

Irwin Mitchell Will Writing Service

Will Writing Instruction Form
& Guidance Notes

About this Will Writing Service

Why do I need to write a Will?

According to a survey by the National Consumer Council in 2007, 7 out of 10 people don't have a Will. Many people believe that if they are married, in a civil partnership or have a co-habiting partner, that they don't need a Will because their spouse/partner will automatically get everything when they die. This may not necessarily be the case.

If you die without a Will, you are said to have died "intestate". This means that it will be the law and not you that decides what will happen to your Estate (all of your possessions and assets) after you have died which may mean that distant relatives may have the right to a portion of your Estate.

Wills are intended to express your wishes after you have died. Many people immediately think that this refers just to their financial assets and possessions. However Wills can also be used to express your wishes on other important issues like; who should look after your children (Guardianship), who is responsible for distributing your assets in accordance with your Will (Executorships) and how you would like your remains disposed of after you have died.

Who can write a Will?

First of all and most important, a person must have "Testamentary Capacity". Testamentary Capacity is a technical term. It may be more commonly referred to as "of sound mind".

Simply put and in the context of writing a Will, it means you understand that you are making a Will and the effect that this may have on those who are dependent on you; and that you understand the extent of your assets/possessions/Estate.

There is a lower age limit for writing a Will. In England or Wales, this is 18. The exception to this rule is for members of our armed forces who are on active service. There is no upper age limit for writing a Will.

Having a disability does not mean that a person is prohibited from writing a Will. As long as a person has Testamentary Capacity and is over 18, Irwin Mitchell should be able to prepare a Will for you. If you or the person who wishes to write a Will is visually impaired or blind, please let us know. We will adapt our service and the documents you receive to reflect your particular need.

What kind of Will do I need?

The Irwin Mitchell Will Writing Service offers three types of Will; a Single Will, Mirror Wills or Asset Protection Wills.

Mirror Wills are suitable for married couples, co-habiting couple or couple in a civil partnership who have very similar wishes regarding the distribution of their Estates. If you are part of a couple but you and your spouse/partner have very different wishes, we would suggest that two Single Wills are a more appropriate choice for you.

If you are single, separated, divorced, widowed, a surviving civil partner or have had your civil partnership dissolved; you should choose a Single Will.

Asset Protection Wills (also called Property Protection Trust Wills) are available only for couples – married, unmarried or civil partners who either jointly own their property; or it is held in the sole name of one party but occupied by both. We have provided more information on these types of Wills later in these guidance notes.

Who are Irwin Mitchell?

Irwin Mitchell was founded in 1912. We have helped over 1 million clients with their legal needs and continue to help thousands of people every year. We are ranked as one of the largest law firms in the UK and are considered by many in the industry as one of the market leaders in the provision of Will Writing services. Our size is testament to our success – people come to Irwin Mitchell for the quality of service they receive and the reassurance that comes from dealing with a large, long established firm.

How to complete the form?

This form has been designed to be easy to complete and will ask some basic questions about you, your family, your possessions and what you would like to happen to them after you have died.

At the start of the form, we will ask you some general questions. These are to help us understand the complexity of your Estate. They just require a "Yes" or "No" response. The responses you provide here will not have an impact on how you complete the rest of the form but will be helpful to our Will Writing team when they are preparing your Will.

About You/About Your Spouse/ Partner

These sections collect the basic information about you and your spouse/partner. They will help us understand your family so that we can prepare a Will for you which reflects your situation.

Domicile

This information will enable us to draft a Will in accordance with the most appropriate laws.

About your Assets

We need to understand the size of your Estate and the type of possessions/assets that you have. There are two reasons for this.

Firstly, if you have unusual assets in your Estate like royalties,

assets outside England or Wales or business assets; we will need to provide bespoke advice which may require some additional information from you. We will contact you if this applies to you. Secondly, we need to understand what the IHT (Inheritance Tax) implications are. These are based on the size of your Estate.

IHT (Inheritance Tax)

Everyone's Estate is liable for Inheritance Tax when they die.

However, a certain portion is taxed at 0%. This is referred to as the Nil Rate Tax Band (NRT). It is also possible for a widowed spouse or surviving civil partner to "use" any surplus of the NRT Band of their deceased spouse/civil partner. Based on the information you have provided, if we feel your Estate is likely to be greater than the NRT Band we may contact you to discuss your options.

Executors

An Executor is the person or organisation responsible for ensuring that the instructions contained in your Will are carried out after you have died. This means that the Executor will need to identify the size of your Estate (all of your assets and possessions) and understand if you have any debts. They will then pay any debts from the funds in the Estate including taxes and funeral expenses, before distributing the remainder of your Estate in accordance with the instructions in your Will.

This can be a complicated role and some people prefer to appoint a professional to deal with the Estate. Irwin Mitchell is able to offer Executorships & Estate Administration Services which would ensure distribution of your Estate by experienced professionals familiar with the procedure involved.

What are the benefits of appointing Irwin Mitchell as Executor?

Your inheritance is a gift to your beneficiaries and it is important that such a gift is given without stress, worry or hassle for the recipients at what for them will be a difficult time. Irwin Mitchell can assist, almost immediately following death if they are appointed as Executor in your Will to guide your beneficiaries as to the appropriate steps to take and to ensure that your estate is dealt with in a timely professional manner.

The advantages of appointing Irwin Mitchell as your Executor include:-

- Competitive rates which are negotiated with the beneficiaries following your death so everyone is happy before Irwin Mitchell would act.
- A menu of options available so that beneficiaries can decide what level of help they wish to have.
- An independent professional body dealing with matters to avoid conflict between beneficiaries.
- Your estate being administered by a regulated law firm which has stringent quality standards.

- The worry, stress and hassle taken away from your loved ones.
- Immediate advice and assistance given following death so there is no delay or confusion over where to turn for help.
- A dedicated person dealing with your estate on hand to help and advise your family.
- A friendly and approachable team on hand to help every step of the way.

Guardians

It is possible to express your wishes about who you would like to look after your children in your Will. This is appropriate for children who are under 18 (or 16 for Scotland). It is important to point out that decisions regarding who will be appointed as Guardians will ultimately be made by the Family Courts. However wishes expressed in a Will are taken into consideration and do play an important part in the decisions that they make.

Funeral Wishes

This section allows you to express your wishes regarding what you would like to happen to your body after you have died. Some people also choose to express their wishes regarding organ donation. For more information on organ donation, go to www.uktransplant.org.uk. Please be aware that your Will may not be read until after your funeral has taken place. We recommend that you talk to your family and make them aware of your wishes so they can make appropriate arrangements when you die.

Distributing your Estate/Possessions

Important: Beneficiaries cannot receive their inheritance from a Will in England, Wales and Northern Ireland until they are 18 (and 16 in Scotland).

This section is about communicating your wishes on what you would like to happen to your Estate/Possessions when you die. It is broken down into three main areas.

Specific Gifts

Some people choose to leave specific personal possessions to particular people. This is often based on special sentimental value or to demonstrate appreciation for acts of kindness or a long term friendship. The reasons behind these Gifts are unique and personal to each individual. We suggest that these types of Gifts may be more appropriately gifted in a Letter of Wishes. We will refer to this Letter in your Will.

Leaving a Specific Gift is not compulsory.

You cannot include Gifts of Money or business assets in a Letter of Wishes. These must be gifted in your Will.

Important: If you are leaving a Letter of Wishes, this should be stored with your Will but NOT attached to your Will.

Money Gifts

If you would like to leave a Specific Gift of Money to someone, this must be included in your Will. Money cannot be gifted in a Letter of Wishes.

Residue

The residue of an Estate is the remainder i.e. everything that is left after Specific Gifts and any Money Gifts. For many people, this forms the bulk of their Estate.

Alternative Beneficiaries

In this section, we provide the opportunity to name an Alternative Beneficiary. This is to accommodate situations where all or one of the main beneficiaries has already died and a new Will has not been prepared.

Asset Protection Wills

It is a common concern that the value of your property may be lost or reduced, if you go into care and have the burden of care fees to pay. Also, without careful advice and Estate planning now, your property may end up in the hands of unintended beneficiaries. Irwin Mitchell can offer advice and guidance on how to mitigate that risk and take positive steps to ensure that as far as possible the value of your house is preserved for you and future generations by the inclusion of a Property Trust within your Will.

How do the Trusts work?

A Trust (known as an Immediate Post Death Interest or IPDI Trust) is created within the Wills for both parties. On the death of the first party, their half share of the property passes into Trust. The other half share of the house would remain in the ownership of the surviving spouse or partner. The terms of the Trust are that the surviving partner is allowed to live in the property for their lifetime and can move house with the new property being subject to the same terms.

The advantage for the surviving partner is that only a half share of the property's value is held by them and so only that half share should be taken into account in assessing their ability to contribute towards care fees or be available to pass onto their beneficiaries in the event of their death. Irwin Mitchell provide full advice and guidance on how these Trusts work as part of the Will writing process and ensure they are suitable for you and you understand how the mechanism works. If this type of Will is of interest to you, please complete the section of the Will Writing form with a note of who you would like to act as Trustees.

It is recommended that the Trusts are run by the surviving partner and one or more of the children/beneficiaries of the Trusts following the death of the second party. Please give details in the appropriate section of the form. These Property Trust Wills are available only for couples – married, co-habiting partners or civil partners who either

jointly own their property or it is held in the sole name of one party but occupied by both. If you are single and would like to know if there are any opportunities to protect your property for future generations, please contact us on 0870 1500 100 for further advice.

Glossary of Terms

Administrators:	People appointed to sort out your affairs according to the law when a Will has not been made.
Beneficiary:	An individual or organisation that is to receive something from your Will.
Chattels and Movables:	Your furniture, car and personal possessions.
Domicile:	You are domiciled in the country of your birth or the country of birth of your parents unless you have given up your original domicile by living permanently in another country and have broken all ties with your original country of domicile. If this has occurred you may acquire the domicile of the country in which you now live.
Estate:	Everything you own at the time of your death.
Executor/s:	The person or persons appointed by you to look after your affairs and make sure the wishes expressed in your Will are carried out.
Intestate and Intestacy:	If you die without having made a valid Will, the Law declares you to be intestate and decides how your possessions should be shared out. Intestacy is the name for this situation.
Legacy:	A specific item or sum of money left in a Will.
Probate:	The legal procedure to establish Executors who will administer your Estate.

What happens next?

Once you have completed this Will Writing Instruction Form, please submit it including payment to Irwin Mitchell. We will contact you to let you know that we have received your instructions. This will usually be by letter or email. We will then start to prepare your Will. If we need any further information or need to clarify any of the information you have provided, we will call you. We aim to have sent you your Will pack within 10 working days of receiving your full and clear instructions.

This pack will contain:

- Your bound Will
- An unbound copy of your Will
- Instructions on how to sign your Will
- A plain English commentary
- Guidance notes regarding when you should change your Will.
- AIM Form (a form for you to complete to tell us when and where the Will was signed)

Important: Your Will is not legally binding until it has been signed and witnessed. This is called Executing the Will. Irwin Mitchell is not responsible for executing your Will but we will give you appropriate guidance.

Other services

Irwin Mitchell are able to provide the following additional & complementary services:

- Executorships and Estate Administration Services
- Lasting Powers of Attorney

Regulatory Statement

Irwin Mitchell LLP is a limited liability partnership registered in England & Wales, with number OC343897, and is regulated by both the Solicitors Regulation Authority and the Law Society of Scotland. The word 'partner', used in relation to the LLP, refers to a member of the LLP or any employee of, or consultant to, the LLP (or any affiliated firm) who is a lawyer with equivalent standing and qualifications. A list of the members of the LLP, and of those non-members who are designated as partners, is displayed at our offices.

Any Questions?

If you have any questions about this Will Writing Service or don't understand any part of the Will Writing Instruction Form, please call us on **0870 1500 100** and speak to our Will Writing team.

Will Writing Instruction Form & Guidance Notes

	Yes	No
Do you consider anywhere other than England or Wales your permanent home?	<input type="checkbox"/>	<input type="checkbox"/>
Do you own a share in a business?	<input type="checkbox"/>	<input type="checkbox"/>
Are you leaving anything of value to someone who has a learning disability and/or is reliant on means tested benefits?	<input type="checkbox"/>	<input type="checkbox"/>
Do you own anything jointly with anyone other than your spouse or partner?	<input type="checkbox"/>	<input type="checkbox"/>
If you add up the value of everything you own, does it come to more than £325,000 (if you are single, divorced or widowed); or £650,000 (if you are married/in a civil partnership)?	<input type="checkbox"/>	<input type="checkbox"/>
Do you own anything outside England or Wales?	<input type="checkbox"/>	<input type="checkbox"/>
Do you wish to leave your house or your share in it as a separate gift in your Will to anyone other than your spouse or partner?	<input type="checkbox"/>	<input type="checkbox"/>
Do you wish to leave a timeshare/land/buildings/intellectual property; as a separate gift in your Will?	<input type="checkbox"/>	<input type="checkbox"/>

What kind of Will do I need?

Mirror Wills are suitable for married couples, co-habiting couples or civil partners who have very similar wishes regarding the distribution of their estates. Asset Protection Wills are Mirror Wills incorporating special Trusts to protect your property. Single Wills are for those who have very different wishes regarding the distribution of their estates. They are suitable for couples as well as people who are single, divorced, separated or widowed, a surviving civil partner and those who have dissolved their civil partnership.

Mirror Wills

If you would like Mirror Wills, this can be accommodated using just one form. If you would like to buy Mirror Wills, all you have to do is complete one form and indicate that you would like Mirror Wills in the payment section. Based on the information you have provided, we will write two Wills, one for you and one for your spouse/partner/civil partner which are mirror images of each other.

About You

Section 1A

Please enter the following details about you:

Mr/Mrs/Miss/Ms/Other:	First Name:
Middle Name:	Surname:
Address:	Telephone No(s):
Post Code:	Mobile No:
Date of Birth: / /	Email:

Have you ever been known by any other name: Yes No

Also known as:

I am: **Male** **Female**

What is your marital status?

Married **In a civil partnership** **Living as partners**
Single/Divorced **Separated** **Widowed**

About your Spouse/Partner

Section 1B

Only complete this section if you're are planning to write a Mirror Will or are naming your Spouse/Partner/Civil Partner as your main beneficiary or Executor.

Mr/Mrs/Miss/Ms/Other:	First Name:
Middle Name:	Surname:
Address:	Telephone No:
Post Code:	Mobile No:
Date of Birth: / /	Email:

Has your Spouse/Partner/Civil Partner ever been known by any other name: **Yes** **No**

Also known as:

They are: **Male** **Female**

What is their marital status?

Married **In a civil partnership** **Living as partners**
Single/Divorced **Separated** **Widowed**

IMPORTANT

Irwin Mitchell may need to contact you during the course of writing your Will to check or confirm the information you have provided, to ensure that your wishes are understood and to provide you with updates on the progress of your Will. This could be by phone, email or text messaging. By providing the details above, you are indicating that you are happy for Irwin Mitchell to contact you this way.

If you would like your Will to be sent to another address, please provide these details in the additional information section later in this form.

Please note we do not send Wills by email unless by special request from you.

Domicile

Section 2

We need to ensure that your Will is drafted correctly and in accordance with the law of the country which you consider to be your permanent home. (Please tick as appropriate)

England or Wales **Scotland** **Northern Ireland** **Other**

We need to understand the size and content of your estate/possessions as this is important when drafting a Will. Please tick if you hold any of these assets on your own or jointly with someone else:

	You	Spouse /partner	Jointly with Spouse/partner	Jointly with someone else
Business or agricultural assets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foreign assets (inc. bank accounts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Investment portfolio (inc. shares)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pension (not provided by the State)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Royalties, trademarks, patents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Life Insurance/Assurance policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank/building society accounts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Ownership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you have any bank/building society accounts, please indicate the estimated balance of the deposits held:

You:	£
Spouse/partner:	£
Joint:	£

If you own a home(s), please indicate the estimated value of the property(s).

Including the home(s) mentioned above if any, please estimate the total value of your estate:

An Executor is the person or organisation responsible for ensuring that the instructions contained in your Will are carried out after you have died. This can be a complicated role and some people prefer to appoint a professional to deal with the estate. Irwin Mitchell is able to offer Executorships & Estate Administration services which would ensure distribution of your estate by experienced professionals familiar with the procedures involved.

Please consider the options below and tick which appointment you would prefer.

- Irwin Mitchell to act solely as my Executor.**
- Irwin Mitchell and my Spouse/Partner/Civil Partner/other to act jointly as Executors.**
My Spouse's/Partner's/Civil Partner's detail can be found in section 1B.
- Other: please give name and address details in the 'Additional information'**

It is possible to express your wishes about who you would like to look after your children in your Will. This is appropriate for children who are under 18 (or 16 for Scotland).

Name of Child	Child's Date of Birth	Name of Proposed Guardian	Address of Guardian

We can include details about your funeral wishes in your Will. However please be aware that your Will may not be read until after the funeral has taken place. We recommend that you tell your family about your funeral wishes so that they are aware of your wishes and can make appropriate arrangements when you die.

<p>1st Applicant</p> <p>I would like to be: Buried <input type="checkbox"/> Cremated <input type="checkbox"/></p> <p>Option A: I have a funeral plan with _____ (insert name of company). Which contains the detail of my funeral arrangements.</p> <p>Please mention this in my Will. <input type="checkbox"/></p> <p>Option B: If you don't have a funeral plan in place and have very specific wishes in mind, these can be expressed by writing a separate Letter of Funeral Wishes which we can refer to.</p> <p>If you intend to write a specific request for you funeral and would like us to refer to these in your Will, please tick here: <input type="checkbox"/></p>	<p>2nd Applicant</p> <p>I would like to be: Buried <input type="checkbox"/> Cremated <input type="checkbox"/></p> <p>Option A: I have a funeral plan with _____ (insert name of company). Which contains the detail of my funeral arrangements.</p> <p>Please mention this in my Will. <input type="checkbox"/></p> <p>Option B: If you don't have a funeral plan in place and have very specific wishes in mind, these can be expressed by writing a separate Letter of Funeral Wishes which we can refer to.</p> <p>If you intend to write a specific request for you funeral and would like us to refer to these in your Will, please tick here: <input type="checkbox"/></p>
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Please note that beneficiaries cannot receive their inheritance from a Will until they are 18 in England, Wales and Northern Ireland (16 in Scotland).

Specific Gifts

If you wish to make a number of specific gifts it is possible for you to prepare a separate note written after you have signed your Will to leave specific personal possessions to named beneficiaries. This is called a Letter of Wishes (Formally known as a Memorandum of Personal Chattels) in England, Wales and Northern Ireland and Informal Writings in Scotland.

IMPORTANT:

Gifts contained in a Letter of Wishes/Informal Writings cannot include gifts of money or business assets.

If you would like us to make reference to this Letter of Wishes/informal Writings in your Will, then please tick here.

If you only wish to leave one or a small number of specific gifts in your Wills, please provide details in the Additional Information Section.

Money Gifts

Name of Beneficiary: _____

Relationship: _____

Amount of Money Gift _____

Date of Birth _____

The Gift should be made on:

- On 1st Applicant's death only
- On 2nd Applicant's death only
- Only when you have both died.

Name of Beneficiary: _____

Relationship: _____

Amount of Money Gift _____

Date of Birth _____

The Gift should be made on:

- On 1st Applicant's death only
- On 2nd Applicant's death only
- Only when you have both died.

The Residue of my Estate/Possessions

Section 7C

In this section you can specify who will receive the remainder of your estate “the residue”.

Please consider the following options:

Option 1:

I would like to leave the residue of my estate to my spouse/partner/civil partner, but if he/she dies before me, to the people named in the Alternative Beneficiaries table (Section 7D) in **equal shares**.

Option 2:

I would like to leave the residue of my estate to my spouse/partner/civil partner, but if he/she dies before me, to the people named in the Alternative Beneficiaries table (Section 7D) in the **percentages indicated**.

Option 3:

I do not have a spouse/partner/civil partner so I would like to leave the residue of my estate to the person(s)/ charity (ies) named in the Alternative Beneficiaries table (Section 7D) in the **percentages indicated**.

Alternative Beneficiaries

Section 7D

Name of person/charity organisation	Relationship to applicant	% Share

Mirror Wills Including Asset Protection

Section 7E

If you would like to have Asset Protection Wills which include a Property Protection Trust, please tick this box:

Property Protection Trusts require separate Trustees to run the Trust during the lifetime of the survivor. It is usual and recommended that the surviving spouse/partner is one of the Trustees.

Please indicate who the other Trustee(s) should be below:

Trustee 1

Name:

Address:

Relationship to you:

Trustee 2

Name:

Address:

Relationship to you:

We will contact you with further details.

If you have any additional information that you feel will be helpful to writing your Will(s), please use the box below.

TERMS AND CONDITIONS

These are Irwin Mitchell's Terms and Conditions and only apply to this Will Writing Service.

1. 'We' and 'Us' means Irwin Mitchell LLP. 'You' means an individual who contracts with us for the writing of a Will.
2. The Will Writing Service will be referred to as 'the Service'. The Service is administered and provided by us and we are responsible for preparing your Will under the Service.
3. We are regulated by the Solicitors Regulation Authority in England and Wales (www.sra.org.uk). In Scotland, we are regulated by the Law Society of Scotland. Where you are domiciled or your assets are situated outside England and Wales and Scotland and your instructions are complex it may be necessary for us to engage third parties in respect of some aspects of the Service. Where we do so we will instruct reputable third parties who comply with local regulatory requirements.
4. The information requested from you in the Will questionnaire is required for the purpose of preparing the Will and to ensure that it reflects your wishes. It is extremely important that you ensure that all information you provide to us is accurate and complete. If any of the information is not accurate and/or complete then it may affect the validity of your Will and/or the disposal of your estate under it may not be correct.
5. By completing the questions which form part of the Will questionnaire and answering any additional telephone questions, you confirm that you are not subject to coercion or undue influence and have sufficient mental capacity to make and execute a will and have not been influenced by anyone in answering the questions.
6. Please also note that the Wills are drafted under and in compliance with the laws of England and Wales, Scotland and/or Northern Ireland as applicable. We are unable to assist you if you would like your will to be governed by the law of another country or if you would like it to be governed by religious laws.
7. Your Will (or the accompanying documentation) will contain guidance notes on when a new will is needed. Please read these carefully. If you do not have a new will drafted in accordance with these guidance notes then it may affect the validity of your Will and/or the disposal of your estate under it may not be correct.
8. Changes in Inheritance Tax legislation may also affect the tax efficiency of your Will. Please note that we will not be obliged to contact you if there are any changes to the UK Inheritance Tax Legislation, but may choose to do so at our option. We cannot be liable to you for any losses, damages or costs (whether arising in contract, tort, negligence, breach of statutory duty or otherwise) arising as a result of our failure to contact you in these circumstances.
9. It is essential that Wills are signed in accordance with the signing instructions which we send out with them. If your Wills are not signed and witnessed correctly they may be invalid.
10. If you do not follow our instructions in relation to the signature of your Will then we accept no responsibility for the effective execution of your Will.
11. An additional charge will be payable after your Will has been prepared if you make any alterations to your wishes that mean your Will must be redrafted. You should therefore check the Will questionnaire carefully to see that it does reflect your wishes and that nothing has been left out.
12. We reserve the right to make an additional charge if the nature of your instructions is such that time, over and above what would be considered reasonable for preparing a Will, is spent in completing your Will. You will be advised of any estimated additional charge before any work is undertaken.
13. If you have appointed Irwin Mitchell as Executor of your Will, you should read the Estate Administration Terms & Conditions before signing these instructions. These are available on request.
14. Irwin Mitchell will charge for its services as Executor after your death in accordance with its scales of fees as are applicable at the time.
15. Copyright may arise in the Will, documents or other material which we produce for you. We shall own this copyright and without our prior written agreement and payment of our invoice shall not transfer it to you.
16. Where you have instructed us to prepare a Will, you may cancel your instruction and receive a refund of the fee paid by you if you contact us within seven working days beginning on the day after we agree to prepare the will.
17. As you will appreciate, we will not start work on your Will until either the cancellation period has expired or you have agreed to give up your right to cancel. If you give up your right to cancel we shall begin work on your Will without waiting for the cancellation period to expire. You will not be able to cancel your order once we have started work on your Will. We will ask you when we take payment whether you wish to give up your right to cancel so that we can start work on your will.
18. These Terms and Conditions and any other terms we may agree with you are governed by English Law and any dispute relating to them shall be subject to the exclusive jurisdiction of the English Courts, provided always that we may in our absolute discretion refer any dispute to binding arbitration in London under the Rules of the London Court of International Arbitration, which Rules are deemed incorporated by reference into this paragraph, and in which case the number of arbitrators shall be one, the language to be used in the arbitral proceedings shall be English and the seat of the arbitration shall be England. For the avoidance of doubt, this paragraph is without prejudice to our professional and regulatory obligations.
19. We accept instructions from you on the basis that our services are provided solely for your benefit and that of your beneficiaries under your Will. We do not assume any liability to any person other than you and your beneficiaries under your Will in relation to the advice we give you. Unless we indicate otherwise in writing, we assume no responsibility for or liability (including liability for fees) in relation to the acts or omissions of, or advice given by, any experts, consultants or other advisers (including legal advisers) engaged in relation to any matter connected with your instructions to us. Our advice is confidential to you and this firm shall not be responsible if you make it available to third parties. No person who is not a party to the agreement embodied in these standard terms and conditions and the relative covering letter(s) or your beneficiaries under your Will shall, in the absence of express provision to the contrary, have any right under the Contracts (Rights of Third Parties) Act 1999 to enforce any of its terms, but this does not affect any right or remedy of a third party which exists or is available other than under that Act.

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 Irwin Mitchell LLP who is responsible for preparing the Will.
- If I am contemplating marriage or contemplating entering into a civil partnership, this will not be accommodated in this Will; and that I will need to draft a new Will should I get married or enter a civil partnership.

DATA PROTECTION

- 20. We will be a data controller in respect of this personal data. Your details may also be passed to our agents or third party administrators.
- 21. Irwin Mitchell may need to contact you during the course of writing your Will to check or confirm the information you have provided, to ensure that your wishes are understood and to provide you with updates on the progress of your Will. This could be by phone, email or text messaging.
- 22. Information about you will be put on the database of Irwin Mitchell and used by Irwin Mitchell in servicing your relationship with us and monitoring services levels. It will also be used for customer profiling and service and strategy development.
- 23. You may access your personal data held by us by writing to The Compliance Officer, Irwin Mitchell LLP, Riverside East, 2 Millsands, Sheffield S3 8DT.

CANCELLATION RIGHTS

I acknowledge that I have 7 days during which I can cancel my order for a Will as set out in the Terms and Conditions. Irwin Mitchell will not start work on my will during this period. However, by ticking this box I agree to give up my right to cancel so that work can start earlier and I understand that I will no longer be entitled to receive a refund of the sums paid.

We suggest that if possible, you should make a copy of your completed questionnaire and keep that (and these terms and conditions) in a safe place. If we then contact you to discuss the information you have provided, you will be able to refer to this copy.

Please prepare a Will for me based on the instructions contained in this form.

This questionnaire was completed by myself or by on my behalf.

1st Applicant

2nd Applicant (Mirror Wills only)

Signed:

Signed:

Date:

Date:

You will be required to pay for your Will(s) at the same time as you submit this form.
I would like:

- A Single Will which costs £145.00 including VAT.
- Mirror Wills which costs £230.00 including VAT.
- Mirror Wills including Asset Protection which costs £395.00 including VAT.

Please indicate which type of payment method you have chosen.

- I have enclosed a cheque for £ : made payable to Irwin Mitchell.
- I have provided my credit/debit card details below. Please debit £ : from my card.

Card number:

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Start date: / (MM/YY) Expiry date: / (MM/YY)

Security number: (This is the last 3 digits of the number on the back of your card)

Issue number (if available):

Card holder signature:

Please return your completed form and payment to:

Irwin Mitchell LLP,
Riverside East,
2 Millsands,
Sheffield,
S3 8DT.