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☎ 0845 305 4199

✉ info@willpack.co.uk

🏠 Ground Floor Chambers, Newland House,
The Point, Weaver Road, Lincoln LN6 3QN

Clients Testamentary Instruction Form

For taking client(s) Will instructions

Please Complete	Details	
WillPack Partner		
Company		
Instructions for preparing -	Single Will	Mirror Will
First Testator Name		
Second Testator Name		
Date Submitted		

GIVING YOUR INSTRUCTIONS

PLEASE READ CAREFULLY BEFORE COMPLETEING, INCLUDING ALL THE ACCOMPANYING NOTES FOR EACH SECTION, THESE CAN BE FOUND IN YOUR WILLPACK INSTRUCTION MANUAL.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT OUR TECHNICAL HELPLINE ON

0845 305 4199 OR EMAIL **INFO@WILLPACK.CO.UK**.

1. Please use BLOCK CAPITALS throughout. DO NOT use abbreviations
2. Identify ALL people by their FULL NAMES, surname last.
3. **Tick or circle your choice of YES/NO questions.** Put a line through any sections which do not apply to you.
4. Additional legacies can be listed on a supplementary sheet. Please clearly state which section of this form will include additional information.
5. The declaration on page 12 must be signed and completed before your application can be processed.
6. Use the section on page 12 to detail advice given but not taken by the Testator(s) and give reasons why.

WillPack® Instruction Form

ESTATE VALUATION		JOINT ASSETS	1 ST TESTATOR	2 ND TESTATOR
Main residence / Additional properties				
Foreign property	Country:			
Life policies				
ISA's (cash)				
ISA's (stocks and shares)				
Pension and Death in Service benefits				
Shares				
Unit trusts / investment bonds				
Business assets: sole trader / husband wife p/ship				
Business assets: partnerships / shareholdings				
Bank / Building Society savings				
Chattels (items of personal use)				
Cars				
Other				
GROSS TOTAL ESTATE VALUES				

LESS liabilities (for estimating IHT only)

Mortgage(s)			
Loans (including credit and store cards)			
Other			
TOTAL LIABILITIES			
TOTAL ESTATE VALUE			
LESS TOTAL LIABILITIES			
NET VALUE OF ESTATE			

SECTION 1 TESTATORS DETAILS

First Testator Details (T1)

FULL NAME		DATE OF BIRTH	
Are you known by any other name?			
Are you able to read and sign your Will unaided?	YES / NO	If NO give reason	

Second Testator Details (T2)

Relationship to first testator?	SPOUSE	PARTNER	CIVIL PARTNER
FULL NAME			DATE OF BIRTH
Are you known by any other name?			
Are you able to read and sign your Will unaided?	YES / NO	If NO give reason	

Address

Address Line 1			
Address Line 2			
Town / City		Post Code	

Marriage or civil partnership

Would you like your wills prepared in expectation of your future marriage?	YES / NO
If YES give date?	If you have an existing will may we see it? YES / NO Copy will supplied

SECTION 2 EXECUTORS

Executor 1: Would you like your spouse or partner to be your first executor? YES / NO			
If <u>YES</u> do you wish them to:			
(A) Act <u>ALONE</u> in which case you should name reserve executors below (max 4)		(B) Act <u>JOINTLY WITH OTHERS</u> in which case name the additional persons below (max 3)	
Where possible after each name give relationship to each testator: e.g. T1 brother (B) T2 brother in law (BIL)			
Exec 2: Full name		Relationship	
Address			
Exec 3: Full name		Relationship	
Address			
Exec 4: Full name		Relationship	
Address			
Reserve Exec		Relationship	
Address			

SECTION 3 CHILDREN

Name children of **BOTH** testators

FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	

Name children of **FIRST** testator (T1)

FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	

Name children of **SECOND** testator (T2)

FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	
FULL NAME		Age or DOB / Gender	

SECTION 4 GUARDIANS

Use this section to name the person or people you would wish to bring up you children in the event of your death whilst they are still minors

Name FIRST guardian		Relationship to T1/T2	
Address			
Name SECOND guardian		Relationship to T1/T2	
Address			
Name RESERVE guardian		Relationship to T1/T2	
Address			

Directions or instructions to guardians

Do you wish to give any directions to the guardians of your minor children such as religion; education; directions to guardians to make a will to appoint substitute guardians or other wishes?

SECTION 5 CHATTELS

Chattels are all your items of personal use such as the contents of your home and unless 'otherwise' gifted in your will (section 6) will pass firstly to your spouse or partner then on their death under their will; or if you are single as part of your general (residuary) estate.

Chattels or items of 'personal use or ornament' are best given by way of a wish list or 'Letter of Wishes'. Provided that the list does not exist at the date the will is signed the testators can leave their respective wish lists detailing what and to whom they wish their personal items to pass to. They are also free to amend the list as many times as they want. It is recommended the testator retains the list.

If this is the testators wish simply tick this box and a suitable clause (non-binding trust) will be included in the will directing the executors to locate the list	
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SECTION 6 SPECIFIC GIFTS

NOTE: Use this section for personal gifts such as jewellery, granddads war medals etc. For ease of distribution, most specific legacies, such as jewellery and items of personal use are best given on the death of the testator. If the gift is required for use by the survivor then the gift should be made on **SECOND** death.

From FIRST testator (T1)

Name of beneficiary and relationship		Give only on 2 nd death	
Details of gift or legacy			
Name of beneficiary and relationship		Give only on 2 nd death	
Details of gift or legacy			
Name of beneficiary and relationship		Give only on 2 nd death	
Details of gift or legacy			

From SECOND testator (T2)

Name of beneficiary and relationship		Give only on 2 nd death	
Details of gift or legacy			
Name of beneficiary and relationship		Give only on 2 nd death	
Details of gift or legacy			
Name of beneficiary and relationship		Give only on 2 nd death	
Details of gift or legacy			

SECTION 7 GIFTS OF MONEY

Use this section to make gifts of money to family, friends and charities. As with a specific legacy (section 6) the gift is usually best given on first death but where the gift is only to be paid ONCE on the death of the survivor then tick the box.

From FIRST testator (T1)

Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			
Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			
Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			
Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			

From SECOND testator (T2)

Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			
Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			
Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			
Name of beneficiary and relationship or charity		Give only on 2 nd death	
Amount in figures and words			

Continue on a separate sheet if necessary or list below further guidance to the draftsman as to the gifts

SECTION 8 EXCLUSIONS

List below the names(s) and relationships to you of anyone you are deliberately excluding from your will. The general rule is to name any one who may be financially dependent on you at the time of your death or who may have a legitimate claim on your estate. It is wise to write a letter to the court giving your reasons and storing it with your will.

Full name and relationship	
Full name and relationship	
Full name and relationship	

SECTION 9 GIFT OF AN ANIMAL

Type of animal?			
Animal to go to: PERSON : name			
Animal to go to: A CHARITY : name			
Address (if a charity please include charity number)			
Gift to take effect only on second death?	YES / NO		
Do you wish to leave a legacy for the upkeep and maintenance of the animal?	YES / NO	If YES state amount in words and figures	£
Any special instruction you wish to add?			

SECTION 10 FUNERAL WISHES AND ORGAN DONATION

From **FIRST** testator (T1)

Do you wish to specify your funeral preferences in your will?			YES / NO
Organ donation?	YES / NO	Are there any organs you DO NOT wish to be used: i.e. your eyes? Specify?	
Cremation? or		Do you have any special wishes such as your ashes buried or scattered?	
Buried		Do you have any special wishes as to where you would like your body buried? Such as a family plot?	
Do you have any special wishes or directions for your executors, family and friends?			

From **SECOND** testator (T2)

Do you wish to specify your funeral preferences in your will?			YES / NO
Organ donation?	YES / NO	Are there any organs you DO NOT wish to be used: i.e. your eyes? Specify?	
Cremation? or		Do you have any special wishes such as your ashes buried or scattered?	
Buried?		Do you have any special wishes as to where you would like your body buried? Such as a family plot?	
Do you have any special wishes or directions for your executors, family and friends?			

SECTION 11 GIFTS OF RESIDUE

REVIEW: Do you wish to make any further gifts or include any trusts before dealing with residue:

Class Gifts : e.g. gifts of money to grandchildren or nieces & nephews	See section 6	
Gifts to trustees for trust purposes: e.g. Protective Property Trust (PPT)	See section 13	
Gift of business assets held in the sole name of one testator: e.g. BPR	See section 13C	
Other:		

Distributing your residuary estate (everything that is left after all other gifts have been made)

Do you wish for the remainder of your estate to go to your spouse or partner?	YES / NO / n/a
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A How would you like your residuary estate to be distributed?

To one person?		Name and relationship	
And then to			

B To more than one person? Give their names and relationships below:

FULL NAME OF BENEFICIARY	RELATIONSHIP (T1 & T2)		% SHARE OR EQUALLY

C To trustees for trust purposes?

Residue on life interest for spouse with gift over to children? (include step-children? Y / N / na)					
Residue on Flexible Life Interest with children as default beneficiaries? (include step-children Y / N / na)					
To spouse absolutely with gift over to children on Discretionary Trust? (include step-children Y / N / na)					
Other?					
At what age are minor children to inherit? (Circle one)	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px 10px;">18</td> <td style="padding: 2px 10px;">21</td> <td style="padding: 2px 10px;">25</td> <td style="padding: 2px 10px;">Other stage age?</td> </tr> </table>	18	21	25	Other stage age?
18	21	25	Other stage age?		

SECTION 12 Total calamity clause or long-stop

It is important that where gifts are made to beneficiaries other than the testator’s own children or where the testator has no children that substitutional beneficiaries are named below in case of total failure.

SECTION 13 TRUSTS

13A THE FAMILY HOME – Protective Property Trust (PPT)

In most cases when dealing with a couple (married or unmarried) their main asset is likely to be the family home; their principle residence. Property held as JOINT TENANTS has the advantage that it will pass on death automatically to the survivor – however the disadvantage is that it does not protect the share of the asset of the first to die should the surviving spouse or partner remarry, cohabit or require residential care.

In order to make best use of the property we need to convert the property (title) to TENANTS IN COMMON. This will ensure that both parties can decide where their respective share will pass and to whom, they can use the PPT to ensure that their children will inherit their share regardless of what the survivor does; they can make gifts over to children of a previous relationship and can protect their share should the survivor require full time residential care in the future.

Address of property if not main residence? Include post code for Land Registry search.	
Title number (if known)	
Is the 1 st owner T1? If not name	
Is the 2 nd owner T2? If not name	

Are there any other names that appear on the title to the property such as the testator’s children? If YES give names below.

Additional name 3	
Additional name 4	

Do you know how the property is held?	Sole name of either T1 or T2?		Joint Tenants?		Tenants in Common?	
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Do you want to create a life interest (IIP) trust in both wills to allow the survivor to remain in the property for the rest of their life? With full power to move should they wish to?	YES / NO
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If the property is currently held as JOINT TENANTS, then for the trust to be effective it has to be changed to TENANTS IN COMMON; is this acceptable and in equal shares?	YES / NO
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As TENANTS IN COMMON each owner is free to will (gift) their share and interest in the property over to whoever they wish when the trust ends, usually on the death of the surviving spouse or partner. Use the following section to state how each share is to pass, to whom and in what shares.

From FIRST testator	
From SECOND testator	
You may wish to impose conditions on the survivor such as the trust to end should they remarry or cohabit. Would the testator like a set of standard wording included to reflect this?	YES / NO

13B DISCRETIONARY TRUST - capped at the nil rate band

The executors transfer the deceased's Nil Rate Band (or such sum at death as can be transferred) to the discretionary trust remainder to surviving spouse and then to children. Such a trust gives flexibility to the will, the testator retains partial control over the destination of the trust fund, the spouse also has access to the fund by means of a capital sum or preferably a loan repayable on death and the fund can be distributed on death according to a Letter of Wishes left by the testator

Trust beneficiaries to include: "My spouse, children and grandchildren ('My issue')	YES / NO
If the trust beneficiaries are to include 'step-children' then all children should be named:	
Although extremely effective for IHT planning pre 9 October 2007, the IOU debt/charge scheme still can be utilised where the only real asset is the family home and a trust is required to be included in the will to give flexibility (see above) for the trustees to act whilst still preserving the asset. If you are unsure as to its effectiveness, contact the office for more information.	

13C ADDITIONAL WILL TRUSTS

For more information visit our web site and enter the 'Members' area or call the office on **0845 305 4199** during normal office hours or email your question to info@willpack.co.uk

Right to Occupy or Reside (unlike the PPT this will end on a given age, date or event)	
Residue on life interest for spouse (life tenant) then to children on death of life tenant	
Residue on discretionary trust for spouse/partner and children	
Residue on discretionary trust for children	
Disabled persons discretionary trust	
Business assets (Business Property Relief)	
Other	

13D LIFETIME SETTLEMENTS

Trusts created during the testators (settlor's) lifetime

Pilot trusts (also referred to as 'spousal by-pass trusts')	
Home Protection Schemes	
Other	

Use this box to list any further notes you may feel will assist the drafter on trust requirements of the testator:

WillPack® Instruction Form

That completes the sections regarding making your Will(s).

The following additional products and services may be of interest or should be seriously considered to complete your estate planning exercise. Additional information can be obtained by phoning 0845 305 4199 or email info@willpack.co.uk or visit our web site at www.willpack.co.uk

Product Details	Further Information Requested?
<p>PROTECTIVE PROPERTY TRUST</p> <ul style="list-style-type: none"> • protection against local authority care fees; and • protection against assets lost through 'second marriages' • Protection for children from previous relationships. 	
<p>FAMILY HEIRLOOM TRUSTS [capped at the nil rate band] (Discretionary Trusts)</p> <ul style="list-style-type: none"> • Second generation tax planning. • Living legacy from the testator. • Protection for wayward children/grandchildren. • Protection from, care fees, second marriages, children from previous relationships. 	
<p>FLEXIBLE LIFE INTEREST TRUST</p> <ul style="list-style-type: none"> • Potential IHT saving • Tax efficient protection from care fees, second marriages, children from previous relationships. • Ultimate flexibility for surviving spouse. 	
<p>LASTING POWER OF ATTORNEY – PROPERTY AND AFFAIRS</p> <ul style="list-style-type: none"> • A Lasting Power of Attorney is a legal document. It allows you to appoint someone that you trust as an 'attorney' to make decisions on your behalf. • Attorneys can make decisions for you when you no longer wish to or when you lack the mental capacity to do so. 	
<p>LASTING POWER OF ATTORNEY – HEALTH AND WELFARE</p> <ul style="list-style-type: none"> • A health and welfare Lasting Power of Attorney allows you to choose one or more people to make decisions for things such as medical treatment. A health and welfare Lasting Power of Attorney can only be used if you lack the ability to make decisions for yourself. 	
<p>ORDINARY POWER OF ATTORNEY</p> <ul style="list-style-type: none"> • A power of attorney (POA) or letter of attorney is a written authorisation to represent or act on another's behalf in private affairs, business, or some other legal matter. 	
<p>DEATH IN SERVICE PENSION BENEFITS (Pilot Trusts)</p> <ul style="list-style-type: none"> • Most final salary and career average schemes provide for a Death in Service lump sum benefit, similar to a life assurance policy. A lump sum is normally paid to a beneficiary or beneficiaries on the death of a member. • By nominating the trustees of a pilot trust rather than the spouse, any potential tax on second death can be minimised. 	
<p>HOME PROTECTION SCHEMES</p> <ul style="list-style-type: none"> • Ideally suited for widows, widowers and single people who own assets possibly through earlier inheritance or succession; and who wish for family or friends to benefit in the event of unforeseen circumstances in the future. 	
<p>BUSINESS ASSETS (Business Will)</p> <ul style="list-style-type: none"> • If you own a business or a share of a business, this is included in your estate for Inheritance Tax purposes. However, Business Relief may allow you to pass on some or all of the business free of tax, either during your lifetime or as part of your will. 	

WillPack® Instruction Form

IMPORTANT: Use this section to list or note any further information which may be relevant to the drawing up of the Will. Detail also any advice you have given but which has been rejected by the client and if possible give the reason for the rejection. This information may be used to defend any future claim brought against you or the company for negligence.

MAKE SURE THE CLIENT SIGNS YOUR NOTES

Clients Signature _____

Consultants Signature _____

FURTHER INFORMATION: Use this text box to list any further information which may assist the drafts person in completing these instructions.

DECLARATION TO BE SIGNED BY THE TESTATOR(S)

I/we confirm that I/we are over the age of eighteen years and are of sound mind. The information given on this form and to the consultant is correct and is to be used as the basis for preparing my/our Last Will and Testament (my/our Will). In addition to appointments, legacies and distribution of residue I/we agree to the executors and trustees named in my/our Will having normal powers to aid administration of my/our estate(s). I/we know of no other trusts or constraints which would prevent my/our estate being distributed as I/we have requested.

Signed First Testator -

Signed Second Testator -

Date -