

# What if I die without a will?

**Many people put off making a will, hoping that the inevitable won't happen. However, the fact is we never know what's round the corner and if you haven't made a plan the consequences can be quite horrific, particularly for those you leave behind.**

## **Did you know?**

- Without a valid will you have no choice as to who will administer your estate which can cause distress and lead to arguments between relatives.
- If you die without a will the law dictates who will benefit from your estate (see flowchart). If you have no family your estate will pass to the Government! You will have no say!
- If you live with someone, but are not married or in a civil partnership, they will receive nothing under the rules of intestacy. This could lead to costly litigation by your loved one, particularly if they were financially dependent on you!
- If you have a will but have married or re-married since making it, your will is no longer valid. Likewise if you separate from your spouse and had previously made a will in your spouse's favour, that will remains valid until you revoke it, re-marry or make a new one!

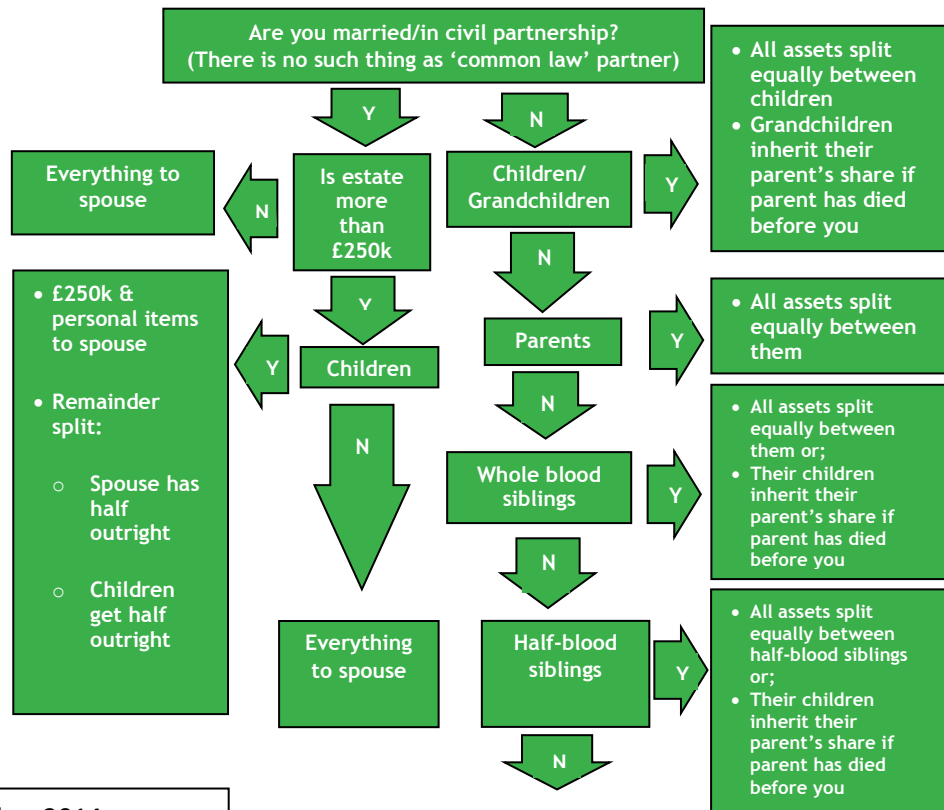
- It can take months or even years to administer an estate if you have not left a will. Tracing distant family members is time consuming and expensive.
- The Court can make decisions about who cares for your children if there is no parent surviving. Your will is your only opportunity to appoint guardians so that the court knows what your intentions were when considering this important matter.



## **If you make a valid will.....**

- You have control over who deals with your estate and who receives your assets.
- You can plan and thereby minimise inheritance tax.
- The people you care about will have a clear record of your wishes and instructions leaving them one less worry at, what will be, a traumatic and upsetting time for them

## What happens to your assets if you do not make a will?



Updated October 2014  
In line with the Inheritance and Trustees' Powers Act 2014

All assets are passed as follows:

- To grandparents, if none;
- To whole blood aunts & uncles or their share to their children, if none;
- To half blood aunts & uncles or their share to their children.

If none of the above  
All assets are passed to the Crown

- To be valid a will...**
- Must comply with the requirements set out in the Wills Act 1837:
    - It must be in writing
    - It must be signed
    - It must be witnessed correctly
  - The person making the will must fully understand what they are doing
  - Wording must be precise and clear or gifts/legacies may fail

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