

NBM SOLICITORS

Sole Will Instruction Form

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WHEN YOU HAVE COMPLETED THIS FORM, PLEASE RETURN IT TO NBM SOLICITORS AT THE ABOVE EMAIL ADDRESS.

IF YOU WISH TO DISCUSS ITS COMPLETION OR THE CONTENTS OF YOUR WILL PLEASE CONTACT US ON THE ABOVE TELEPHONE NUMBER AND WE WILL BE PLEASED TO ASSIST

Please Use Block Capitals and feel free to add further pages if there is insufficient space for your answers. If you do this, please mark it clearly which sections you are continuing from.

Please remember that a new Will revokes (i.e. cancels) any Will previously made. Please send us any previous Will and/or Codicil. Try to ensure that your current Will is up to date. If there have been changes to your family or assets, or you have (re)married, divorced, separated or started cohabiting, your Will may not accurately reflect or provide for your new circumstances and may need to be altered. It is not always necessary to completely redraft your Will if you need to make minor changes. This can be done by the addition of a Codicil, which merely amends a particular part of your Will. We will be happy to take instructions from you in the future if you need to do this.

Marriage automatically revokes a Will unless that Will has been made expressly “in contemplation of marriage” to a named person.

In the event of a divorce, a Will remains valid but the former spouse “drops out”. He/she would not take any gift under the Will and such a gift would instead pass to the person(s) names as substitute beneficiaries. His/her appointment as executor is also cancelled.

Inheritance Tax

This is chargeable on your net estate and is payable at 40% on estates over approximately £325,000 (the IHT threshold often changes) or £650,000 for a married couple as long as the first person to die leaves their entire estate to their partner. If your estate is valued at least this much or could be in the future, it is worth considering the fact that your beneficiaries will have to make this payment on your death, thus reducing the amount left to them.

Please note that this firm is not able to provide you with specific tax planning advice and if you require this, we suggest you speak to your accountant or a tax specialist.

1. Your Personal details

Surname:		Title:	Mr/Mrs/Miss/Ms/Dr/
Forename(s):			
Are you known by another name?			
Address:			
Date of Birth:			
Place of Birth:			
Telephone number	Home:		
	Work:		
	Mobile:		
Email address:			
Marital Status: (please circle)	Single Civil Partnership	Married Cohabiting	Separated Planning marriage Divorced Widowed
Date of Marriage/Divorce/ Civil Partnership:			
Do you wish to be buried, cremated or left to medical research?			

If you have any preferences regarding burial/cremation or any hymns to be played at your funeral, please ensure your next of kin and/or executors are aware of these because your Will may not be located or read before your funeral.

If you wish to leave any part of your body for medical purposes, please ensure you tell your family and your doctor and carry a donor card.

2. Your Partner/Spouse's Personal details

Surname:		Title:	Mr/Mrs/Miss/Ms/Dr/
Forename(s):			
Are you known by another name?			
Address:			
Date of Birth:			
Place of Birth:			
Telephone number	Home:		
	Work:		
	Mobile:		
Email address:			
Marital Status: (please circle)	Single Civil Partnership	Married Cohabiting	Separated Planning marriage Divorced Widowed
Date of Marriage/Divorce/ Civil Partnership:			

3. Executors (& Trustees)

These are the persons who will ensure that the wishes contained in your Will are carried out. You should appoint a minimum of 2 (maximum 4) executors. Please choose them carefully. They can be your spouse/partner, a friend, business colleague or relative and should be responsible and trustworthy adults and it is advisable to choose people who will probably not predecease you. Please also ensure that they are aware you would like them to be your executors and have agreed to be so. The executor can also be a beneficiary under your Will.

It is advisable to also appoint a solicitor to deal with the legal side of the administration of your estate. If you wish to appoint the partners of NBM Solicitors as an executor, we would be pleased to accept such an appointment. Please remember that if your Will appoints a professional as your executor, they will be entitled to charge for their services and this will be paid for out of your estate.

Details of Executors	
<u>First Executor</u>	
Surname:	Title: Mr/Mrs/Miss/Ms/Dr/
Forename(s):	
Address:	
Occupation:	
<u>Second Executor</u>	
Surname:	Title: Mr/Mrs/Miss/Ms/Dr/
Forename(s):	
Address:	
Occupation:	
<u>Third Executor</u>	
Surname:	Title: Mr/Mrs/Miss/Ms/Dr/
Forename(s):	
Address:	
Occupation:	
<u>Fourth Executor</u>	
Surname:	Title: Mr/Mrs/Miss/Ms/Dr/
Forename(s):	
Address:	
Occupation:	

Alternatively, or additionally, would you like the partners of NBM Solicitors to act as one or more executors? If yes, please tick the box

4. Children

Please identify all your children (whether dependant or not) so that your Will can adequately provide for them if necessary. As mentioned above, if there is a particular reason why you do not want someone to inherit under your Will, you are advised to make this clear from the start. The reason for this is because that person may be entitled to make a claim against your estate after your death. A letter kept with your Will explaining your intentions and reasons behind excluding a potential claimant can be used as clear evidence after your death in the event of a claim being made. However, if this applies to you, we strongly advise that you speak to us first to discuss Inheritance Act provisions.

The law provides that any reference to a child or children in a Will includes adopted and illegitimate children. It is our standard practice to draft Wills in these broad terms, unless we receive specific written instructions to the contrary. If you wish to limit gifts to children in any way, we suggest you discuss this further with us. A child who is related to you and who is excluded under a Will may be able to mount a claim under the Inheritance (Provision for Family Dependents) Act 1975.

Details of Children		
Full Name:	1.	
	2.	
	3.	
	4.	
Dates of Birth:	1.	
	2.	
	3.	
	4.	

Other Dependants		
Full Names:	1.	
	2.	
	3.	
Dates of Birth:	1.	
	2.	
	3.	
Address:	1.	
	2.	
	3.	
Relationship to you:	1.	
	2.	
	3.	

5. Guardians

You will appreciate that circumstances may arise in which guardians will be needed for your children if they are under the age of eighteen. These are invariably friends or relatives. It is possible to appoint an executor as a guardian. Whoever you choose to appoint, be sure to discuss your wishes with them first to ensure that they are prepared to take on the responsibility. Please note that if your children's other parent is still alive then their right to parental responsibility may over-ride your wishes. Furthermore, the Court has the final decision regarding the appointment of guardians.

Details of Guardians	
<u>First Guardian</u>	
Surname:	<input type="text"/> Title: Mr/Mrs/Miss/Ms/Dr/
Forenames	<input type="text"/>
Address:	<input type="text"/>
	<input type="text"/>
<u>Second Guardian</u>	
Surname:	<input type="text"/> Title: Mr/Mrs/Miss/Ms/Dr/
Forenames:	<input type="text"/>
Address:	<input type="text"/>
	<input type="text"/>
<u>Third Guardian</u>	
Surname:	<input type="text"/> Title: Mr/Mrs/Miss/Ms/Dr/
Forenames	<input type="text"/>
Address:	<input type="text"/>
	<input type="text"/>
<u>Fourth Guardian</u>	
Surname:	<input type="text"/> Title: Mr/Mrs/Miss/Ms/Dr/
Forenames:	<input type="text"/>
Address:	<input type="text"/>
	<input type="text"/>

6. Specific Gifts

If you are making a specific gift, please identify it accurately and clearly as failure to do so may mean the gift fails and that person will not receive it. Please also remember that if you bequeath an item to a beneficiary, but it is later sold, disposed of or destroyed during your lifetime, the gift may fail and your executors may not be able to comply with your original intentions. The beneficiary would not receive a cash equivalent.

It is conventional for your specific gifts to be paid “free of tax”. This means that if any inheritance tax is payable on your estate, the individual recipient will not pay this but it will be paid from the residue. Your Will will be drafted stating gifts are “free of tax” unless you instruct us in writing to the contrary.

If you wish to make any gifts of money, state how much and to whom:

If you wish to make any gifts of specific items, clearly state what and to whom. If you are unclear or ambiguous about the item, the gift may fail and your wishes may not be able to be carried out:

7. Residue of Estate

After providing for any specific gifts of money and/or items, you must decide who is to inherit the rest of your estate. Please state below the full name(s), address(es) and relationship(s) to you of these persons. If two or more persons are to inherit your residuary estate but in unequal shares, state what share each is to inherit.

You should provide for the possibility that the person(s) named above may die before you. State below the name and address of the person(s) who are to inherit their share of your residuary estate in such circumstances.

At what age can any children take their capital shares? (people often choose 18, 21 or 25)

Do you want a survivorship period? (i.e. a beneficiary only inherits if he/she survives you by a specified period of up to 6 months. We would suggest that in most cases a period of at least one month is sensible.)

If you have made any gifts of reasonable size (over £3,000) to anybody within the last 7 years, please state below to whom and how much. If you make any lifetime gifts (known as *Potentially Exempt Transfers (PETs)*) within 7 years of your death, these can be added on to your net estate and inheritance tax may be chargeable on the gift payable by the Transferee.

8. Financial Information

ASSETS:					
Property & value (£):					
Savings & Investments:					
Valuable Items:					
Other Assets:					
Policies:					
Company	Policy No	Policy Holder	Type	Sum Assured	Maturity Date
Are any of the Policies in Trust or assigned to anyone? If so, state which ones and to whom:					
Pensions:					
Pension (Private/Company):					
Pension (Private/Company):					
LIABILITIES:					
Mortgage:					
Loans:					
Other debts:					

If you own property jointly with someone else, then often only your share will be taken into account when assessing your assets after your death. If you own land/property with someone, you will hold it either as joint tenants or tenants in common. If it is as the former, then your share will automatically pass to the other party. If you hold the property as tenants in common, your share will pass to your beneficiaries in accordance with your Will. This can be very important if you are making a bequest to someone which can only be paid for from the sale proceeds of the house or, for example, if you wish all or some of your estate to pass to your children from a previous relationship rather than your current partner. Please feel free to discuss your wishes with us.

If self-employed, it is important your Will states what should happen to your business after your death, i.e. who is to inherit it and/or manage it. The powers of your executors to run your business are limited and we recommend you bequeath the business by specific legacy. Please contact us if this applies to you.

I confirm that I have completed this form to the best of my knowledge and ability and instruct NBM Solicitors to draft a will based on the information herein for the fee detailed on their website.

Signed

Dated