



## **WILL QUESTIONNAIRE AND CHECK LIST**

We look forward to meeting you to discuss your Will and any tax planning enquiries you have. The attached form is in two parts:

### **1. PERSONAL INFORMATION**

It would be helpful (but it is not necessary) if you would complete this part and bring it with you to the meeting or email, fax or post it to us in advance of the meeting.

### **2. NOTES**

We find that these notes are useful reminders of matters which may affect your decisions on what to put in your Will. We recommend that you read through these before we meet. We will be glad to deal with any queries or questions you have at the meeting.

If you wish please visit our web-site where we have further information and leaflets which may be of assistance to you. Our web-site address is [www.srb.co.uk](http://www.srb.co.uk). If you don't have access to the internet please let us know and we will be pleased to provide you with copies of any of our leaflets.

**All information will be treated in the strictest confidence.**

Thank you.

**PART 1 – PERSONAL INFORMATION**

<b>YOUR PERSONAL DETAILS</b>		
	<b>You</b>	<b>Your Partner (if applicable)</b>
Full Name: Mr/Mrs/Miss/Ms/Other		
Are you known by any other name?		
Address including post code		
Is your permanent home in England or Wales? If not, please state which country.		
Date of birth		
Occupation		
Telephone number: Day Evening Mobile Email address		
I agree to Stone Rowe Brewer LLP using my email address for newsletters and updates  <input type="checkbox"/> <i>Please tick if you agree</i>		
Marital Status: (please tick) Single Married Civil Partnership Separated Divorced Widowed Partner/Common Law Spouse		
Are you planning to marry or enter into a civil partnership in the foreseeable future?		
Have you been married or entered into a civil partnership before?		
Do you have any children from a previous relationship?		
Have you made an Enduring Power of Attorney, Lasting Power of Attorney or Advance Decision?		

<b>INFORMATION ABOUT YOUR/YOUR PARTNERS CHILDREN (IF ANY)</b>		
<b>Name</b>	<b>Address</b>	<b>Date of Birth</b>

<b>INFORMATION ABOUT YOUR/YOUR PARTNERS GRANDCHILDREN (IF ANY)</b>		
<b>Name</b>	<b>Address</b>	<b>Date of Birth</b>

<b>DETAILS OF ANY DEPENDENTS (E.G. AGED PARENT OR STEP-CHILDREN) OTHER THAN THOSE MENTIONED ABOVE (see Paragraph 10 of Notes)</b>		
<b>Name</b>	<b>Address</b>	<b>Date of Birth</b>

**EXCLUSIONS**

If there is anyone who may have a claim on your estate that you wish to exclude from your Will, please provide full name and address. It is sensible to include a letter with your Will explaining why you wish to exclude this person. Please provide details below:

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**WHAT ARE YOUR PRIORITIES?**

**E.g. provide for each other/children, inheritance tax mitigation, asset protection, vulnerable person, other**

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**APPOINTMENT OF EXECUTORS (See Paragraph 4 of Notes)**

**We would advise you to appoint two Executors. Please supply full names and addresses.**

<b>First Executor</b>	<b>Second Executor</b>
Name:	Name:
Address:	Address:
Post Code:	Post Code:

<b>APPOINTMENT OF GUARDIANS (if you have children under 18) (See Paragraph 5 of Notes)</b>		
<b>Name and Address of Guardian</b>	<b>Relationship to you</b>	<b>Relationship to your Partner</b>

<b>ASSETS (see Paragraph 6 of Notes)</b>			
<b>Please try to complete as much of this as you can. It will be useful if you wish to discuss Inheritance Tax Planning or Asset Protection.</b>			
<b>Assets</b>	<b>Value in your sole name</b>	<b>Value in your partner's sole name</b>	<b>Value jointly owned</b>
Family Home			
Other Properties			
Foreign Properties			
Personal Effects Including: Cars/Boats			
Life Policies  Who benefits from these?			
Pension/death in Service lump sum ** Who is the beneficiary?			
ISAs, TESSAs, PEPs/ Shares/Unit Trusts/Bonds			
Value of business assets			
Value of agricultural land			
Bank/Building Society/National Savings/Premium Bonds			
Other assets			
Interest in a Trust			
Potential Inheritance **			
<u>Liabilities:</u> Mortgage outstanding: Personal loan Credit Cards Other			
<b>TOTALS</b>			

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**NB:**

For Pension Funds / Death in Service Benefits / potential inheritances, please see our leaflet "*Pilot Trusts*" which shows how to avoid future Inheritance Tax on these amounts.

<b>GIFTS</b>		
<b>Have you made any gifts of more than £3,000 per annum in the last seven years?</b>		
<b>Please complete the table below:</b>		
<b>Beneficiary</b>	<b>Amount</b>	<b>Date</b>

<b>LEGACIES AND BEQUESTS</b>	
<b>Please give details of any gifts you would like to leave to individuals.</b>	
<b>Name and address of recipient</b>	<b>Description of gift</b>

### **RESIDUARY ESTATE (See Paragraph 7 of Notes)**

You will need to decide where you want the rest of your estate to go. Most couples will leave everything to each other first and then to their children. If you want to do anything different, please ensure you have full names and addresses of the people you wish to name when we meet.

<b>Name and Address of Recipient</b>	<b>Percentage / share</b>

### ALTERNATIVE BENEFICIARIES

If your main beneficiaries should predecease you, please think about who you would like to inherit your estate e.g. 50% to Uncle John Smith, 25% to Cousin Mary Jones and 25% to Cancer Research.


### FUNERAL WISHES

Please think about your funeral wishes. Do you wish to be buried or cremated? It is not always necessary to include this in your Will, but you may wish to do so. Alternatively we can prepare a side letter setting out your wishes.

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## PART 2 – NOTES

### 1. PREVIOUS WILL

If you have made a previous Will or Codicil, please let us have a copy if possible or let us have details of it. We need to know this even if the Will related only to foreign assets.

### 2. DIVORCE OR REMARRIAGE

Generally divorce treats a former spouse as if he or she had predeceased you so that no gift will pass to them nor can they act as Executors even if named as such. In other respects however, the rest of the Will remains valid.

If you have made a Will and then marry or remarry, the Will will be invalidated and the rules of intestacy will apply. However, a valid Will can be made taking into account a planned marriage or remarriage. If this applies to you, please let us know when we meet.

### 3. LIFE POLICIES WRITTEN UNDER TRUST/NOMINATIONS

Please provide details of

- any life policies which may have been written under Trust
- nominations (e.g. for Employer's death-in-service benefits)
- any Trusts in which you have an interest or of which you are a Trustee

NB: Nominations and assets which you have written under Trust, will not pass under the terms of your Will but under the terms of the Nomination or Trust.

Anything you own jointly with another will pass to the other person by survivorship - not under the terms of your Will. If this is not what you want, we need to know, so that we can change the nature of the way the asset is held.

Please also see our leaflet "*Pilot Trusts*" for information on how to avoid Inheritance Tax in the future.

### 4. CHOICE OF EXECUTORS

Executors are persons whom you appoint in your Will to carry out your wishes and administer your estate and this could include:-

- Your Spouse as Executor and/or your children
- Stone Rowe Brewer LLP to act with or without a relative or friend of yours. We have a Trust Corporation called **The SRB Trustee Company Limited** which is non-profit making, authorised by the Solicitors Regulation Authority and covered by our Professional Indemnity Insurance. This corporation is available to act as Executor / Trustee or Attorney for our clients.
- A friend or relative who is your age or older, consider appointing someone else if your friend or relative dies before you
- This is a responsible position with some duties imposed by law

Please see our leaflet "Guide for Personal Representatives" which gives more information on the duties involved

### 5. GUARDIANS

If you have any children under the age of 18 you should consider appointing at least one Guardian. When one parent dies, the surviving parent usually becomes the legal Guardian but it is of course possible that both parties may die together or you may be a single parent.

## 6. YOUR ESTATE

Please give brief details of your present **assets** on the Personal Information form above.

- Your Home
- Bank Accounts
- Building Society Accounts
- Investments (briefly state type)
- Do you own/run your own business? Please give brief details
- Do you own property or have savings outside the U.K.?
- Do you own a timeshare property?
- Please give brief details of life insurance
- Please give brief details of pension plans

**It is very important that you tell us if you own assets outside England and Wales including holiday homes.**

**If any of the above are owned jointly with your spouse, please mark them "JS"**

**If any of the above are owned jointly with anyone else, please mark them "J"**

**If any of the above are held on Trust, please mark them "T" and give as much further information as possible.**

Please give details of your present **liabilities** on the Personal Information form above.

- Mortgage
- Loans
- Bank overdraft (e.g. business borrowing)
- Other debts

**If any of the above are covered by insurance so that they are repaid on your death, please mark them "I".**

## 7. WHO YOU WOULD LIKE TO LEAVE YOUR ESTATE TO?

Gifts to your Spouse

What happens if your Spouse dies before you?

Gifts to your children

Gifts to your grandchildren

Gifts to friends

Charitable gifts

At what age would you want children and/or grandchildren to inherit? 18/21/25 years?

If you chose an age over 18 we will explain the additional tax which may be payable if you die before the children reach the age you stipulate.

If any children or grandchildren are illegitimate, adopted or stepchildren or if any beneficiary is disabled, it is important that you let us know.

## 8. INHERITANCE TAX

- There is no Inheritance Tax on gifts between Spouses or Civil Partners

- On all other gifts (except charitable ones) the first £325,000 of the estate is tax-free then tax is applied at 40% on the value of the estate above £325,000
- Tax always comes out of the residuary estate unless the Will says that a gift or legacy should bear its own tax so be careful not to leave too little in the residue for the residuary beneficiary who is usually the most important beneficiary
- When calculating the value of the estate for Inheritance Tax purposes, you must add on the value of all large gifts over £3,000 per annum made by the deceased in the last seven years

## **9. TRANSFERABLE NIL RATE BAND**

The Transferable Nil Rate Band allows a surviving spouse to bring forward any unused percentage of the Nil Rate Band from the estate of the first spouse to die to set against Inheritance Tax on the estate of the second spouse. If the Nil Rate Band is completely unused by the first spouse, then the estate of the second spouse can double the Nil Rate Band at the date of death of the second spouse. This means in this tax year there could be a maximum Nil Rate Band of £650,000.00.

## **10. COULD A CLAIM BE MADE AGAINST YOUR ESTATE?**

The Inheritance (Provision for Family and Dependents) Act 1975 (as amended) allows dependents and others (usually relatives) to make a claim against the estate of a deceased person if he/she did not make adequate provision for them in the Will.

If you feel that your estate could be at risk from a claim, then we would recommend that a statement is prepared under this Act setting out your reasons for not including this particular person in your Will. This type of statement can be invaluable if a claim is made. If a claim is not made then this statement would not become a public document. We would be pleased to advise you if you feel this might be relevant.

## **11. YOU MAY ALSO LIKE TO CONSIDER:**

- Organ donation
- Power of Attorney
- Appointment of Guardians
- Financial/Investment advice
- Advance Decision (Living Will) or Personal Welfare Lasting Power of Attorney

We would be pleased to advise you on any of the above.

**YOUR NOTES**

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