














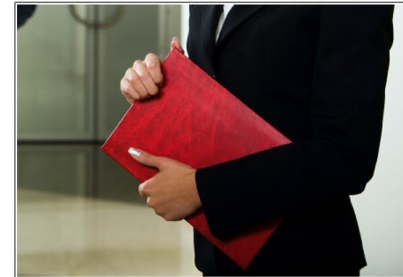


We can offer legal advice on the following:

-  Wills, Probate & Trusts
-  Inheritance Claims
-  Commercial Property
-  Residential Conveyancing
-  Company/Commercial
-  Landlord & Tenant
-  Debt Collection
-  Business
-  Employment
-  Personal Injury
-  Motoring
-  Crime
-  Building Property Disputes
-  Partnership Disputes
-  Family

**A Guide to** Wills and Lasting Powers of Attorney



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## Who can make a Will?

Anyone over the age of 18 and of sound mind.

## Can I alter my existing Will?

You must not alter an existing Will in any way, e.g. crossing out, correction fluid, adding words or sentences, or attaching other sheets of paper with staples/paper clips. Such marks can cause great difficulty when it comes to proving your Will in the Probate Registry.

## Why should I make a Will?

- You can choose your executors and trustees
- You can appoint guardians to care for your children
- You can make sure that anything you want to leave when you die goes to whom you want to get it

## What happens if I don't make a Will?

Certain persons in order of priority can apply to be your administrator. Your estate is distributed according to the laws of intestacy which may not be exactly what you want. Note that under the laws of intestacy the surviving spouse or civil partner will receive the statutory legacy figure set by law and this amount is dependent on whether there are any surviving children or other close relatives.

## For how long is a Will valid?

- Until you make a new one
- Until the Will is destroyed (not to be done lightly)
- Divorce and dissolution of civil partnership can affect a Will
- Marriage or entering into a civil partnership normally voids a Will completely

## When should I review my Will?

If you have a change in circumstances, e.g. marriage or a significant increase or decrease in material wealth.

You should not alter the old Will but make a new Will revoking the old Will.

You should also review your Will if there are changes in tax legislation, particularly the levels set for Inheritance Tax Exemption.

As a matter of course you should review your Will provisions at least every 12 months.

For example the increase in house prices has increased many people's estates beyond the threshold for Inheritance Tax.

## Signing your Will

It is most important that your Will is correctly signed and witnessed. Incorrect

execution leads to many homemade Wills being invalid.

## Tax Efficient Wills

It is no longer necessary for married couples or civil partners to make Tax Efficient Wills as the survivor can now make use of the IHT Nil Rate Band amount of the first to die.

## Property Fund Wills

These are popular with some joint home owners (whether married or not) who ultimately wish to leave their respective shares in the family home to someone other than the survivor, but perhaps with continued rights of occupation for the survivor.

If the survivor has to go into a care home the share of the first to die is not normally taken into account in assessing care fees.

There are however IHT consequences for Property Fund Wills. We will be happy to go into this in further detail on request.

## Lasting Powers of Attorney

Your Will deals with your affairs when you die. You should also consider making one or more Lasting Powers of Attorney (LPAs) to enable your family to make decisions for you if you become incapable of making them for yourself. There are two types of LPA, Property and Financial Affairs (LPA PFA) and Health and Welfare (LPA HW).

Please ask to see our factsheet for more information.

## Costs

Most Wills are straightforward and inexpensive. We shall inform you from the outset how much it will cost.

**Please telephone us for a FREE informal chat to discuss your Will requirements or alternatively you can e-mail us at one of the addresses on the front of this leaflet.**

Home visits are available by request.