

**WILLS FACT FIND**

Thank you for instructing us to draft your Will for you.

The information obtained through completion of this form will help us to prepare a Will for you that meets your needs and wishes. We also appreciate that your wishes may be more complex and in such circumstances we will use it as a guide only and will discuss the matter further with you.

*PLEASE COMPLETE USING BLOCK CAPITALS*

*SHOULD YOU REQUIRE MORE ROOM FOR ANY QUESTIONS PLEASE CONTINUE ON BACK OF FORM*

**1. CURRENT WILL**

Do you already have a Will? *Any new Will we draft for you will replace an existing Will or any other testamentary writings you have.*

- Yes, I currently have a Will or testamentary writing.
- I currently have no Will or testamentary writings.

**2. PERSONAL DETAILS**

*Please enter your name in full including forename, any middle names and your surname, and your date of birth.*

*Your address should also be entered in full including house name, if you have one, and postcode. The telephone, fax and e-mail details are for contact purposes only and are useful for us to have. Please feel free to advise us on the best means of contacting you (i.e. e-mail or telephone etc).*

Name (in full): .....

Date of Birth: .....

Address: ..... Tel No. Home.....

..... Work.....

..... Fax.....

Postcode: ..... E-mail .....

Ethnic Origin: .....

We request some details of your spouse and children, this allows us to consider possible "legal rights" in relation to your estate. In summary, legal rights are the rights of your spouse and children to a share of your moveable estate on your death. These rights exist even where there is a Will. Should you require more information on the subject of legal rights we have a leaflet and of course would be pleased to deal with any queries you may have. You will require further advice where you have a child or spouse whom you do not wish to benefit from your estate, or where children are to take in unequal proportions etc.

If married, we also request details of whether you have any previous marriages, and if so whether you were widowed. This information is not contained in your will but allows us to consider whether there is a need for tax planning advice to reduce your future Inheritance Tax liability where possible.

Spouse's Full Name .....

Spouse's Date of Birth .....

If currently married, have you been married before ? Yes  No

If yes, were you widowed ? Yes  No

Children (please continue on a separate sheet or on the back of the form if necessary)

Full Name	Address	Date of Birth
		/ /
		/ /
		/ /
		/ /

Do you have any children who have predeceased you? This may have an effect on your estate as your children have legal rights in your estate. The legal rights of any predeceasing child may be claimed by his or her child / grandchild etc as representative.

Yes  No

If yes, does he or she have any children who survive him or her?

Yes  No

Total Number of Grandchildren .....

### **3 DOMICILE**

*This is a term used in law and governs which legal system will regulate the administration of your estate. If you own any assets abroad you may need to make a Will in that country to cover those assets and you will need to take legal advice in the foreign country.*

*Your domicile can be that of origin, or of your choice. Long periods of residence in a foreign country do not change your domicile unless you have severed ties with your country of birth/origin and intend to make the foreign country your permanent home. If you are unsure of this point please contact us.*

- a) Is Scotland the country in which you have been permanently resident, and in which you intend to remain? (If Yes, please state how long you have lived in Scotland)

Yes  No  Number of years .....

- b) Is Scotland the country in which your spouse has been permanently resident, and in which he/she intends to remain? (If Yes, please state how long he/she has lived in Scotland)

Yes  No  Number of Years .....

*If you answer no to either of the above questions we will contact you to discuss this matter further and ensure we have established your domicile or that of your spouse correctly before proceeding.*

### **4 ASSETS EXPECTED TO BE LEFT ON DEATH**

*This information is not contained in your Will but allows us to establish whether there is a need for tax planning advice to reduce your future Inheritance Tax liability where possible. This is only intended to be an estimated valuation of your estate. If your own estate or joint estates are likely to exceed the tax threshold (currently £325,000) then you may be liable for Inheritance tax in the future and could benefit from tax planning advice. There is no need to detail everything individually e.g. you could simply state an estimated value for 'household furniture and personal effects' and this would cover your furniture, personal belongings in your home and jewellery etc. This should also include estimated death values of any life assurance policies, pension etc.*

*If you own various things jointly with your spouse simply estimate the share you each have. For example, if you have equal ownership of a house worth £80,000 which contains furniture worth approximately £6,000 you could just enter "Half share of house and furniture, £43,000" in each of your asset lists.*

*The section on gifts again alerts us to any possible future Inheritance Tax liability. We ask for details of the amount, recipient and reason for the gift as certain values of gift, certain types of gift and gifts to certain people are exempt from Inheritance Tax.*

Your assets

Description of Assets /Estimated Value (£'s)	Approx

If you prefer not to give details, please enter an estimate of the overall value of your estate £

Spouse's Assets

Description of Asset (£'s)	Approx / Estimated Value

If you prefer not to give details, please enter an estimate of the overall value of your estate £.....

Details of any other family assets ..... £.....

Previous gifts over £3,000 in any year in last 7 years (continue on a separate sheet if necessary)

Details of the Gift (Cash/assets, reason for gift, recipient etc)	Date Gift was made	Amount / Value of Gift (£'s)
	/ /	
	/ /	
	/ /	
	/ /	

**5 THE CONTENT OF YOUR WILL**

**Executors** – *The Executors are the persons responsible for settling your affairs, administering your estate, and generally distributing it to the correct beneficiaries. This is normally younger family members but can be anyone you wish. The minimum age for an Executor is 16, although it may not be advisable to have an Executor of such a young age.*

*While you may appoint any number of Executors we usually advise that three is the optimum number. If you appoint only one it may cause additional administration and expense should he or she predecease you or die during administration of your estate. Should you still wish to appoint a sole Executor you can also appoint a substitute who would take office only if your first choice predeceases you (please write the word “substitute” in brackets after his or her name below if you wish do this). If you appoint two Executors and they cannot decide on something this may cause a deadlock and delay in administration, whereas three Executors could decide by majority.*

Please enter the details of the people who you wish to be Executors of your estate in the table below.

Full Name	Address	Relationship to You (if any)

**Legacies** - These may be “specific” (a specific item such as a piece of jewellery or a painting to a particular person or body e.g. your wedding ring to your son or daughter), “pecuniary” (this is a money legacy e.g. £1,000 to your grandson etc) or charitable which can be a legacy of an item or sum of money to a named charity.

Please indicate in the ‘Destination over to’ box who (if any one) you would wish to take the legacy should the person first named predecease you, and give his or her full name and address. You may intend the legacy to fall in to the residue (discussed below) in such circumstances, in which case leave the box blank. If any of your intended legatees are related to you please state their relationship to you in brackets after his or her name (e.g. sister, nephew).

Please complete details of any legacies you wish to leave below.

**Specific Legacies**

**EXAMPLE**

Name: John Colin Smith (nephew)	Address: The House, 1 Main Street, Perth, PH1 1AA
Description of Item: The gold watch with the initials “BGS” engraved on the back given to me by my father	
Destination over to: James John Smith (Great-nephew), Smithies Cottage, 28 Brown Street, Perth, PH1 1AB	

Name:	Address:
Description of Item:	
Destination over to:	
Name:	Address:
Description of Item:	
Destination over to:	
Name:	Address:
Description of Item:	
Destination over to:	

**Pecuniary Legacies**

**EXAMPLE**

Name: Mrs Claire Black (sister)	Address: Station House, Old Rail Road, Perth, PH1 2BC
Amount: £1,000	
Destination over to: Miss Louise Claire Black (niece), Station House, Old Rail Road, Perth, PH1 2BC	

Name:	Address:
Amount:	Destination over to:
Name:	Address:
Amount:	Destination over to:
Name:	Address:
Amount:	Destination over to:

**Charitable Legacies**

Name of Charity ..... Reg. Charity No (if known) .....

Address (if known) .....

Item or amount .....

Name of Charity ..... Reg. Charity No (if known) .....

Address (if known) .....

Item or amount .....

Name of Charity ..... Reg. Charity No (if known) .....

Address (if known) .....

Item or amount .....



**Informal Writings** – We will include an “informal writings” clause in your Will unless you indicate below that you do not want to have the option to leave informal writings. Informal writings are usually used to leave very small legacies, such as an item of sentimental value to a relative. We strongly advise against using them to make any material changes to your Will. Any such writing must be dated after the date of your Will and must be signed by you to be valid.

- Yes, I am aware of the advantages and disadvantages of an informal writings clause and wish to have the option under my Will to leave such writings.
  
- I do not wish to have the option under my Will to leave informal writings.

**Younger Beneficiaries** – the age of legal capacity is 16 and any beneficiary under your Will shall be entitled to receive their benefit at age 16. Should you feel this is inappropriate please indicate below which age you would wish younger beneficiaries to receive funds from your estate. The most commonly used are 18 and 21 as there may be tax implications if it is deferred for longer. If you have reasons for wishing payment of the bequest to be delayed beyond age 21 we would be happy to discuss this with you further.

Age at which younger beneficiaries are to receive capital (usually 18 or 21)

At age 18       At age 21

**Funeral Instructions** – please leave instructions (if any) for your funeral below. This may be as detailed as you wish but usually simply states whether you wish to be buried or cremated. Please note these instructions are a declaration of your wishes only and are not binding.

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**Power Of Attorney** –

Have you granted a Continuing and/or Welfare Power of Attorney ?      Yes       No

Signature ..... Date .....