

## Will Instructions

PLEASE USE CAPITALS & BLACK INK

Name of organisation

.....  
.....  
.....

Please specify whether these instructions relate to:

Single   
Will

Mirror   
Wills

Property   
Trust Wills

Discretionary   
Trust Wills

*Please note that references to civil partnerships in these instructions apply to civil partnerships registered on or after 5 December 2005*

## PERSONAL DETAILS - CLIENT A

Title Mr / Mrs / Ms / Other...

Occupation

Surname

Full postal address

Full forenames

Date of birth

Home telephone

Town & country of birth

Daytime telephone

Email address

## PERSONAL DETAILS - CLIENT B

Title Mr / Mrs / Ms / Other...

Occupation

Surname

Full postal address

Full forenames

Date of birth

Home telephone

Town & country of birth

Daytime telephone

Email address

## PERSONAL CIRCUMSTANCES - CLIENT A

Do you consider yourself to be permanently resident in England or Wales?

YES  NO

Do you consider yourself to be permanently resident in Scotland?

YES  NO

Do you consider yourself to be permanently resident in Northern Ireland?

YES  NO

If you consider yourself to be permanently resident elsewhere, please state which country.

If you are unmarried, do you intend to marry or enter into a registered civil partnership in the next 12 months?

YES  NO

If you do intend to marry or enter into a registered civil partnership in the near future, is the Will to be effective only after the marriage / civil partnership takes place?

YES  NO

Please give the full name of your future spouse/ civil partner / partner:

Are you married?

YES  NO

Are you in a registered civil partnership?

YES  NO

If the Will is to take effect prior to and continue to be effective after the marriage / civil partnership, must the marriage / civil partnership occur within a particular time?

YES  NO  
by what date?

Do you have a current Will?

YES  NO

## PERSONAL CIRCUMSTANCES - CLIENT B

Do you consider yourself to be permanently resident in England or Wales?

YES  NO

Do you consider yourself to be permanently resident in Scotland?

YES  NO

Do you consider yourself to be permanently resident in Northern Ireland?

YES  NO

If you consider yourself to be permanently resident elsewhere, please state which country.

If you are unmarried, do you intend to marry or enter into a registered civil partnership in the next 12 months?

YES  NO

If you do intend to marry or enter into a registered civil partnership in the near future, is the Will to be effective only after the marriage / civil partnership takes place?

YES  NO

Please give the full name of your future spouse/ civil partner / partner:

Are you married?

YES  NO

Are you in a registered civil partnership?

YES  NO

If the Will is to take effect prior to and continue to be effective after the marriage / civil partnership, must the marriage / civil partnership occur within a particular time?

YES  NO  
by what date?

Do you have a current Will?

YES  NO

## DEPENDANTS - CLIENT A

Certain dependants may be able to bring a claim against your estate if you make little or no provision for them in your Will.

Do you:

Have a spouse / common law spouse / civil partner / child who will not be included in your Will?

YES

NO

Pay toward the maintenance of any person who will not benefit under your Will?

YES

NO

Have a former spouse / civil partner who has not remarried and who will not be included in your Will?

YES

NO

If you answered 'yes' to any of the previous questions in this section, please give details and reasons below.

## DEPENDANTS - CLIENT B

Certain dependants may be able to bring a claim against your estate if you make little or no provision for them in your Will.

Do you:

Have a spouse / common law spouse / civil partner / child who will not be included in your Will?

YES

NO

Pay toward the maintenance of any person who will not benefit under your Will?

YES

NO

Have a former spouse / civil partner who has not remarried and who will not be included in your Will?

YES

NO

If you answered 'yes' to any of the previous questions in this section, please give details and reasons below.

## YOUR ESTATE

Please enter below, the approximate value of your assets and your spouse's / civil partner's / partner's assets. Please also list any outstanding liabilities such as loans or mortgages.

ASSETS	CLIENT A	CLIENT B	JOINT
Main residence	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Any other property or land	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Business assets	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Agricultural assets	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Deposits accounts	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Investments	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
National savings	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Life assurance / insurance policies	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Foreign assets	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Others (please specify)	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
_____	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
_____	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
_____	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<b>TOTAL GROSS ESTATE</b>	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<b>LIABILITIES</b>			
Mortgage	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
Others (credit cards, loans etc.)	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<b>TOTAL NET ESTATE ASSETS (minus liabilities as above)</b>	£ <input type="text"/>	£ <input type="text"/>	£ <input type="text"/>

Assets written in trust and most pension benefits including a death in service benefit, will not usually form part of your estate and will be dealt with under a separate trust. This may be beneficial for Inheritance Tax purposes and also means the monies may be released before Probate is issued. You are usually able to name your chosen beneficiaries in the event of your death (a nomination form). It is very important to keep the details of your chosen beneficiaries up to date. If you wish to change your wishes in respect of your beneficiaries, please contact your policy provider and request a nomination form. Life assurance policies will pass into your estate unless you have placed them into a trust. We can provide advice on a suitable trust at your request.

## YOUR HOME

How do you own your home?

Sole owner

Joint owner with  
someone else

Rented

Names of all owners

Property held as:

- Joint tenants** (where the property automatically passes to the surviving joint tenants)
- Tenants-in-common** (where you each own an individual share in the property)
- Don't know**

## JOINT ASSETS - NOT WITH SPOUSE / PARTNER

Do you or your spouse / partner have any assets owned jointly with someone other than each other?

YES

NO

If 'yes', please give the following details:

Name(s) of joint owner(s)

Total value of asset(s)

Share which you own

£

%

Details of asset(s)

## FOREIGN ASSETS

Do you or your spouse / partner have any assets outside of the United Kingdom?

YES

NO

If 'yes', please give the following details:

Details of asset(s) (i.e. what the asset is, country held in, who it is owned by)

Approx. value of asset(s)

£

Have you made a Will in the particular country / countries?

YES

NO

## EXISTING TRUSTS

Are you or your spouse / partner a beneficiary under a current trust?

YES

NO

If 'yes', please give details:

## BUSINESS ASSETS

Do you or your spouse / partner have any business assets?

YES

NO

If 'yes', please give details:

## CHILDREN & DEPENDANTS

Please provide details of **all of your children**, including any children from previous relationships.

### CHILD 1

Full name	Full postal address
Date of birth	
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
Name of mother	Name of father

### CHILD 2

Full name	Full postal address
Date of birth	
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
Name of mother	Name of father

### CHILD 3

Full name	Full postal address
Date of birth	
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
Name of mother	Name of father

*continued over page*

## CHILDREN & DEPENDANTS - CONTINUED

### CHILD 4

Full name	Full postal address
Date of birth	
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
Name of mother	Name of father

### CHILD 5

Full name	Full postal address
Date of birth	
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
Name of mother	Name of father

CONTINUE ON SEPARATE SHEET IF NECESSARY

## EXECUTORS

Executors are the people you appoint to deal with your estate after your death. It makes sense to choose someone who is younger than you (although over 18 years of age) and in good health. Normally there are one or two executors, but you can appoint up to four.

Please indicate who you wish to appoint as executors.

- Flint Bishop sole  Flint Bishop jointly with spouse/civil partner/partner  Your spouse/civil partner/partner or if they are unable to act, Flint Bishop  Other (please indicate below)

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## EXECUTORS - CONTINUED

Full name executor 1

Relationship to you

Full postal address

Full name executor 2

Relationship to you

Full postal address

Full name executor 3

Relationship to you

Full postal address

Full name executor 4

Relationship to you

Full postal address

## GUARDIANS

If you have children under the age of 18 years, you may appoint guardians to look after them in the event of the death of you (and your spouse).

Full name guardian(s) 1

Relationship to you

Full postal address

Full name guardian(s) 2

Relationship to you

Full postal address

## GIFTS

Many people choose to make gifts of money or special items to those close to them. These are known as 'legacies'. What is left of your possessions after you have made these gifts is known as 'residue'.

If your estate is liable to Inheritance Tax, this will be paid out of the 'residue' and these specific gifts will be made 'tax free' - in other words, the sum you specify is the sum they will receive, and any tax due to the Government will be paid from the 'residue'.

Do you wish to include any gifts in your Will?  YES  NO [▶ go to "Residue"](#)

## GIFTS OF MONEY

### 1<sup>ST</sup> LEGACY

FULL name and FULL address of person, organisation or charity to whom you wish to make a gift, along with the amount or description.

Full name	Relationship to you
Full postal address	Organisation / charity
	Amount of legacy £
Description of item	

- 1) If a gift is to a child, at what age should he or she receive it?  
18  21  25
- 2) Should the gift be made on the death of your spouse/  
civil partner/partner?  
YES  NO  N/A
- 3) Should the gift be made on your death?  
YES  NO  N/A
- 4) Should the gift be made on the death of both you or your  
spouse/civil partner/partner?  
YES  NO  N/A

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## 2<sup>ND</sup> LEGACY

FULL name and FULL address of person, organisation or charity to whom you wish to make a gift, along with the amount or description.

Full name	Relationship to you
Full postal address	Organisation / charity
	Amount of legacy £
Description of item	

- 1) If a gift is to a child, at what age should he or she receive it?  
18  21  25
- 2) Should the gift be made on the death of your spouse/  
civil partner/partner?  
YES  NO  N/A
- 3) Should the gift be made on your death?  
YES  NO  N/A
- 4) Should the gift be made on the death of both you or your  
spouse/civil partner/partner?  
YES  NO  N/A

## 3<sup>RD</sup> LEGACY

FULL name and FULL address of person, organisation or charity to whom you wish to make a gift, along with the amount or description.

Full name	Relationship to you
Full postal address	Organisation / charity
	Amount of legacy £
Description of item	

- 1) If a gift is to a child, at what age should he or she receive it?  
18  21  25
- 2) Should the gift be made on the death of your spouse/  
civil partner/partner?  
YES  NO  N/A
- 3) Should the gift be made on your death?  
YES  NO  N/A
- 4) Should the gift be made on the death of both you or your  
spouse/civil partner/partner?  
YES  NO  N/A

CONTINUE ON SEPARATE SHEET IF NECESSARY

## THE 'RESIDUE' OF YOUR ESTATE

The 'residue' of your estate is what is left after debts, taxes and any gifts listed in the previous sections have been paid. You must now consider who will receive the 'residue' of your estate. The possibilities are endless, but we have identified the four most common ways of dealing with the 'residue' of an estate. Read them carefully and choose which best suits you. If you are in any doubt, say so and we will advise.

*I wish to leave all the 'residue' of my estate to my partner, but if he/she dies before me, equally between my children.*

*I wish to leave all the 'residue' of my estate to my partner, but if he/she dies before me, to the people named below in equal shares.*

*I wish to leave all the 'residue' of my estate to my partner, but if he/she dies before me, to the people named below in the percentages indicated.*

*I wish to leave all the 'residue' of my estate to the person(s) or organisations listed below in the percentages indicated.*

REMEMBER, THE TOTALS MUST ADD UP TO 100%

1	Full name	Full postal address
	Relationship to you	
	Age	
2	Full name	Full postal address
	Relationship to you	
	Age	
3	Full name	Full postal address
	Relationship to you	
	Age	

continued over page

4

Full name		Full postal address
Relationship to you		
Age	Percentage <small>(if applicable)</small> %	

5

Full name		Full postal address
Relationship to you		
Age	Percentage <small>(if applicable)</small> %	

6

Full name		Full postal address
Relationship to you		
Age	Percentage <small>(if applicable)</small> %	

7

Full name		Full postal address
Relationship to you		
Age	Percentage <small>(if applicable)</small> %	

CONTINUE ON SEPARATE SHEET IF NECESSARY

## CHILDREN OF YOUR BENEFICIARIES

If any person to whom you make a gift in your Will dies before you, do you wish that person's children to inherit their parent's share? YES  NO

Young beneficiaries will not be entitled to their inheritance earlier than the age of 18. However, if you wish, you can defer this entitlement to a later age, but for tax reasons it is not advisable to use an age over 25.

I wish young beneficiaries to become entitled at the age of: 18  21  25

## ALTERNATIVE PROVISIONS OPTIONAL

Please use this section if you wish to include additional beneficiaries in the event that all your chosen beneficiaries have died before you. Please also state what share the alternative beneficiaries are to receive.

**1**

Full name

Relationship to you

Percentage  %

If a gift is to a child, at what age should he or she receive it?  
18  21  25

Full postal address

If this person dies before you, do you wish this person's children to inherit their parent's share?  
YES  NO  N/A

At what age should he or she receive it?  
18  21  25

**2**

Full name

Relationship to you

Percentage  %

If a gift is to a child, at what age should he or she receive it?  
18  21  25

Full postal address

If this person dies before you, do you wish this person's children to inherit their parent's share?  
YES  NO  N/A

At what age should he or she receive it?  
18  21  25

**3**

Full name

Relationship to you

Percentage  %

If a gift is to a child, at what age should he or she receive it?  
18  21  25

Full postal address

If this person dies before you, do you wish this person's children to inherit their parent's share?  
YES  NO  N/A

At what age should he or she receive it?  
18  21  25

CONTINUE ON SEPARATE SHEET IF NECESSARY

## FUNERAL INSTRUCTIONS

You can complete this section if you have any particular preferences.

CLIENT A

BURIAL

CREMATION

CLIENT B

BURIAL

CREMATION

Special instructions

Special instructions

## STORAGE OF WILL

Would you like Flint Bishop to store your Will(s)?

YES

NO

## ADDITIONAL INFORMATION

Please use the space provided below for any special instructions or information you feel may be relevant for the preparation of your Will(s).

## DECLARATION

Please ensure this declaration is completed and signed, and then return the completed form to Flint Bishop in the enclosed prepaid envelope.

PLEASE PREPARE A WILL FOR ME BASED ON THE INSTRUCTIONS CONTAINED IN THIS FORM.

This was completed by myself  or

I understand that:

- The information requested in this form is required for the purpose of preparing my Will and to ensure that my Will reflects my wishes.
- The information is being used by Flint Bishop Solicitors who are responsible for preparing my Will.
- Flint Bishop may contact me to confirm my instructions.
- Information about me will be put on the database of Flint Bishop and used by Flint Bishop in servicing my relationship with them and monitoring service levels.
- Flint Bishop will charge for its services for acting as Executor after my death in accordance with its scale of fees.

I certify that the information given in this form is true and complete and correctly represents my wishes.

## KEEPING YOU INFORMED

Flint Bishop may use the information on this form to provide you with details of selected products and services by post or telephone. If you do not want this, please tick this box.

By providing your email and/or mobile telephone number below, you are agreeing to receive offers or communications by email or mobile/SMS from Flint Bishop.

Mobile number

Email

## GIVING YOUR CONSENT

It is important that you read the declaration carefully, as, by signing this application below, you agree that we can use your information this way. Please note that if you tick the box and do not provide either an email address or mobile number, we will not be able to tell you about the additional benefits available to our customers.

### CLIENT A

Print name	Signature
Date	

### CLIENT B

Print name	Signature
Date	

**PROPERTY TRUST WILLS ONLY**

Property Trust Wills can help to protect one half of the value of your home from the effects of care fees or re-marriage.

On the first spouse/partner's death, their share in the property will be held on trust for your chosen beneficiaries such as your children rather than passing directly to the surviving spouse/partner. However, the surviving spouse/partner will have the right to stay in the property until the trust period ends - usually on the surviving spouse/partner's death, although the trust period can also end on the remarriage or cohabitation on the spouse/partner with another person.

If you would like us to include a Property Trust in your Will, please complete the following:

Please choose when you would like the trust period to end (you can select more than one option).

On the death of the surviving spouse/partner? YES  NO

On the remarriage of the surviving spouse/partner? YES  NO

On the cohabitation of the surviving spouse/partner with another person? YES  NO

Would you like the surviving spouse/partner to have a life interest under the trust? (Please refer to attached article) YES  NO

Who would you like to benefit under the trust? CHILDREN  GRANDCHILDREN  OTHERS   
 At what age? 18  21  25  At what age? 18  21  25

If 'OTHERS' please specify below:

1 Full name

Full postal address

Relationship to you

Percentage  %

If this person dies before you, do you wish this person's children to inherit their parent's share?

YES  NO  N/A

If a gift is to a child, at what age should he or she receive it? 18  21  25

At what age should he or she receive it? 18  21  25

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**PROPERTY TRUST WILLS ONLY - CONTINUED**

2 Full name

Full postal address

Relationship to you

Percentage %

If this person dies before you, do you wish this person's children to inherit their parent's share?

YES  NO  N/A

If a gift is to a child, at what age should he or she receive it?

18  21  25

At what age should he or she receive it?

18  21  25

3 Full name

Full postal address

Relationship to you

Percentage %

If this person dies before you, do you wish this person's children to inherit their parent's share?

YES  NO  N/A

If a gift is to a child, at what age should he or she receive it?

18  21  25

At what age should he or she receive it?

18  21  25

4 Full name

Full postal address

Relationship to you

Percentage %

If this person dies before you, do you wish this person's children to inherit their parent's share?

YES  NO  N/A

If a gift is to a child, at what age should he or she receive it?

18  21  25

At what age should he or she receive it?

18  21  25

CONTINUE ON SEPARATE SHEET IF NECESSARY

## DISCRETIONARY TRUST WILLS ONLY

The position with regard to Inheritance Tax and Wills has been subject to a degree of change following the Pre Budget Report on 9th October 2007.

The basic inheritance tax position for married couples and civil partners before October 2007 was fairly straightforward.

If the first spouse died and left everything to the survivor then, on the first death, there would be no inheritance tax payable, due to the availability of spouse exemption. However, in these circumstances the nil rate band of the first to die had not been fully utilised. With the survivor owning all of the assets there was a bunching effect which meant that, on their death, there could be a large inheritance tax bill since they only had their own Inheritance Tax threshold to set against the bunched estates.

To mitigate this liability each Will contained a nil rate band Discretionary Trust. This Trust ensured that on the first death the nil rate band was fully utilised.

Whilst the inherent tax saving was the predominately main reason why such Wills were recommended they were also able to shelter assets to protect beneficiaries eg if a member of the family had matrimonial/debt issues or if you were concerned about the impact of home fees. They could also be used a vehicle to shelter business assets to maximise the Inheritance Tax relief available.

Despite the varied reporting on the changes the position has not changed at all for single people or as much as might be thought for married couples and civil partners.

For second deaths occurring on or after 9th October 2007 the inheritance tax impact of the 'bunching' of estates at the time of that death can be reduced by the survivor's Executors making a 'transfer claim' to the tax office. The effect of this claim is that the proportion of unused nil rate band on the estate of the first to die can be clawed back for the benefit of the second estate. A transfer claim would involve ascertaining the proportion of the unused nil rate band of the first to die and then transferring that to be set against the taxable value of the survivor's estate.

The effect of this is that if none of the nil rate band had been utilised on the first death the estate of the survivor could claim back the full value of their unused nil rate band. Meaning, in effect, that the available nil rate band for the second estate would be £650,000 (being £325,000 x2 for the tax year 2009-2010).

It must be remembered that the Inheritance Tax threshold has not been increased to £650,000.

The effect of the new rules will also vary depending upon the circumstances of the case concerned and specific advice must be taken to confirm how the changes will effect you.

Previously, Discretionary Trusts were primarily completed by people wanting to mitigate their Inheritance Tax liability. The changes in the rules have reduced their necessity to a certain extent but we would argue that there is still a role for Discretionary Trusts as part of your long term planning.

## DISCRETIONARY TRUST WILLS ONLY - CONTINUED

If instead of using a suitable trust arrangement everything is left to the survivor outright then:

- The survivor can spend all the money.
- The survivor may have financial problems and their creditors might take everything they have.
- The survivor may remarry and leave their estate to their new spouse.
- The survivor may enter means-tested long term care. In this case most of their estate may be paid out in care fees.
- The survivor might lose the mental or physical capacity to handle their own affairs. This could lead to their being exposed to financial abuse by third parties and their affairs might need to be taken over by the Court of Protection.
- If the first spouse/partner to die has any business or agricultural property which is relieved by inheritance tax business property relief or agricultural property relief then unless those assets are either given away outright to non spousal beneficiaries or into a flexible discretionary trust arrangement then the benefit of that type of valuable relief is lost.
- If the value of the assets in the estate of the first to die eg a share in the family home or shares/ any investment / interest paying bank account grow at more than the rate of increase in the nil rate band for inheritance tax purposes (which has broadly grown at the 'headline' inflation rate or RPI) as they have in the past then it would be advantageous to make use of the nil rate band of the first to die at the time of the first death. In short the growth in value of the assets is taken out of the value of the equation at the second death.

The changes to the Inheritance Tax regime are to be welcomed. But, it is important that you take appropriate advice to ensure that your personal position is adequately protected. The use of a Discretionary Trust in your Will is still the best way you can ensure that your estate passes to the people you want, in the way you wish, whilst still leaving your Inheritance Tax mitigation options open.

If you would like to include these trusts in your Will, please complete the following:

I would like to include discretionary trusts in my Will... YES  NO

Who would you like to benefit under the trust?

SPOUSE  CHILDREN  GRANDCHILDREN  OTHERS

At what age?

18  21

25

At what age?

18  21

25

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**DISCRETIONARY TRUST WILLS ONLY - CONTINUED**

If 'OTHERS' please specify below: CONTINUE ON SEPARATE SHEET IF NECESSARY

**1**

<input type="text" value="Full name"/>	<input type="text" value="Full postal address"/>
<input type="text" value="Relationship to you"/>	
<input type="text" value="Percentage"/> %	
If a gift is to a child, at what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>	If this person dies before you, do you wish this person's children to inherit their parent's share? YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> At what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>

**2**

<input type="text" value="Full name"/>	<input type="text" value="Full postal address"/>
<input type="text" value="Relationship to you"/>	
<input type="text" value="Percentage"/> %	
If a gift is to a child, at what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>	If this person dies before you, do you wish this person's children to inherit their parent's share? YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> At what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>

**3**

<input type="text" value="Full name"/>	<input type="text" value="Full postal address"/>
<input type="text" value="Relationship to you"/>	
<input type="text" value="Percentage"/> %	
If a gift is to a child, at what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>	If this person dies before you, do you wish this person's children to inherit their parent's share? YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> At what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>

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## DISCRETIONARY TRUST WILLS ONLY - CONTINUED

4

Full name	Full postal address
Relationship to you	
Percentage <input type="text"/> %	If this person dies before you, do you wish this person's children to inherit their parent's share? YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If a gift is to a child, at what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>	At what age should he or she receive it? 18 <input type="checkbox"/> 21 <input type="checkbox"/> 25 <input type="checkbox"/>

A standard Letter of Wishes says that income will be paid from the trust to the spouse if they need it, but if they do not, it can either be accumulated and added to the capital or distributed to the other beneficiaries. The capital will remain intact for the lifetime of the spouse unless the spouse needs it for a specific purpose or wishes to give the capital to the other beneficiaries. After the surviving spouse's death, the discretionary trust is distributed to the children equally, or if they have died, then to their children equally.

If no one survives then the trust will be distributed to other beneficiaries named in your Will.

We will include this standard Letter of Wishes unless you advise us differently below:

Assets held in joint names usually pass direct to the survivor and can not be included in the discretionary trust. If you would like more information on severing joint assets in order to enable you to have sufficient sole assets to include a discretionary trust in your Will(s), please tick here  and Flint Bishop Solicitors will contact you to discuss the available options. Alternatively, you may call our helpline 0800 2946549 between 9 am and 5pm.