RISK PROTECTOR

Find Your Exposure. Protect Your Personal Assets. Protect Your Business.

BUSINESS AND DIRECTOR RISK IDENTIFIER

Tool # 2 - Your Business Structure

Vulnerability Identifier

WHAT THIS TOOL DOES AND WHY IT MATTERS

This tool is designed for one purpose: to help you identify structural vulnerabilities in your business. It won't give you legal advice and it won't tell you that everything is fine. What it does is ask the questions most directors haven't asked and flag where your structure may be leaving you exposed. Using this tool does not create a solicitor and client relationship. Any legal documents referred to in this tool are prepared by an independent Australian law firm engaged by Risk Protector. That firm acts solely for Risk Protector and does not act for, or advise, you.

Most directors trust their structure protects them. Most are wrong. This tool starts that conversation.

Read each question and tick YES, NO or UNSURE honestly. There are no wrong answers. Only honest ones. Count your YES and UNSURE answers in the Score Summary at the end. This draws out your total risk exposure.

Pay close attention to Parts A and D on entity separation and asset location. A YES or UNSURE answer in those sections takes your risk level to critical and demands immediate action.

PART A: Entity Structure and Separation

These questions test whether a creditor attack on one part of your business could bring down everything else.

#	Question	YES	NO	UNSURE
1	Does your trading company hold valuable assets as well as carrying your business liabilities?	☐	☐	☐
2	Are your business assets such as intellectual property, equipment, vehicles or property held inside your trading entity rather than a separate protected entity?	☐	☐	☐
3	Is your trading company the only entity in your structure with no holding company or trust above it?	☐	☐	☐
4	If your trading company was wound up or attacked by a creditor tomorrow, would your key business assets go down with it?	☐	☐	☐
5	Has it been more than three years since your entity structure was independently reviewed by a specialist in structural protection?	☐	☐	☐

PART B: Trading Company Risk Exposure

Your trading company is on the front line. These questions test whether it's carrying risk it was never meant to hold.

#	Question	YES	NO	UNSURE
6	Does your trading company own assets that a creditor or liquidator could seize?	☐	☐	☐
7	Does your trading company have any outstanding ATO debt, creditor claims or active legal action against it?	☐	☐	☐
8	Is there a director loan account in your trading company that is overdrawn or undocumented?	☐	☐	☐
9	Is there any doubt that your trading company can pay all its debts as and when they fall due?	☐	☐	☐

10	Has your trading company Constitution gone more than five years without a review to confirm it's current and reflects changes in the law?	☐	☐	☐

PART C: Trust Structure Integrity

Many directors believe their trust structure protects them. In most cases it doesn't. A flawed deed provides no real protection.

#	Question	YES	NO	UNSURE
11	Are you unsure who the Appointor is in your discretionary trust or who takes over if that person can't act?	☐	☐	☐
12	Has it been more than three years since your trust deed was formally reviewed by a specialist for ATO Section 100A compliance?	☐	☐	☐
13	Is your trust left exposed if the trustee or sole director of your corporate trustee is incapacitated or removed?	☐	☐	☐
14	Are your trust distributions going to the same people every year rather than being genuinely varied across beneficiaries?	☐	☐	☐
15	Are there Unpaid Present Entitlements in your trust that haven't been formally documented?	☐	☐	☐

PART D: Asset Location and Personal Protection

Asset location decides everything. Most directors have never checked.

#	Question	YES	NO	UNSURE
16	Is your family home exposed to your trading company liabilities?	☐	☐	☐
17	Are your personal savings and investments exposed to your business creditors?	☐	☐	☐
18	Do your key business assets sit inside your trading company rather than a protected entity?	☐	☐	☐
19	Has it been more than three years since your asset location strategy was reviewed by a specialist in structural protection?	☐	☐	☐
20	If a creditor obtained a judgment against your trading company today, would you be unable to say exactly which assets are at risk?	☐	☐	☐

PART E: Succession and Structural Continuity

Statutory obligations and structural roles don't stop if something happens to you. A gap here can unravel everything the structure was built to protect.

#	Question	YES	NO	UNSURE
21	If you couldn't act tomorrow, is there any doubt about who takes over every key role in your structure?	☐	☐	☐

YOUR SCORE SUMMARY

Add up your YES and UNSURE answers across all sections and write the total in the boxes below.

YES AND UNSURE ANSWERS	NO ANSWERS

____ out of 21	____ out of 21

IMPORTANT QUESTIONS TO REVIEW SEPARATELY

Questions 1, 4, 7, 16 and 18 carry the highest individual risk weighting. Any YES or UNSURE answer to any of these questions carries a critical obligation to act without delay, regardless of your total score.

WHAT YOUR SCORE MEANS

Score Range	What It Means
0 out of 21	No flagged structural vulnerabilities across this tool. That doesn't mean none exist. A tool can only test what it asks. The free A13 Structural Exposure Assessment goes deeper and confirms where you actually stand.
1 to 3 out of 21	You've flagged potential structural gaps. Even one flagged answer may point to real exposure that most directors carry without realising it. The combination matters more than the count. Get the A13 completed before something else surfaces.
4 or more out of 21	Your structural exposure pattern is critical. The combination of gaps you've identified has had serious consequences for other Australian directors. The A13 Structural Exposure Assessment is the next step. Don't put it off.

WHAT TO DO NEXT

The exposures this tool has helped you identify are real. These gaps sit on directors' files across Australia every day. They're more common than most advisers realise and no single one of them can be resolved without understanding how your entire position fits together.

The good news is that all of it can be addressed. The starting point is knowing exactly where you stand across all thirteen risk areas, not just the ones this tool covers. The next step is free and it carries no obligation of any kind.

The Risk Protector A13 Structural Exposure Assessment

This is a free forensic assessment available to Australian directors. It works through all 13 risk areas and takes your position apart piece by piece to find what's actually sitting unresolved.

Found something concerning? It won't soften what it finds but you'll come away knowing where to start.

Getting started takes less than a minute. Just go to www.RiskProtector.com.au and click the A13 link on our home page to begin.

No obligation. No sales pitch. No punches pulled.

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