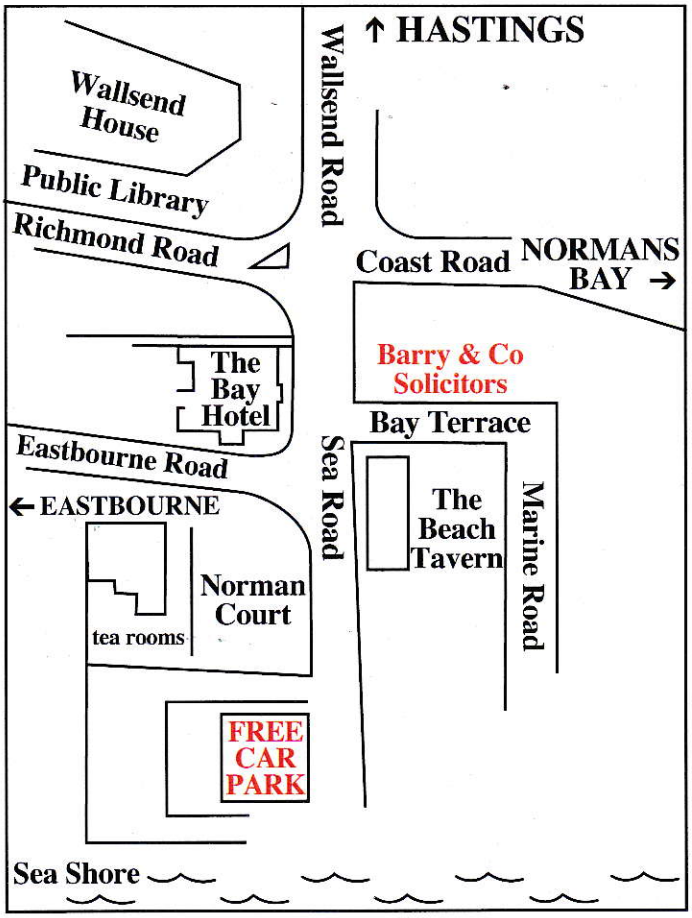
BARRY & CO.

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HAVE YOU MADE A WILL?

BARRY & CO.
Telephone (01323) 766370/768382

Office hours: Mon-Fri
9.00am - 1.00pm
2.00pm - 5.00pm
Home appointments can be arranged.

Email: info@barryandco.org

Conveyancing Quality

This brochure is not intended as an exhaustive statement of the Law, it is prepared as a guide only and professional legal advice should always be sought from a Solicitor on such matters and on the preparation of any document(s) intended to have legal effect.

WHY MAKE A WILL?

Many people ask the above question, but making a Will is important, and therefore should be dealt with after careful thought and consideration. A number of questions may arise when contemplating making a Will, and we hope that the following information may provide some of the answers.

WHAT IS A WILL?

A Will is a legal document made to ensure that a person's wishes are carried out after their death.

WHAT HAPPENS IF I DIE WITHOUT LEAVING A WILL?

Because of the rules of intestacy, your estate will not necessarily pass to the person(s) you may wish. For example, a Widow may find that she is compelled to sell the family home to comply with the rules of intestacy.

WHAT IF I HAVE NO FAMILY AND DIE WITHOUT LEAVING A WILL?

If you die without leaving a Will, and have no family, or relatives, your entire estate will probably revert to the state.

COULD A WILL ENSURE THAT MY INFANT CHILDREN ARE BEST PROVIDED FOR SHOULD MY PARTNER AND I BOTH DIE?

Yes, by appointing Trustees to look after your estate until your children are adults, you can ensure that your children are properly provided for. Also YOU may wish to appoint a guardian to care for your children during their infancy?

MY HUSBAND/WIFE HAS MADE A WILL, IS THERE ANY NEED FOR ME TO MAKE ONE AS WELL?

Yes, you and your partner should each have your own Will because the rules of intestacy apply to each of you, in the same way, if either of you have not made a Will.

I HAVE RECENTLY MARRIED/REMARRIED. I HAVE AN EXISTING WILL. IS THERE ANY NEED FOR ME TO MAKE A NEW ONE?

Yes, any Will made before your marriage is invariably null and void, and if you have separated, or divorced, since making a Will, it is very likely that a new one will need to be made to comply with your new circumstances.

ONCE I HAVE MADE A WILL, IS THERE ANY NEED TO EVER MAKE ANOTHER?

It is not always necessary, but it is sensible to look at your Will from time to time to ensure that it still complies with your wishes and circumstances, and probably best to seek advice from a solicitor.

IS IT NECESSARY TO INSTRUCT A SOLICITOR WHEN MAKING OR CHANGING A WILL?

It is sensible to seek the advice of a solicitor when making a Will. Home made Wills may not be valid at all, or may not (in legal interpretation) put into effect your true intentions.

WILL MY FAMILY HAVE TO PAY INHERITANCE TAX ON MONEY RECEIVED FROM MY ESTATE?

Possibly so, however, by framing your Will in a particular way, Inheritance Tax may be reduced.

WILL THE ADMINISTRATION OF MY ESTATE TAKE LONGER IF I HAVEN'T MADE A WILL?

In almost every case, the time taken to administer your estate, if you have not made a Will, will be longer, and this may cause hardship to beneficiaries. It may also cause further hardship to the beneficiaries because no one will have proper authority as from the date of death to attend to your affairs, as would be the case had you made a Will and appointed Executors and Trustees accordingly.

HOW MUCH WILL IT COST?

The usual fee per Will is £145 + VAT

IN SHORT, MAKING A WILL WHEN YOU HAVE THE TIME AND COMPOSURE IS GOOD SENSE, TO ENSURE AMONGST OTHER THINGS THAT:-

1. THE PERSONS YOU WANT TO BENEFIT, BENEFIT, AND NOT SOMEONE ELSE.

2. THOSE PERSONS BENEFIT WITH THE MINIMUM OF DELAY; AND THERE IS NO UNCERTAINTY AS TO THE EXTENT OF THEIR ENTITLEMENT.

3. INHERITANCE TAX, SO FAR AS POSSIBLE, IS MINIMISED TO SAFEGUARD YOUR ESTATE FOR THOSE YOU WISH TO RECEIVE IT.

4. YOUR PARTNER AND FAMILY, IN PARTICULAR INFANT CHILDREN, ARE PROPERLY PROVIDED FOR.

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