

CUNNINGTONS

SOLICITORS

**BASIC WILL
QUESTIONNAIRE**

**Great Square
Braintree
Essex
CM7 1UD**

TELEPHONE: 01376 332771/0

CUNNINGTONS

BASIC WILL QUESTIONNAIRE

(Please answer the questions where appropriate and print replies). You should refer to the Guidance Notes and terms of retainer attached hereto.

1. Surname:

Forenames: *(please state all names)*

.....

2. Address:

..... Post Code:

3. Telephone Number (including code): Home: Work:

4. Your occupation:

5. Full Name of Husband/Wife/Partner:

6. Are you married? (Yes) (No)

7. If you are divorced, separated or are contemplating marriage, then please telephone for further advice.

8. Your house is likely to be in your joint names. Depending on the type of ownership it may on the first death automatically pass to the survivor and will NOT PASS UNDER YOUR WILL. If you require further advice in this respect, please telephone us. **THIS IS IMPORTANT.**

9. Do you own property in any country other than England and Wales? (Yes) (No)

10. It is normal to appoint firstly your HUSBAND/WIFE/PARTNER and the Solicitors as professional co-executors. (Yes) (No)

11. If you do not wish to appoint the Solicitors, then please state below the full names and addresses of at least two other persons to be Executors.

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12. If you have children under the age of 18 years, then we recommend you appoint two adult Guardians. Please state the Guardians full names and addresses.

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13. **WHO DO YOU WANT YOUR ESTATE TO GO TO?**

13.1 The whole estate to your HUSBAND/WIFE/PARTNER. (Yes) (No)

13.2 If you are both dead, to your children. (Yes) (No)

13.3 If no children, you can provide for any that are born after the date of your Will. (Yes) (No)

Your children

Full name

Age

(a)
(b)
(c)
(d)

13.4 Who will receive your estate if you are both dead, and there are no children? Please state here the full names and addresses of the beneficiaries. If they are not to share the estate equally, then please state the percentage each is to receive.

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.....
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.....
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18. When the form has been completed please return it together with the fee as set out below and we will prepare your Will. If you elect Option (a) below we will send you the Will with instructions for execution (please note, however, that if you accept Option (a) we will not be liable to you; your executors or beneficiaries if the Will is invalid due to improper execution). If you elect Option (b) we will contact you to make an appointment for you to come in and execute and supervise the execution to ensure that it is done properly.

Option (a) £75.00 (inclusive of VAT) for a single Will or £120.00 (inclusive of VAT) for two Wills with similar terms.

Option (b) £98.50 (inclusive of VAT) for a single Will or £143.50 (inclusive of VAT) for two Wills with similar terms.

Return to: **Cunningtons** (for the attention of Ms. Katrina Sharman), Great Square, Braintree, Essex CM7 1UD. Tel: 01376 332771/0

Alternatively you may pay by credit/debit card.

Please charge my Visa/Mastercard/Maestro in settlement of any money due under this retainer.

Card No./...../...../..... Amount

Issue No. Expiry Date/.....

3 Digit Security Code (on back of card on signature strip)

.....

Name on card

.....

Address of card holder

Signature of card holder

19. Husband/Wife/Partner should all sign below:

Signed (1) Signed (2)

Dated

GUIDANCE NOTES FOR COMPLETING WILL QUESTIONNAIRE

(Please read through carefully before completing Questionnaire)

EXECUTORS

We recommend you to appoint at least two Executors with a maximum of four. An Executor will ensure that your wishes contained in your Will are carried out. It is usual for your spouse or next of kin (who is usually the main beneficiary) to be appointed as the first Executor. The remaining Executors can if you wish be your professional advisor i.e. your Solicitor (who will be dealing with your estate) or someone else such as friends, business acquaintances or relatives. Before appointing an Executor you may like to discuss the matter with the person or persons involved to ensure that they are willing to be named as an Executor in your Will although this is not essential and as the Will is personal to you and you might not wish to disclose details to an Executor/Beneficiary. If you appoint someone other than your solicitor and they refuse to carry out the duties after your death then problems could arise.

GUARDIANS

If you have children under the age of 18 it will be necessary to appoint one or more Guardians to care for them until they come of age. The Guardian can if you wish be the same person as the Executor, or whoever you wish. It is, of course, essential that you discuss your wishes with the proposed Guardian(s) to ensure that they are prepared to take on the responsibility involved.

DISTRIBUTION OF YOUR ESTATE

In the majority of cases it is usual for provision to be made for the surviving husband/wife. On the death of the survivor provision is then usually made for any children.

LEGACIES & GIFTS

If you wish to give a sum of money or a gift (such as jewellery, personal belongings etc) please state the amount or give a precise description of the article(s) and the full name and address of the Beneficiary.

BUSINESS INTEREST AND INHERITANCE TAX

Business interest are somewhat complicated and should be discussed in detail with either a partner or a senior member of staff who will be happy to speak to you regarding costs. With regards to Inheritance Tax there is none payable when the estate passes to the husband/wife, or on the first £285,000. Above that, tax is 40%. These rates are subject to Government changes. Please ask if you require more advice in this respect.

EXISTING WILLS & FOREIGN WILLS

You may have already made a Will which may just need revising and if this is the case please let us have this. We strongly advise that any existing Will is reviewed by us to ensure it meets with your present wishes. Also, any Will that Cunningtons prepares for you deals only with your assets in England and Wales. You will need to take advice from a foreign solicitor to deal with assets in other jurisdictions.