UK-CSMwil29

Will template: lifetime beneficial interest for spouse, partner or dependent

Last Will and Testament

1. I, [full name] of [home address] revoke all earlier wills and declare this to be my Last Will and Testament.

2. Interpretation

In this will, unless the ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ :

"Beneficiary"	means any person who is entitled to the income or capital of a Trust Fund either unconditionally, ■ ■ ■ ■ , ■ .
"Guardian"	means a guardian of any child, whether ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ .
"Personal Possessions"	means physical goods of any description.
"Personal Property"	means all things capable of ownership, including Personal Possessions, intellectual property, and financial instruments ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ . ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ .
"Property"	means all things capable of ownership, including ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ .
"Trust"	means any trust made by me, arising under my ■ .
"Trust Fund"	means all real property and Personal Property in the control of my trustees and held ■ .
"Trust Money"	means money contained in any Trust Fund ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ .
"Trust Property"	means any property contained in a Trust ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ .

3. **I appoint** as my executors and trustees:

my [husband/wife/■ ■ ■ ■], [■ ■ ■ ■];

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AND/OR

my [son/daughter], [name];

AND/OR

my friend, [name];

AND/OR

my [accountant] [name] ■ ■ ■ ■ [■ ■ ■ ■ ■ ■ ■ ■].

If any executor is unable or unwilling to act or dies before proving my ■ ■ ■ ■ , ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ [■ ■ ■ ■]

OR

[any child or children of mine] as executor in [■ ■ ■ ■ / ■ ■ ■ ■] ■ ■ ■ ■ .

4. **[If my [wife / husband / partner] dies** before me] I appoint [name] of [address] and [name] of [address] as Guardians of any of my children under eighteen years of age.

5. **I make** the following gifts of money:

5.1. £10,000 to each of my [■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■]:

[Name 1]

[Name 2]

[Name 3]

5.2. £5,000 to my ■ ■ ■ ■ [■ ■ ■ ■]

6. **I make** the following gifts of Personal Property:

6.1. to my [relationship and name], my [■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■]

6.2. to my [relationship and name], my [■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■]

6.3. to my [relationship and name], my [■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■]

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7. **I make** the following gifts of real property:

7.1. to my [relationship and name], my [field at [precise address]], in the hope that [redacted].

7.2. to my [relationship and name], my [share in] [redacted] [[redacted]]

8. **I give to my [wife / husband / partner]** all my remaining Personal Possessions.

9. **I give all the remainder** of my property, including my real property and my Personal Property, to my trustees to pay all the expenses of my estate and all my debts, including any mortgage and taxes due whether as a result of my death or otherwise. My trustees shall then hold all such remaining property (my "Trust Fund") on the following trust:

EITHER

the whole of the Trust Fund for my [wife]/[husband / partner] [redacted] [[redacted]]/[[redacted]] [redacted] / [redacted] 60 [redacted] / [redacted].

OR

the whole of the Trust Fund for my [wife / husband / partner] [redacted] [[redacted] / [redacted]] [redacted] [[redacted] / [redacted]] [redacted], [redacted]:

- to my brother [name]: 20%;
- to each of my grandchildren, [redacted]: 60 %;
- to each of my nephews and [redacted], [redacted]: 20 %.

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10. **If, when the youngest of my children** reaches the age of [18], my [wife / [redacted].

OR

11. **For the purpose** of this paragraph only, the expression “my trustees” shall exclude my [wife / husband / partner]. If my [wife / husband / [redacted].

12. Trust provisions

12.1. The following provisions [redacted].

12.2. A provision shall apply to any discretionary trust fund only [redacted].

13. General power and intention

The Testator intends that the Trustees shall [redacted]:

13.1. do anything which is [redacted]

13.2. exercise their powers for [redacted].

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14. Relationship with Beneficiaries

Trustees may:

14.1. appropriate Trust Property to [redacted];

14.2. decide not to hold [redacted].

14.3. acquire for any purpose [redacted];

14.4. pay taxes and other expenses [redacted];

14.5. apply accumulated income [redacted];

14.6. permit a Beneficiary to occupy or enjoy the [redacted]. [redacted];

14.7. lend Trust Money to [redacted], [redacted];

14.8. charge Trust Property [redacted];

14.9. pay Trust Money to a [redacted], [redacted];

14.10. transfer Trust Property to a Beneficiary absolutely.

15. Wide powers to manage the Trust Fund

Trustees may generally manage the Trust Fund as if it was their own money and property [redacted]. [redacted], [redacted]:

15.1. invest Trust Money in [redacted], [redacted];

15.2. decide not to diversify the Trust Fund;

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15.3. carry on a trade previously carried [redacted] ;

15.4. operate a company [redacted] ;

16. Real property acquisition and management

Trustees may:

16.1. acquire, dispose of [redacted] ;

16.2. acquire real property jointly with any person;

16.3. repair, maintain, develop or improve real property; [redacted] .

17. Other powers

A trustee may:

17.1. transfer Trust Property to any person [redacted] ;

17.2. carry on the [redacted] ;

17.3. appoint foreign trustees to administer foreign Trust Property on [redacted] ;

17.4. pay tax liabilities of the Trust ([redacted]) [redacted] ;

17.5. indemnify any person [redacted] ;

17.6. charge Trust Property as [redacted] ;

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17.7. by deed release any of [redacted].

18. Children under 18 years of age

18.1. Any gift to a young person should be [redacted] 18 [redacted] 25 [redacted].

18.2. Where trustees may spend income for the benefit of a child under the age of 18 years, they may do so by paying [redacted], [redacted] 16. [redacted].

18.3. Where trustees may spend income for the benefit of [redacted], [redacted].

18.4. Any reference to [redacted], [redacted].

19. Liability of trustees

A trustee:

19.1. shall not be liable for a [redacted].

19.2. [redacted], [redacted].

19.3. [redacted].

19.4. [redacted], [redacted]

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[redacted], [redacted].

20. Other Trust provisions

20.1. [redacted], [redacted], [redacted].

20.2. [redacted], [redacted], [redacted].

20.3. [redacted] ([redacted]) [redacted], [redacted], [redacted], [redacted]. [redacted], [redacted], [redacted].

20.4. [redacted].

20.5. [redacted] 11 [redacted] 1996 ([redacted]) [redacted]. [redacted].

21. Accounts

21.1. [redacted], [redacted], [redacted]

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[redacted].

21.2. [redacted].

21.3. [redacted].

[redacted], [redacted].

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22. **If any person** to whom a gift is made or any entitlement arises under this my will, whether at the date of my death or at any later time, should die before becoming entitled, leaving children, then those children shall receive between them the gift or entitlement which would have been due to their parent.

23. **If any person,** being one of a class of people, to whom a gift is made or any entitlement arises under this my will should die before me, leaving no children, then the gift or entitlement which would have been due to that person shall be divided among the remainder of the beneficiaries in that class. If there are no other beneficiaries to constitute a class, then the gift or entitlement shall be treated as part of my residuary estate.

24. **I direct** that if any of my beneficiaries, other than my own children, shall be a child at the date of my death then the share of my estate which would have been given to that child shall instead be given to his or her parent absolutely.

OR

[redacted]

25. [redacted]

OR

[redacted]

26. **Any reference** in my will to a “partner” is a reference to a person with whom someone is living at the date of my will, and implies no business relationship. If I refer to a wife or husband as a Beneficiary, I wish to include any person who has lived as if married to a beneficiary for a minimum of two years.

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27. **An executor or trustee,** who is in business or is a director of a company in business, may charge for work done by him or his firm or company, in connection with the winding up of my estate and the administration of any trust including work not necessarily requiring professional assistance.

28. **I wish my body** to be buried at [place]

OR

[redacted] [redacted].]

OR

[redacted] [redacted]. . .]

OR

[redacted] [redacted] [redacted], [redacted] [redacted. . .]

Date signed:

[redacted], [redacted].

Signed by testator:

Witness 1 Name:

Address:

Witness 2 Name:

Address:

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Example letter of intent

[redacted]: [redacted], [redacted].

[redacted]. [redacted], [redacted], [redacted].

[redacted]. [redacted]. [redacted], [redacted] ([redacted]) [redacted].

****

To my family and my executors

[redacted]. [redacted]. [redacted], [redacted], [redacted], [redacted].

1. [redacted] [redacted], [redacted] [redacted/redacted/redacted] [redacted] [redacted/redacted] [redacted] [redacted/redacted] [redacted]. [redacted], [redacted]. [redacted], [redacted] [redacted/redacted/redacted] [redacted] [redacted/redacted] [redacted].

2. [redacted] 21, [redacted]. [redacted], [redacted]

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[redacted].

3. [redacted]. [redacted], [redacted].

4. [redacted]. [redacted], [redacted]/[redacted].

5. [redacted]. [redacted], [redacted], [redacted]. [redacted], [redacted]. [redacted], [redacted]. [redacted].

   [redacted], [redacted]. [redacted].

6. [redacted], [redacted].

Dad

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Explanatory notes:

Will template: lifetime beneficial interest for spouse, partner or dependent

General notes

1. Links to articles on our website

These notes should contain the information you need to complete your will. We hope we have provided the right balance of detail to length. However, we know some people will want some extra information and therefore within these notes we refer to our online guide, which can be found on our website at http://www.netlawman.co.uk/ial/writing-a-will.

2. Names and relationships

Use your full name

Use full names throughout the document. Do not use abbreviations. For example, when naming yourself, use "William" instead of "Bill" if "[redacted]" [redacted].

If you have the same name as [redacted]

If there could be confusion as to whom you refer, (for example, perhaps father and son share names and live at the same address), distinguish people by adding the full names of their parents, for example "[redacted], [redacted]".

Aliases

If you have ever used a name that is not your true name, mention that name as "also known as" after your name. For example, "[redacted], [redacted]".

Naming professional advisors

If you nominate a professional advisor as an executor or trustee, you can either name a person specifically, or instead name a position at a company or partnership. For example, "George McEwan of McEwan & Co., 27 Leadbetter Street, London, W1 3GL" or simply "an accountant employed by McEwan & Co., 27 Leadbetter Street, London, W1 3GL". [redacted], [redacted], [redacted].

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Specify relationships as well as names

Describe beneficiaries by their relationship to you, and give their full name and their address. For example: "My niece Annabel Robinson of 44 Acacia Avenue, Upper Downtown, SP 564QX". This will help your executors to contact them easily and immediately. But don't worry about new [redacted] - [redacted].

Classes of people

You can name a class of people, instead of individuals. For example, "My nieces" is fine. The members of the class should be identifiable. Using a vague description, such as "All the people who worked with me at Clerkenwell [redacted]." [redacted].

A second point to note is that membership of the class of people applies as at the date of your death. "My nieces" is fine if you really only want to leave gifts to your nieces. But that description won't include any nephews who are born between the date of your will and the date of your death. Even if you don't have any nephews when you write your will, you may still [redacted] " [redacted] " [redacted].

Adopted family members

The Law provides for any group defined by relationship to include members who are in that group through adoption. It is not only that beneficiary who is affected by this rule. It applies [redacted].

Step children and the family of non- [redacted]

Step children and relatives by marriage are not taken as being automatically included in a class. For example, a reference to the class "my children" will not include your second husband's children regardless of your emotional relationship. If you want to include your step children or your wife's niece as a beneficiary, you will have to say so explicitly, for example "my children and the children of my husband and his first wife". Of course, if such a person was supported by you as a [redacted], [redacted] " [redacted] " [redacted] ([redacted]) [redacted] 1975
.

3. Gender of nouns

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We follow the modern convention of referring to people in the will in the masculine version of a noun. For example, we use "testator" instead of "testatrix" and "executor" instead of "executrix" regardless of the gender of the testator. If so desired, you can change the gender of these nouns to match the gender of the role holder, [redacted]. [redacted].

4. Inheritance tax

Inheritance tax can cut a broad swath of value from your estate above the threshold. What you write in your will, to some extent, can ([redacted]) [redacted].

Further information about the current nil rate band can be found at https://www.gov.uk/guidance/inheritance-tax-residence-nil-rate-band.

Use of tax avoidance schemes

Many will writers sell their services based on their ability to avoid your estate paying tax. They make use of loopholes in the system. They claim that the high cost of their service [redacted] 'saving' [redacted].

Our policy at Net Lawman is to avoid any such scheme. The primary reason is that tax law changes regularly, and a valid scheme at the time you write your will may be closed by the time you die. If so, at best [redacted]; [redacted], [redacted].

A Net Lawman will is designed to give you control over to whom your assets are passed, rather than to help you minimise inheritance tax. However, we do help you to use allowances and exemptions. So in paragraphs that impact on inheritance tax, you can be sure that while we are reducing the tax payable on your [redacted], [redacted].

Who pays the inheritance tax?

It is possible to specify that inheritance tax is to be payable “out of” a specific gift, so that the receiver of that gift gets less than what you give or, if the gift is [redacted], [redacted].

In most cases, Net Lawman wills do not provide for tax to be payable out of a gift. In addition to not knowing what the rate of tax will be on your death or

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what will be the personal circumstances of your beneficiaries (whether they will be able to find the money to [redacted]), [redacted] .

Your only consideration will therefore be to remember that any tax liability will be payable out of [redacted] .

5. Letters of intent

Your will is a legal document. To be valid in a court of law (obtaining probate is technically a court procedure), it must be written in a certain [redacted] , [redacted] .

However, some of the things you want to say are best not said in your will - for any number of reasons. These things could be wishes or instructions to your executors, guardians or beneficiaries. You can do this by leaving one or more "letters of intent". [redacted] .

Make sure you do not attach anything, including a letter of intent, to your will (even by paperclip). If it is [redacted] , [redacted] .

Some of the things you might write about in a letter [redacted] :

Wishes as to your children's upbringing

You may want to set out arrangements for your children in a letter to the [redacted] .

Confidential information

You might want to tell executors or family members about passwords, identities and other information which will enable access to your bank account and other assets. Or you might want to tell [redacted] .

How to use a gift

You might want to tell a particular beneficiary how you would like him [redacted] .

Care of a pet

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You may wish to name who you would prefer to care for your dog, cat or other pet and specific details about [redacted].

Remember that whatever you say, it is not [redacted].

6. Trust powers and provisions

A trust can be created in different ways and for many different purposes. They aren't created only in wills. The powers and duties of trustees of any sort of trust are set out in the Trustee Act 2000. The Act provides strong protection for a beneficiary whose interest may otherwise be trodden under foot by some person or organisation who is quite unrelated to him. However, it is widely acknowledged that these powers and restrictions are less appropriate for use in most wills, [redacted].

The Society of Trust and Estate Practitioners (“STEP”) has published its own preferred set of trustee powers and restrictions ("STEP provisions"). These are wider and more flexible than those under the Trustee Act 2000, but in our view the language is not always very clear and, more importantly, the STEP provisions still do not give the flexibility required when you are dealing with your own close family. The Net Lawman provisions have been drawn very carefully to provide what [redacted]. [redacted] 50 [redacted].

Amending trust powers in a Net Lawman will

Because the Trustee Act provides the default position on very many issues, many of the trust provisions in this will are drawn specifically to cancel or reverse what would otherwise apply. It is important that you do not delete [redacted].

If you appoint a professional executor, such as accountant or solicitor or trust company, he will wish to avoid any accusation of negligence by careful avoidance of any action which over-steps the law. It follows that if you delete any of these trust powers, the result will be that the power deleted will not be used. On the other hand, if your trustees are [redacted], [redacted].

7. Marriage and divorce

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When you marry, any existing will is automatically revoked and becomes invalid. Most people write [redacted].

In anticipation of marriage

However, you can make a will before you marry expressed to be "in anticipation of marriage". If it is quite clear that you intend it to take effect after you have married, then it will be valid after you have married. You can make it take effect either only after you [redacted], [redacted]. [redacted].

On divorce

If your marriage is ended by a court order (like divorce or annulment) your will is not void or invalid. What happens is that any gift to your former spouse takes effect as if he had died on the date your decree became absolute. That usually means the gift falls back into residue for the benefit of the residuary beneficiaries. It follows that if you had left everything to him, then the effect is [redacted] ([redacted]). [redacted], [redacted].

8. The importance of correct signing ("attestation")

Signing and witnessing your will is critically important. It is a good idea to arrange the format of your will so that all the signatures are printed out on a single [redacted].

Your will must be signed:

- By you, in a state of understanding so that you know exactly what you are signing [redacted].

  If there is a possibility that your will might be contested after your death on grounds that you were not sound of mind when you attested it, [redacted].

  Do not drink alcohol or take drugs that could affect your judgment [redacted].

- In the presence of two witnesses who must both be present at the same time, when you sign [redacted].

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A witness must not be a relative of yours nor any person who may benefit under your will (including a spouse or a partner [redacted]).

Each witness must clearly print his name and address by hand. They should not sign illegibly. Unlike signing to prove identity where a unique mark is required, signing a [redacted].

The witnesses do not need to know anything about the contents of your will, or even that the document is a [redacted], [redacted].

Correct attestation is such an important part of creating a will that we encourage you to read our longer article on the subject: http://www.netlawman.co.uk/ia/sign-will.

9. Signing and page management

It is very important that you follow the correct procedure for signing your will and having [redacted]. [redacted], [redacted].

You can fasten the pages of your will together in any [redacted]. [redacted].

However, you must not:

1. fasten anything else to your [redacted], [redacted]
2. remove the pages of your will from their [redacted].

Any indication of something added or removed might give [redacted].

Despite that warning, the number of wills challenged each year on account of page issues [redacted]. [redacted] ([redacted]) [redacted].

Paragraph specific notes

Notes following the numbered paragraphs:

1. Revocation of earlier wills

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Except to edit your name and address, we suggest that you leave [redacted] .

Make sure you record your full name here. For example " [redacted] ".

Enter your home address including postcode. For example, "12 Wellington Street, Harrow, HA2 5RH ". [redacted] .

We have an article on http://www.netlawman.co.uk/ia/revoking-will that provides further information.

2. Interpretation

We advise no change to the definitions. Not only have these words been used very precisely in the text of your will, but each of them might be relevant [redacted] . [redacted] “ [redacted] ”. [redacted] 18 , [redacted] .

3. Executors and trustees

Executors

Simply put, your executors manage your estate after your death by collecting in all [redacted] , [redacted] .

How many executors?

You can appoint up to four executors. Unless your affairs are very complicated, requiring specialised knowledge, we suggest that three is [redacted] , [redacted] .

Who to choose?

Most people choose their spouse, their children [redacted] , [redacted] .

We advise against appointing banks as executors. After your death they simply instruct solicitors and put a hefty mark-up on what [redacted] . [redacted] , [redacted] . [redacted] .

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A solicitor may be fine, but he is a professional, doing a professional job. He is not in a position to assess family relationships or real life [redacted] . [redacted] , [redacted] , [redacted] [redacted] .

If the family get on well, stick to them alone in your choice of executors. [redacted] , [redacted] [redacted] .

Renouncing the position

Executors can renounce their position, so it is a good idea to ask each person in [redacted] .

Trustees

Trusts are created by your will, both when you specify that one is to be created, and when you make a gift to a child under 18 years old. Trustees manage any trust created on behalf [redacted] . [redacted] , [redacted] , [redacted] . [redacted] [redacted] .

There is no formal cut-off point between someone acting as an executor and him changing hats to act as a trustee. However, it is usual to refer to an executor until he has [redacted] , [redacted] . [redacted] , [redacted] .

Most people usually appoint the same people as both executors and trustees. You should consider carefully who will best represent [redacted] “ [redacted] ” [redacted] , [redacted] , [redacted] [redacted] .

Trustee powers

You must try to balance the powers you give to your trustees against the risk of negligence or fraud. The powers you give them to handle your money, to invest it, to buy and sell things, to give or lend it to beneficiaries, all relate to who they are. [redacted] , [redacted] . [redacted] , [redacted] . [redacted]

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[redacted], [redacted].

We have an article on http://www.netlawman.co.uk/ia/choosing-executors-trustees-guardiansthat might be useful further reading.

4. Guardians

This paragraph allows you to nominate guardians for your children under 18. It will only take effect when there is no-one else left with parental responsibility. [redacted], [redacted] 18, [redacted].

If you do not have children under the age [redacted] 18, [redacted].

In law, the role of the guardian is to make decisions about the welfare of the child. That does not have to include caring for [redacted]. [redacted], [redacted].

We have an article on http://www.netlawman.co.uk/ia/choosing-executors-trustees-guardians that might be useful further reading.

5. Gifts of money (legacies)

This paragraph allows you to specify exactly to whom you would like to leave gifts of specific amounts of money. You [redacted]. [redacted], [redacted].

Leaving gifts to executors

If you wish to leave a gift to your executor or trustee under your will for his personal benefit, state that the gift is given to them 'absolutely'. [redacted]. [redacted]: "£5,000 [redacted], [redacted]".

Important: Do not make a gift of money or possessions to a [redacted]. [redacted].

Abatement

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If the total sum of all the gifts of money you make in your will is more than you own at the time of your death, then those gifts will be abated (reduced). The rules on how this takes place (and who receives what) are specific but fairly complicated. [redacted] , [redacted] . [redacted] , [redacted] , [redacted] .

For example: You leave £10,000 to your brother John, £10,000 to each of your three children and any remainder to your cousin. You die with £30,000 in [redacted] . [redacted] . [redacted] £ 10 , 000 , [redacted] £ 20 , 000 . [redacted] .

If you wish to make gifts of large amounts to specific people, but can't be sure whether you have the value as cash it may be better to leave "half of [redacted] 10012123 " [redacted] . [redacted] , [redacted] .

Legacies and gifts to charities

A charity is just a “person” to whom you leave money. If you want to leave money to a charity, simply name the charity in the appropriate place in your will. Check the name carefully, enter it [redacted] ([redacted]) [redacted] . [redacted] , [redacted] , [redacted] ; [redacted] .

Some charities recommend specific wording to include in your will. This wording usually is phrased to discharge individual employees ([redacted]) [redacted] . [redacted] .

6. Gifts of personal property (bequests)

This paragraph allows you to give specific personal possessions to beneficiaries. Of course, you do [redacted] . [redacted] , [redacted] .

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“Personal Property” means all things capable of ownership, including personal possessions, intellectual property, financial instruments and choses in [redacted] ([redacted]). [redacted], [redacted], [redacted].

Describe items in sufficient detail [redacted]

When describing items, be specific so that the object(s) can be identified without doubt. For example, "my set of silver cutlery manufactured by J. W. [redacted] & [redacted]" [redacted]", [redacted], [redacted].

It is perfectly satisfactory to specify a gift to be chosen, such as "[redacted], [redacted]".

Consider descriptions that don't disclose value

As far as gifts of possessions are concerned, it is a good idea to indicate nothing that discloses value. If you do, you risk attaching greater value to your estate than your executors would give, and, therefore, [redacted]. [redacted] £ 3 , 000 [redacted] £ 300 [redacted]. [redacted].

It would not be unusual for gifts of possessions to be worth very little. For example, a gift of “the blue and white vase” is likely to be worth [redacted]. [redacted] “[redacted] 15th [redacted]”, [redacted]. [redacted].

Beware of accidentally making the same gift twice

Commonly, disputes over a will occur when one gift conflicts with another. Make sure that you don't accidentally give the same item to two people in different ways. For example, if you give "my set of silver cutlery manufactured by J. W. Smith & [redacted]" [redacted], [redacted]" [redacted]", [redacted]. [redacted]" [redacted]" [redacted].

Foreign property

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Your executors will need to take out a separate application for a grant of probate in any country in which you have assets. Of course, moveable assets like jewellery can be treated as belonging where you happen to keep them or take them. Property in respect of which they have [redacted].

Possessions of which you dispose in your lifetime

It may happen that you sell or give away some possession during your lifetime which you have given to someone in your will. The consequence of doing so is that the gift fails and the beneficiary receives nothing. For example, [redacted].

You might like to read our article http://www.netlawman.co.uk/ia/property-leave-will.

7. Gifts of real property

This paragraph allows you to make specific gifts of real property, notably land and property. [redacted].

Co-owned property - important

Many people own their home as 'joint tenants' with a [redacted].

If you want to leave your share of your home or another property in your will, you must have severed the joint tenancy. You can do this using a tenants in common agreement (also known as a deed of severance, but it is not necessary for it to be a deed).

You can find out more at http://www.netlawman.co.uk/ia/co-ownership-property

8. Gift of remaining Personal Possessions

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"Personal Possessions" is [redacted], [redacted].

We have included this paragraph because [redacted].

9. Creation of a Trust Fund

This paragraph creates a trust fund with [redacted]. [redacted].

The Net Lawman trust powers give your trustees wide ranging powers [redacted]. [redacted], [redacted], [redacted].

When the life interest [redacted], [redacted].

We provide two options as to who are the ultimate beneficiaries. [redacted]. [redacted] ([redacted]) [redacted], [redacted] ([redacted]) [redacted].

If any of those ultimate beneficiaries is a child [redacted], [redacted], [redacted], [redacted] 18 .

10. Termination of the life interest

The issue that this paragraph aims to address is one [redacted], [redacted], [redacted].

You may delete this entire paragraph if you wish. [redacted], [redacted]. [redacted], [redacted].

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11. This paragraph is an alternative to [redacted] 'softer' [redacted] , [redacted] ([redacted])

Trustees and [redacted] . [redacted]

Change the [redacted] .

You [redacted] .

12. Leave this paragraph as is.

13. General power and intention

This opens unfettered general [redacted] 2000 .

Generally, you will need wider powers when you expect some person who [redacted] , [redacted] . [redacted] , [redacted] , [redacted] .

14. Relationship with Beneficiaries

This set of provisions opens up matters which are [redacted] . [redacted] , [redacted] . [redacted] .

15. Wide powers to manage trust fund

This set of terms gives enormous freedom to the trustees. You will probably choose to leave [redacted] , [redacted] . [redacted] . [redacted] , [redacted] .

16. Real property acquisition and management

Use of these provisions depends on what [redacted] , [redacted] .

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If any beneficiary lives in [redacted] , [redacted] .

17. Other powers

This paragraph contains a number of other powers that open up [redacted] . [redacted] . [redacted] , [redacted] .

18. Children under 18 years of age

To the inconvenience of everyone concerned with children, Parliament chose to use one of the most common words in our language to be given a [redacted] . [redacted] , [redacted] 18 [redacted] " [redacted] ". [redacted] " [redacted] " [redacted] . [redacted] , [redacted] . [redacted] 18 [redacted] . [redacted] . [redacted] .

These provisions will [redacted] .

Elsewhere we have provided for a gift to [redacted] , [redacted] . [redacted] , [redacted] .

18.1. It is not our place to advise you on the age at which a [redacted] , [redacted] ([redacted]) [redacted] . [redacted] 18 [redacted] 25 [redacted] .

18.2. This may avoid the expense of operating the trust [redacted] . [redacted] . [redacted] .

19. Liability of trustees

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These are set in order of protection level for the trustee. First, [redacted].

However, if you have appointed professional executors (or someone who is cautious and fearful), there may [redacted].

20. Other Trust provisions

These are technical points to make for easier management of the trust fund. Leave the third item only to protect a [redacted].

21. Accounts

Trustees may have to prepare accounts for HM Revenue and Customs. They [redacted].

In the context of the wide powers and freedom given in these [redacted].

If the value of your Trust Fund [redacted].

22. Beneficiary dies before you: gift to his children

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This is a general provision. We are not referring it to any [redacted] 'fall' [redacted].

23. Beneficiary dies [redacted]: [redacted]

This provision follows from the last one, but applies to all beneficiaries including [redacted].

24. Gifts to children that are not your own

These options simplify the task of distributing the estate when beneficiaries are children [redacted] 18 [redacted].

25. Gifts made in your lifetime

This is [redacted].

26. Clarification of the term "partner"

This provision does not relate to any specific [redacted].

27. Payment to professionals

Under the Trustee Act 2000 a trust corporation or professional trustee may charge a reasonable fee for their services. Executors who are not [redacted].

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[redacted]

28. Funeral service, burial and cremation

Strictly, you do not legally own your own dead body and, therefore, cannot specify what should happen to it. However, if you make your wishes clear in your will, it is most likely that your executors and relatives will carry out them out. We have an article on http://www.netlawman.co.uk/ia/donating-organs-body.

After editing your will

1. Print it [redacted]

You must follow the correct procedure for signing your will. Specifically, [redacted]

The witnesses must not be beneficiaries.

Anyone can be a witness. It does [redacted]

If you do not get this right, your will may be invalid. We recommend you re-read the general notes to this document and also our article at: http://www.netlawman.co.uk/ia/sign-will.

2. Write a [redacted]

You can expand on your wishes by writing a [redacted]

Net Lawman provides a [redacted]

See the [redacted]

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End of notes

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