



**WILL & WISHES LETTER(S) UPGRADE APPLICATION FOR CO-HABITING
COUPLES**

Number of new Wills required:

Number of new Wishes Letters required:

Number of Deed of Appointment/Retirement of Trustees:

(These will only be required if the Clients want to change Trustees of the existing Trusts. Executors can be changed as part of the new Wills, please fill in separate application form to change Trustees)

SUMMARY OF NEW INSTRUCTIONS (TICK IF CHANGES ARE REQUIRED)

Amendments to Wishes Letter(s)

Children's details

Executors

Guardians

Chattels

Specific legacies

Funeral wishes

SETTLORS' DETAILS

Settlor 1

Title Full name

Country of Domicile UK Other D.O.B.

Settlor 2

Title Full name

Country of Domicile UK Other D.O.B.

Address

Tel. Postcode

Email

IMPORTANT - Has either Testator been previously widowed? Yes No
If yes please detail in notes section

Trust Beneficiaries for Wishes Letter(s)

The Beneficiaries under the Trust(s) are discretionary Beneficiaries. With a Discretionary Trust the Trustees decide the detail of **who** benefits from the Trust, and **when** they benefit, from those classes or named Beneficiaries defined below. **Please remember that the Settlers will not be Beneficiaries.** Trustees, provided they are not the Settlor, **can** be Beneficiaries.

Have any Trustees, Beneficiaries or Executors died (if so please detail below) Yes No

FINANCIAL INFORMATION

Please provide approximate values to ensure that we can confirm the most appropriate planning.

	First Settlor	Second Settlor	Joint Assets
Principle Private Residence	£	£	£
Savings and Investments (excluding Pensions)	£	£	£
Other Property	£	£	£
Qualifying Business Assets	£	£	£
Pensions	£	£	£
Death In Service	£	£	£
Total Assets	£	£	£

Solidus will rely on this information to provide the correct advice

Please review your existing Wishes Letter(s) (copy available in your Solidus binder) and advise any amendments below.

Amendments to Wishes Letter(s)

Copy of existing Client Wills included?

First Settlor

Second Settlor

ACTION OF THE CLIENTS' WILLS

The Beneficiary Protection Plan integrates the Will of a Client with the lifetime Trust framework. On the death of each partner **their whole estate after any gifts will usually be directed to one or more Trusts**. IHT is payable on values over the Client's Nil Rate Band (NRB) Allowance and Residence Nil Rate Band (RNRB) Allowance if applicable.

The surviving partner is commonly supported in one of three ways:

1. For the benefit of the surviving partner which, at the Trustees' discretion, allows them access to their partner's estate in the form of **loans or absolute distributions**. The assets then pass to the children.
2. An alternative approach is for the Trustees to use the Trust to grant the equivalent of a **life interest in the whole estate** to the surviving partner, potentially without the normal tax consequences.
3. The third approach is for the Trustees to use the Trust to grant a **right to reside in the main property** to the surviving partner and give them absolute access to all other assets and then all assets onto the children.

It is important that Clients fully understand that such planning restricts the partner from enjoying full access to the assets in the Trust.

Use of assets held within the Trust

1. Loan or absolute distributions

2. Right to reside in the property only

3. Right to reside in property and residue as loans or absolute distributions

Then to children in equal shares

Additional wishes provided

Please detail any additional wishes you would like the Trustees to consider in the notes section below

4. In estates where the RNRB tax allowance is relevant, an option to claim the RNRB is available. This requires a portion of the main residence ownership to be appointed to the children and could create conflicts, particularly in second family situations. In these circumstances, what is the Clients' desired priority; the interests of their surviving partner or the additional tax planning?

Partner's interests are the priority with any qualifying residential property

OR

Tax planning is the priority with any qualifying residential property

OWNERSHIP OF MAIN ASSETS

For partnerships it is often advisable to ensure that substantial assets (bonds, savings and property) are owned individually and not jointly. The Adviser may deal with the financial planning but Solidus IEP can separate the ownership of property into Tenants in Common by drafting a Deed of Severance and Equity Share Deed.

If you require this additional service please tick

Please advise below if you require anything other than all assets going into Trust for your partner and then your children in equal shares and then onto their descendants

Notes – additional Client information/questions/requests

Please note the Executors of the estate can claim any required RNRB allowance as part of the probate process.

Please note that all foreign property is excluded from our planning.

CHILDREN'S DETAILS

Please confirm your children's full names, addresses and date of birth (if not already provided in the Trustee section).

Name	Address	D.O.B.	Gender	Settlor 1 natural/ legally adopted	Settlor 2 natural/ legally adopted	Both Settlers
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Is the intention that the children will benefit equally from the Trust framework?

Yes No If no, provide instructions

If a child dies leaving children, should their children inherit?

Yes No If no, provide instructions

If a child dies whilst married, should their widow/widower benefit from the estate?

Yes No If no, provide instructions

FURTHER WILL INSTRUCTIONS

Executors

The job of the Executor is to make sure the wishes expressed in the Will are carried out. In most cases the Executors will appoint Solidus IEP or our legal partner to do this and the work associated with the Trust in order to maximise the benefit of the planning, however it is at the Executors' discretion. Please provide details of your Executors, normally the same as the Trustees of your Trusts.

Name	Address	Relationship to whom

Guardians

Please provide guardian details for any children under the age of 18.

Name	Address	Relationship to whom

Chattels

If you have any specific items e.g. jewellery you wish to leave, please provide details below.

Description	Recipient (full name and full address)	Relationship to whom

Specific Legacies

Please give details of any specific cash gifts and when they are to be made:-

Select 1 if it is a gift on the death of the first spouse, select (2) if it is a gift to be made on the death of the second spouse and select (3) on death irrespective of whether on first or second death.

Gift description (e.g. £10,000)	Gifts to be made (see above)	Recipient full name and address	Relationship - to whom
	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		

Funeral Wishes

Settlor 1

Cremation

Burial

None

Settlor 2

Cremation

Burial

None

NOTES

MENTAL CAPACITY

In English Law, the case of *Banks v Goodfellow* (1870) provided us with a test considering a person's mental capacity and whether they have due knowledge and understanding to make a Will. In essence, a person must have a firm understanding of what they hold in their estate, how they wish to distribute their estate and the effect that this will have. They must have arrived at their decision on how to distribute their estate on their own, without the influence of others, and the contents of their Will must reflect their true wishes and intentions.

The following questions must be completed by the instruction taker, this is important for your own protection:

	Testator 1	
Does the Testator(s) understand that they are giving instructions from which their Will shall be drafted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Does the Testator(s) recollect in general terms what is owned by them?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the Testator(s) aware of who might be considered to have a moral claim on their estate – friends or relatives – even if they choose them not to benefit?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the Testator(s) broadly aware of how the estate will be shared out?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
How long have you known the Testator(s)?	<input type="text"/>	
Have Wills previously been prepared for the Testator(s) and are copies available?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

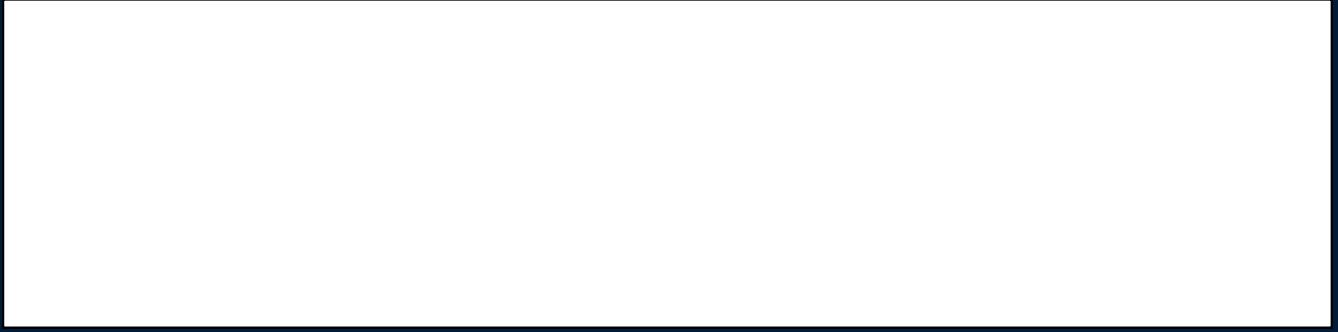
	Testator 2	
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>	

Was there a discussion about earlier Wills? If so, please detail what was discussed

Was the meeting face to face?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Were there any signs of confusion or memory loss?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have there been any recent bereavements?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Yes <input type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/>	No <input type="checkbox"/>

Who was present when instructions were taken and why?



DATA PROTECTION STATEMENT

Solidus IEP Ltd ("**Solidus**") is totally committed to full compliance with the requirements of the General Data Protection Regulations ("**GDPR**") and the Data Protection Act and will follow procedures which aim to ensure that all employees and legal and professional partners, who have access to any personal data held by or on behalf of Solidus, are fully aware of and abide by their duties under GDPR.

Solidus, in respect of its business purpose, needs to collect and use information from Licensees and their referred clients in order to operate and carry out its function. This information is handled and dealt with properly however it is collected, recorded and used and whether it is held on paper or within computer data records.

CLIENT AUTHORISATION

We hereby instruct Solidus to draft the relevant Wills to upgrade our estate planning. We agree to pay the costs even if we fail to complete the planning.

For the purpose of compliance with Data Protection Laws, we consent to Solidus holding our personal details, together with those of our Trustees and Beneficiaries. These details will only be used by Solidus for the purpose of this planning and will never be sold to or shared with third parties for the purpose of marketing.

Following the completion of this planning, we authorise Solidus or their legal partners to contact us directly if there is a requirement which we or the Trustees need to be made aware of.

Print Name

Signature

Date

Print Name

Signature

Date

ADVISER'S CONFIRMATION

As the Financial Adviser to the above Client(s) I understand that I am responsible for the advice, signing and witnessing of the documentation.

I agree to all aspects of the planning being reviewed by Solidus' legal partners if required.

Please prepare the documentation under existing law and I accept Solidus' Terms of Engagement which are available in the Licensee area of their Website.

Sending this application form via email, with or without signature, also constitutes my agreement to the above terms.

Print Name

Signature

Date

Please return this application to:

By post:

Solidus IEP Ltd, Premier House,
1-5 Argyle Way, Stevenage,
SG1 2AD

By email:

applications@solidustrusts.co.uk