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Dear Client

Re: Your Will and IHT Advice

Thank you for your recent enquiry and if you would like to proceed we require the following:-

1. Our attached Will Questionnaire Form duly completed
2. Our attached Terms and Conditions Letter duly marked as accepted

It will be necessary to have a personal interview to go through the identification procedure and execute the Will.

We look forward to hearing from you and if you have any queries please do not hesitate to contact us – ask for Barbara Hunt.

Yours sincerely

J G Richards Solicitors

J.G.G. Richards
Solicitor

Joanna Kenneally
Licensed Conveyancer

Instructions for a New Will

Name:

Address:

Date of Birth (dd/mm/yyyy):

Home Telephone:

Work Telephone:

Do you presently have a will in existence? (Yes/No)

If you do have a will, please arrange to send/ bring it to the office as soon as possible. This will have to be destroyed when you execute your new will.

Pecuniary Legacies

These are gifts of specific amounts of money which can be made to an individual or a group of individuals or a registered charity. If you wish to make a money gift please set out the details below.

Name of Beneficiary	Relationship To You	Address	Amount of Gift (£)

Instructions for a New Will

Gifts of Personal Property

This will be a gift of moveable property such as a car, contents of the house, jewellery, paintings etc. You can also make a gift of the entire funds of a Bank and Building Society or other savings account, although this can cause difficulties if you close the account and do not change your Will. It will mean that the Beneficiary will not receive any gift! Again, please set out details of your proposed gifts.

Name of Beneficiary	Relationship To You	Address	Detailed Description of the item to be gifted

Appointment of Executors and Trustees

It is essential to appointment persons to administer your Will – these are known as Executors and Trustees. They can be Beneficiaries under the Will, but they must be 18 years and over and of sound mind. This is a position of responsibility and therefore you need to be sure that the person or persons who you appoint are absolutely trustworthy and reliable. It is for this reason that Clients often appoint a Solicitor to act with a member of the family or a close friend so as to ensure that the Will is professionally administered. Please insert the details as follows.

Full name of Executor	Address of Executor	Have you informed the Executor of your proposed appointment?

Instructions for a New Will

The Rest of your Estate

This is often called the RESIDUE of the Estate and will include your leasehold and freehold property, money and any personal property. We would ask that you now set out details of how you would like the balance of your estate to be dealt with. It is usual to create a trust for sale, whereby all the property is sold and debts, taxes and expenses are paid off and the net balance is then distributed to the various beneficiaries. However, the Will will be drafted so that your Trustees do not have to sell a particular item of property if a Beneficiary would like to receive that item as part of their inheritance. For example, the children of deceased parents will normally share between themselves the contents of the property and this will be allowed under our Will even though there is a trust for sale.

Full name of Beneficiary	Address of Beneficiary	Portion/Percentage of the Residue to be gifted

Testamentary Guardians

If you have children under the age of 18, you may wish to appoint friends or relatives to act as Guardians of them in the event of the parents' death whilst they are still children. If you wish to make such an appointment, please give details as follows.

Full name of Guardian	Address of Guardian	Age of Guardian

Instructions for a New Will

Trustees Powers

Your Executors are also known as Trustees and they have powers to hold and invest monies or property in your Estate if, for example, a Beneficiary is under 18 and will not be entitled to legally take their inheritance until they reach that age. The Trustees have a duty to handle the money and property with care and they also have powers to “advance” Capital and Income to a Beneficiary who is under 18 – so that, for example, money could be made available for a child for the purposes of an expensive school trip, medical treatment or other worthwhile purpose. The Trustees will also have general powers of insurance of the assets of the estate.

Burial/ Cremation

It is possible in the Will to give a direction to as to whether you wish to be buried or cremated. If you wish to, please give details as follows.

Burial/ Cremation (delete as appropriate)	Give directions as to the place of the Burial/ Cremation	Give directions as to the Cremation (ashes scattered/ in an urn etc)

Inheritance Tax

Inheritance Tax (IHT), is a death duty, i.e. the tax payable on the value of your Estate, which exceeds £325,000. In other words the first £325,000 is tax free, but any value over that sum will be taxed 40%. There is no IHT payable when the Estate passes on the death of one spouse to the other spouse no matter how large the estate.

There are ways of minimising the tax liability by means of carrying out Inheritance Tax planning, but these often involve “gifting” property or money away to children or close relatives or placing property in Trusts which then have to be administered annually and mean that you lose all or part of the control over your property/money.

If you would like to discuss the question of receiving Inheritance Tax planning advice then please let us know and this can be dealt with as a separate matter.

Instructions for a New Will

Witness

There have to be two independent witnesses to the Will who are 18 or over and of sound mind. They cannot be your relatives or the spouses of relatives or beneficiaries and for that reason we encourage Clients to come to the office to sign the Wills in our presence when we can place the Wills in sealed envelopes to be kept free of charge at this office and give you photocopies for keeping with your important papers at home.

We look forward to receiving your completed instructions in the near future.

J. G. Richards Solicitors

Terms and Conditions of Business – Client Care Letter

1. Charging Rates

New Will

Our basic minimum charge for a new Will is £120.00 plus VAT. This Fee includes an initial advice interview with Mr Richards which will involve discussions regarding the value of the estate and whether Inheritance Tax Advice is required, taking detailed instructions for the new Will, drafting and forwarding draft Will to you for approval. Upon approval of the draft Will attending to the engrossment and a further appointment for your execution of the Will, providing you with a copy of the Will and placing the original in a sealed envelope in safe custody at this office where it is held free of charge.

In the case of a husband and wife or partners who are making “Mirror Wills” i.e. Wills which are very similar, then we make a concession and charge £180.00 plus VAT instead of £240.00 plus VAT.

*** Mr Richards will be happy to carry out both Wills for the fixed fee of £180.00 plus VAT.**

Amendment to Will

An amendment to a Will requires a Codicil. Provided that the amendments are not unduly complicated or require Trust Advice the average charge is usually £80.00 plus VAT per Codicil.

Inheritance Tax Advice

This is provided at the standard rate for Mr Richards as senior solicitor of the firm of £180.00 plus VAT. The interview will, normally, involve a detailed assessment of the nature and value of all assets (it is useful to prepare this information before the interview) followed by consideration of the appropriate re-arrangements of your property and setting up of a Will Trust or Lifetime Trust as advised.

2. **Identification**

Solicitors have a statutory duty to satisfy themselves as to the identity of a new Client. Accordingly it is necessary for you to bring to the first interview the following documents:

- a. A Passport or Photo Driving Licence or a suitable evidence of identity with photograph.
- b. Two letters addressed to you at your home address from an official body such as a service authority, bank or building society etc.

3. **Existing Will**

It is essential to destroy any existing Will at the time of making a new Will so please bring your existing Will to the office if it is in your possession. If your current Will is held by other solicitors we can arrange at the interview for you to sign an appropriate authority to forward the Will to this office.

4. **Complaints Procedure**

Mr Richards has responsibility for the day to day conduct of your file but if you are unhappy with any aspect of the service provided please refer the matter initially to Mr Richards. If the matter cannot be resolved within the office, then you have the option of referring the matter to the Legal Complaints Department of the Solicitors Regulation Authority. Naturally, we shall endeavour to provide a satisfactory service in this case and trust that such a course will not be necessary.

5. **Home Visit**

There is a charge of £40.00 plus VAT for a home visit by Mr Richards.

Dated day of 200

J G Richards Solicitors

Client (s) to sign

Please sign here