



IMPORTANT FACTS FOR MAKING WILLS

Everyday legal support for busy people

The purpose of this document is to explain some important facts about making your Will. We hope that you will find this helpful.

Fees and Expenses

We charge on a time basis and once we know what you require we will be able to tell you the costs before you are committed to it. We will make it clear to you what this cost covers and if you require extra legal advice or a further draft Will we will inform you at that time. Our leaflet called "Standard Costs Information" will be given or sent to you. It contains our hourly charging rates.

Payment of Fees

We will send you our account when we draft your Will. The account is payable on signing the Will.

Occasionally we incur expenses on your behalf e.g. Land Registry Copy fee and we may ask you to pay this in advance prior to the expense being incurred. If you have any query about your account please contact us straight away.

Assets

In order for us to be able to prepare your Will, you must provide us with details of the nature and extent of the property which you own and the identity of the persons or organisations which you intend to benefit under your Will. It is your responsibility to ensure that the information which you provide to us is accurate and up to date.

Foreign Assets

Your Will may not be effective to pass property which you own which is located outside England and Wales. We do not offer advice on foreign assets as part of our standard Will drafting service. If you inform us that you own property abroad and that you require advice in relation to it, we will either provide such advice if we are able to for an additional fee or we will direct you to alternative specialist advice.

Tax

It is possible that your estate will be subject to inheritance tax on your death and that the amount of tax charged will depend upon the nature of the provisions contained in your Will. For this reason advice on inheritance tax is commonly a feature of a comprehensive Will drafting service unless expressly excluded.

We will not offer any advice on inheritance tax as part of our standard Will drafting service. If you require advice as to the inheritance tax implications of your Will please inform us and we will provide such advice.*

Capacity

Your Will will not be valid unless you have the necessary mental capacity to make a Will. We will not take any steps to obtain confirmation that you have the requisite mental capacity unless you ask us to do so.*

We will advise you if we are aware of any matter which gives rise to a significant risk that your capacity may be subject to challenge

1975 Act

The Inheritance (Provision for Family and Dependents) Act 1975 may enable certain persons to seek additional provision out of your estate after your death. If an application is made under this Act it is likely to involve your estate in expense and may result in a variation of the dispositions made in your Will.

Advice on 1975 Act

If the information which you provide to us for the purposes of preparing your Will suggests that there is a real risk of such an application being made in respect of your estate, we will advise you that this is the case. However we will not offer more detailed advice in relation to the 1975 Act unless you ask us to do so.*

Execution of the Will

When we have prepared your Will in accordance with your instructions we will send a draft to you for your approval. It is important that you read all its provisions carefully so as to make sure that you understand its contents and that it complies with your wishes.

In order to be valid your Will must be signed in a particular way. We will ask you to call into our offices to sign the Will where we can supervise its execution. However if this is not possible, written instructions for the execution of your Will will be sent to you.

If you have any difficulty understanding those instructions then please inform us of this fact so that we can assist. We then ask you to return the Will to us so that we can check as far as possible that it has been signed correctly.

Changes of Circumstances

Please be aware that, if, after executing your Will, you marry (or re-marry or enter into Civil Partnership) your Will will be revoked or if you divorce or dissolve a Civil Partnership, gifts made in your Will may be ineffective. Other changes in your personal circumstances or changes in the law

may affect the appropriateness or the effectiveness of the provisions in your Will. We do not review the terms of your Will after it has been executed unless you ask us to do so.*

Help us to Help You

The Legal advice provided and your draft Will are based on the information that you have provided at the present time and they are based on the current law which may change in the future. We do not accept responsibility for notifying you in the future of any changes in the law or legal decisions which may affect the terms of your Will but we will be glad to advise you at any time in the future if you wish to contact us.

*There will be an extra fee for these additional services.

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