how disabled people can be both victims and inadvertent perpetrators)
- Compulsory care
- Forms of authority (what's the difference between agent, attorney, welfare guardian etc)

Regular workshops run by Nan cover:

- Planning for Adulthood- Guardianship, Wills and Trusts
- Education Law covers special education, suspension/exclusion, problems that may occur

You can contact Nan on 021 250 0315



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TREES - THOSE GORGEOUS PLUMS

The plums hanging from the branches of your neighbours plum tree are yours if they are over the fence and into your property. You are also allowed to cut the branches back to the point where the branch crosses into your property. However, don't forget it could be a protected tree so check with the Council. In any event you could damage the whole structure and viability of the tree. The first answer should be enjoy the plums, but then discuss the branch with your neighbour with a view to settling the removal or trimming of any trees.

The worst case scenario is that you can apply to the Court. It is dealt with in the District Court. You can have a tree trim by Court Order if you satisfy the Judge that it is causing damage or injury, obstructing your view, reducing your enjoyment of the property or diminishing the value of your house. You would need to have one of those reasons to get your application off the ground as it were, into Court. You then have to persuade a Judge that it is necessary that he should order that the tree be trimmed.

CONVEYANCING, ESTATE PLANNING AND ADMINISTRATION, WILLS, POWERS OF ATTORNEY, TRUSTS, EMPLOYMENT LAW, MAORI LAND, ACC, ELDER LAW, RELATIONSHIP PROPERTY, PARENTING ISSUES, DISABILITY LAW AND MENTAL HEALTH . . .

We can help you with all of these matters and if it's not listed please ask.

TESTIMONIAL

"Sorry for the slow reply. Just to let you know that I received your email with the document to the Final Order. I'll await the copy in the mail.

Thanks you very much for your work on my case. Even though I'm on the other side of the world, it all went very smoothly.

Please accept my gratitude to you and the QuinLaw Office. All the best" CB

BOUNDARY FENCES

How to sort out any problems is dealt with in the Fencing Act, 1978. If you wish the neighbour to contribute to the cost of building a fence you must give them sufficient notice and several quotes. If you follow the correct procedure you can have it that your neighbour must pay for half the fence. The Fencing Act provides a frame work to resolve disputes. It sets out what is an adequate fence, the cost of building or repairing a fence and who is responsible for these costs.

ELDER ABUSE - BACK IN THE NEWS

Catherine has a particular interest in elder abuse and was instrumental in setting up a service in Taranaki about 16 years ago. She is also the current chair of the region's elder abuse advisory panel, offering advice across a spectrum of issues, including health, welfare and financial matters.

Often the abuse is about money or other property. We all need to be alert as the abuse begins slowly and the elderly person then feels they can not say no.

If you have any concerns please contact Catherine.

APPOINTMENTS

At QuinLaw we will always try to be available at hours to suit your needs. We will meet you after hours and on weekends if necessary. Just let us know your special requirements and we will try to meet them.

QUINLAW

Barristers & Solicitors

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