

A simple Guide to making your will.

When you choose to make your will you'll find lots of guidance and explanatory notes on the screens as you go along. A legal representative will revise the will and of course be in contact and will be able to advise you on anything you're unsure about. But we know you might want to do some preparation in advance, and this guide outlines everything you can expect to be asked as part of the online interview. We have also included a glossary of terms you may come across on your journey to help de-mystify the process.

The online interview - everything you'll be asked:

Creator of the will

You will be asked if you're making the will yourself, or with someone else's help. If someone is helping you, you will be advised on how you can both protect yourselves.

Your personal Information

In order to make your will, there is a need to ask you for personal information and use it in particular ways. In this section of the form, it explains this in greater detail and asks you to consent to using your answers.

Your will

You will be asked to confirm that you understand what making a will means. You will also be asked if you are planning to leave anyone out of your will who would expect you to make provision for them.

Sight and reading impairment

You will be asked if you are blind, unable to see or unable to read so that an additional clause at the end (saying that the will has been read through to the testator) can be added if needed.

Age

You must be at least 18 to make a valid will unless you are on active military service. If you are over 70 you will see a note about the precautions, you can take to demonstrate you have the required capacity to make your will.

Sex

This question is simply so that the finished will correctly uses terms such as "his" and "her", and so on.

Children

You will be asked if you have children and whether any are under 18. You will also be asked whether you have any stepchildren and, if you do, whether you would like to include them when you refer to 'children'.

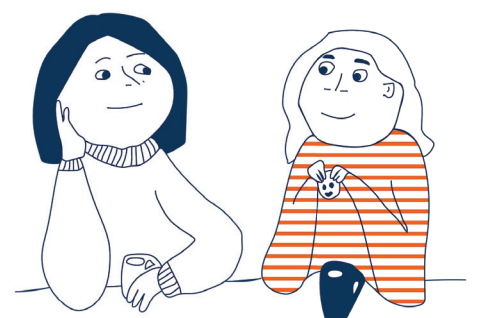
Testamentary capacity

There will be questions relating to your physical and mental well-being to identify any issues that may prevent you understanding the nature and effect of your will when you make it.

Value of your estate

You will be asked for an estimate of the current value of your estate. You can get a figure by adding up the value of all your assets and then taking away the total value of any liabilities you may have.

The prompt sheet should help you with this.



Assets Table

ASSETS	VALUE (£)	VALUE OF YOUR SHARE (IF YOU ARE NOT SOLE OWNER)* (£)	TOTAL (£)
Your main home			
Other property(ies)			
Car(s)			
Money in bank accounts, savings accounts and so on			
Investment account(s)			
Jewellery			
Other valuable items			
Business interests			
Personal possessions			

*If you own an asset jointly with your spouse, partner or other person, treat it as being in equal shares, for this purpose only.

LIABILITIES	VALUE (£)	VALUE OF YOUR SHARE OF THE LIABILITY (IF NOT SOLELY RESPONSIBLE) (£)	TOTAL (£)
Mortgage(s) outstanding			
Loans outstanding*			
Other debts and liabilities**			

*Include such things as finance arrangements on a car, furniture, and so on.

**Include such things as tax liabilities, court judgments, money owed to contractors, and so on.



Your status

You will be asked if you are married, a partner in a civil partnership or single. If you are married or in a civil partnership, you will be asked for the name and address of your spouse or civil partner. In the case of marriages, you will be asked if the marriage is a same-sex marriage.

Funeral wishes

You will be asked if you have any wishes in relation to your funeral. For example, you can specify if you wish to be buried or cremated, or if you want your body to be donated to medical science.

You could also ask for funeral donations to be made to a charity.

Notes on Funeral wishes

Guardians

If you have children under 18 you need to appoint guardians. You'll need the full name and address of anyone you wish to appoint, and you can choose to also appoint substitute guardians in case your first choice of guardians is unable to act when the time comes.



Notes on Guardians

Gift of assets and personal possessions

You will be asked if you want to give specific assets or possessions to particular people. You will need to include a description of each item you wish to give away, the name and address of each recipient and their relationship to you (if any)

Notes on personal possessions



Gift of land, buildings, and so on

You will be asked how you want to leave property such as buildings or land. Whatever you want to do with any property, you will need to have the address and ideally the title number at the Land Registry.

Notes on gifts of land and building

Gifts to charities

Many people choose to continue their support for the causes they care about by including a gift to one or more charities in their will. You can leave a cash gift, a percentage of your estate, or both. All you need is the name of the charity or charities and ideally the charity number. We have included our name and charity number for ease of reference should you decided to leave a gift to Meningitis Now.

Notes on gifts for charity/Charities

Meningitis Now Registered charity number: 803016

Cash gifts

You can choose to leave gifts of money to people in your will. For each gift you wish to make, you need the amount the person is to receive, whether the gift is to be free of inheritance tax, the full name and address of the recipient, and their relationship to you (if any).

Notes on cash gifts

Gift of residuary estate

Your residuary estate is anything left in your estate that you have not already dealt with elsewhere. You can choose for your residuary estate to pass to either of the following, or a combination of both:

1. gifts to specific beneficiaries, or a class of beneficiaries (for example siblings, nieces and nephews and so on)
2. a discretionary trust for a wide range of beneficiaries.

You will need the full name and address of any specific beneficiaries, their relationship to you (if any), the proportion of the estate you're leaving them and whether they're to receive it outright or as a life interest.

If you're creating a trust you just need the class of beneficiaries or, if the trust is for specific people, the full name and address of each person and their relationship to you (if any).

Gift of tax-free allowance: If you are married or in a civil partnership and have left your residuary estate to your spouse or civil partner, the interview will ask you whether you wish to include a gift of your tax-free allowance.

Survivorship provision: If you are married or in a civil partnership, you will be asked if your spouse or civil partner is older than you and if you have left your residuary estate to them to allow the correct taxation to be calculated.

Receipts for gifts to minors: If a recipient of a cash or specific gift is under 18, you can specify that their parent or guardian is authorised to give a receipt on their behalf, or that they can do so themselves if they have reached 16.

Notes on residuary estate

Executors

Your executors will have the legal authority to act on your behalf, once you die, to finalise your affairs and to ensure that your estate is distributed in accordance with your will.

You can choose anyone who is over 18 and of sufficient mental capacity, and you also have the option to appoint one of our law firms or solicitors. If you only select individuals, you will also be asked if you wish to appoint a substitute executor.

You will need the full name and address of anyone you wish to appoint.

Notes on executors

Letter of wishes

A letter of wishes is an informal document that sits alongside your will to give some additional guidance on your wishes to your executors and trustees, and any guardians you've appointed for your children.

Notes on letter of wishes



Glossary

Assets: The property, money, investments, and possessions owned or partly owned by the deceased at the date of death. It also covers amounts which would become payable on death (such as life insurance cover). Assets go to make up the **estate**.

Beneficiary: A person who will receive a legacy or a share in the estate of someone, by being either mentioned in a will or entitled under the rules of intestacy.

Civil partnership: A legally recognised relationship between two people, which is distinct from marriage but carries the same rights in respect of inheritance, property and so on. At the moment, civil partnerships can legally only exist between people of the same sex.

Discretionary trust: A trust in which the **trustees** have some control on how or when the property held on trust is distributed to the **beneficiaries**. The degree of control depends on the nature and amount of discretion given to the trustees.

Estate: A general term for the **assets** and **liabilities** together - everything that belonged to the deceased, or which was owed to them (or would be owed to them on death), together with everything that the deceased owed or is to be paid on their death.

Executor: A person named in the will of a deceased, with the responsibility for administering the estate. The grant of probate will be made to the executor(s).

Guardian: A person who provides day-to-day care for a child under 18 both of whose parents (or those with parental responsibility) have died. They also make important decisions about that child's upbringing; from education and welfare to religion and medical treatment.

Inheritance Tax (IHT): A tax paid on an individual's estate which is worth more than £325,000 when they die. There are a number of exemptions and reliefs from inheritance tax including any charitable gifts.

Land registry: A non-ministerial government department that registers the ownership of land and property in England and Wales.

Letter of wishes: A document that accompanies a will and sets out the testator's wishes and guidance to their executors on what should happen after their death. A letter of wishes is not legally binding.

Liabilities: The debts owed by the deceased on their death, including any credit card payments, mortgage, and other things that the **estate** would be liable to pay.

Mental capacity: Being able to make your own decisions. Someone without mental capacity is unable to make their own decisions due to an illness or disability.

Residuary estate: The estate that remains after all debts and liabilities have been paid, and (if there was a will) all specific gifts have been made over to the relevant beneficiaries. May also be referred to as the 'residue'.

Tax free allowance (nil rate band): The inheritance tax-free allowance is currently set at £325,000. If an estate is worth less than this, there will be no **inheritance tax** to pay.

Testator: A person who makes a **will**.

Trustee: The person (or it can be a corporate body) who holds legal ownership of property held on trust and is responsible for the administration and distribution of the trust property to the beneficiaries.

Will: A binding testamentary document that allows a testator to appoint executors to administer their estate and dispose of it to the beneficiaries chosen by the testator.

