



**WRIGLEY CLAYDON**  
SOLICITORS *since 1795*

Oldham 0161 624 6811  
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# Providing for the future

How preparing your Will now can help you plan ahead

## Why make a Will?

When you die your property and affairs must be dealt with. Making a Will ensures that any specific intentions you have for the disposal of your property, money and possessions after your death can be carried out.

A Will is particularly important when you need to:

- Provide for your children especially if you are separated or unmarried
- Provide for an elderly relative
- Make provision for a friend
- Make a gift to charity
- Minimise tax liabilities
- Prevent added stress and worry to your family at a time of bereavement

## What if I do not make a Will?

If you die without making a valid Will, you are deemed to have died "intestate". Should this occur, then the general laws of intestacy will apply to your estate and this could result in your affairs being handled in a way which you would not otherwise have wished. This could lead, for example to:

- Your spouse receiving only a fraction of your assets
- Only blood relations benefiting to the exclusion of friends and in-laws
- Co-habitees being excluded from the distribution of the estate

- Statutory trusts being set up for children and grandchildren on terms you might not like
- Increased tax liabilities

## Why use a Solicitor?

Whilst it is possible for someone to make their own Will without a Solicitor, it is not recommended as it can lead to complications. Many words and phrases have different meanings in law from their everyday use and therefore, a Will made independently of legal advice, may not mean what its author intended.

Furthermore, if a Will is not properly executed, it may be invalid.

We can give you the confidence that your Will correctly expresses your wishes, and is correctly completed.

## Do I need an Executor?

Your Executor is the person who will be in charge of looking after (administering) your estate after death.

If you wish, we will be pleased to act as your Executor.

## Providing for Children

- **Children** – we will be able to advise you on the best way of making gifts to children.
- **Guardians** – you will be able in your Will to suggest guardians to care for your children in the event that they are left without parents.
- **Handicapped children** – you will be advised as to the best way of making provision for them.

*continued overleaf*

Whatever your needs, it will pay you to consult us sooner rather than later

## Taxation

You can avoid burdening your estate with unnecessary tax liabilities by incorporating the correct provisions into your Will.

You may be able to pay less tax and hence leave more money to your beneficiaries by taking advice.

## Marriage and separation

Any of the following circumstances will probably necessitate the preparation of a new Will:

- **Marriage** – this usually invalidates an earlier Will entirely.
- **Divorce** – can make part of a Will ineffective.
- **Separation** – will not prevent a spouse from benefiting from a prior will or under the rules relating to intestacy.
- **Living together** – even long-term relationships outside marriage do not give any entitlement under the intestacy.

## Trusts

Trustees may be appointed to hold money or assets in trust for young children or others. It is important that trustees are given special powers to avoid any statutory restrictions, for example: to advance capital for investment.

## Signing and safe custody

There are very strict rules to be followed when a Will is signed and witnessed. Your Will and/ or any other important documents should be kept in a safe place and may be kept in our strongroom for safe custody FREE of charge.

## Is making a Will expensive?

Most Wills are relatively straightforward and are not therefore very expensive. If your personal circumstances are more complicated then the will could be more expensive, but this could be amply compensated for by the potential savings and the peace of mind.

## Changing your Will

You may change your Will as often as you wish. Whether or not major changes have occurred in your life, you may find that your Will needs to be updated from time to time.

Generally, you should review your Will at least every three years and ensure that its provisions accurately reflect your circumstances.

## What shall I do next?

If you wish to make a Will, then please contact our Wills Department and arrange an appointment to discuss your requirements. Home visits can be arranged for the elderly and/ or infirm.

Once we have your instructions we will prepare a draft for you to consider and only when you are satisfied will the final copy be prepared and signed by you.



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Established in 1795, we've adapted to changing times and provide a service which recognises that solicitor's clients demand not only efficiency and to be kept constantly informed but also friendly and approachable treatment.

Wrigley Claydon try to combine all these attributes and, whilst using the very best of modern technology, remember that our clients are sensitive people, like us, often facing the most critical decisions of their private or business life.

With this in mind it is the philosophy of the firm to offer a warm welcome and a sympathetic and understanding service, as well as good advice and efficiency.

We also see it as our task not only to solve your problems but, wherever possible, to prevent them arising in the first place by providing sound and constructive advice on a regular basis, throughout your business or personal life.

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