

# WILLS

## **Thank you for your interest in making a Will with us.**

Please complete the attached Questionnaire to the best of your ability and bring it with you to your appointment. We will discuss this during our initial meeting and therefore do not worry if you cannot answer every question.

Please also read the attached terms and conditions of business and bring this duly signed to your meeting. This sets out who will be preparing your Will, the fees associated therewith and the work that will be undertaken. If you do have any queries please do not hesitate to contact us.

Please ensure you also send the following to us with your questionnaire: -

- Copies of any previous Wills you have made.
- Full details of all beneficiaries.
- Your ID documentation. Ideally: -
  - (i) Your passport or photocard driving licence.
  - (ii) A bank statement or utility bill dated within the past 3 months.

If you do not have these forms of ID please contact us to discuss.

Please contact us on: [legal@p-llp.net](mailto:legal@p-llp.net) or 020 8646 4885

**Preuveneers LLP Solicitors with Notaries**  
103-105 London Road Mitcham, Surrey CR4 2JA

## **Terms and conditions of business in respect of your Will**

### **Your Will, will be prepared by a Solicitor and Designated Member.**

We have provided you with a will questionnaire which we would ask you to complete so that we can discuss on the telephone. We will prepare your will based on the details provided to us and discussed. If you have a previous will we would ask that you also provide us with a copy of this.

If you are updating your Will and simply wish to make minor amendments to an existing Will then you may not need to complete the questionnaire if you are able to provide the previous Will with annotated comments.

We will prepare your email following receipt of your questionnaire and our subsequent telephone conversation. We can email or post you the draft for your approval together with notes on how to sign the same.

### **Charging rates:**

Our fees for preparing a standard will are £195 plus VAT for a single will and £315 plus VAT for wills for both partners in a relationship with similar instructions for their Wills. Please note that a standard Will includes up to 5 gifts and up to 5 residuary beneficiaries.

In the event that your will contains a number of gifts, rights of occupation, business assets or trust provisions there will be an additional cost and we will advise you of this at our initial meeting. Additional fees may be payable as follows: -

- Obtaining a copy of your Land Registry title so that we can confirm the type of joint ownership for the property - £3 per title.
- Dealing with severance of the joint tenancy so that your share of a property can pass in accordance with the terms of your Will - £200 plus VAT.
- Giving a right of occupation for someone to stay in your property until their death or earlier vacation - £95 plus VAT (single Will) / £150 plus VAT (couple Wills).
- Advising on trust provisions and drafting the same – charged at an hourly rate of £195 plus VAT with a minimum charge of 1 hour
- Tax planning – we will give basic tax advice based on the information you provide. If you require specific tax planning advice this will be charged at the hourly rate of £195 plus VAT with a minimum charge of 30 minutes (£100 plus VAT)

The fees will be agreed in our initial phone call in order that there can be no confusion as to what work we will be undertaking for you and the cost of the same.

The fee for updating a Will is a minimum charge of 50% of the existing charge for a new Will, dependent upon whether we drafted the original Will and the type of amendments. The charge will be confirmed at our initial meeting.

All fees are subject to VAT at the prevailing rate as advised by HM Revenue and Customs. Our VAT Number is 844 0115 61 and is displayed on all Invoices issued.

The above standard fees cover an telephone appointments with you and are based on an average time spent with you and drafting the Will of one hour; in the event you require further telephone appointments, or the time spend exceeds this, the fee earner may raise an additional charge of a minimum fee of £75 plus VAT per telephone appointment. The fee earner will discuss this with you before preparing your will.

Unless agreed otherwise we will require full payment on acceptance of instructions. Payment can be made by cash (up to a maximum of £400), cheque or card payment. Please note that card payments over the phone are limited to £1,000.

Please note that interest is not paid on monies held on your account where the interest is less than £20. If you would like to see our interest policy please contact us.

**General Information:**

We aim to offer you an efficient and professional service and will at all times act in your best interest. Should you consider that any part of our service was not in your best interests please let us know and we will discuss a solution with you. If you feel a suitable solution was not agreed then you can contact Kelly Cirillo or Satbir Sethi who can deal with your concerns or complaints

The duty of confidentiality is fundamental to the “solicitor – client” relationship. As solicitors, we are under a duty to keep your matter confidential and to ensure all staff within Preuveneers LLP do the same.

Our office hours are currently reduced due to the coronavirus epidemic as such we will liaise with you by phone and email.

We shall work within the framework of our equal opportunity policy. If you have reason to believe that you have been discriminated against, please speak to Satbir Sethi to discuss your grievances.

We do not hold a legal aid franchise. Any work that we conduct on your matter will be paid on a private basis. If you are in receipt of state benefits or feel that you may be entitled to legal aid assistance, please contact us immediately.

We are authorised and regulated by the SRA.

**Client Identification:**

Under the Money Laundering Regulations 2017, solicitors participating in financial or real property transactions are required to verify the identity of all clients. We will therefore require sight of your original passport or photo card driving licence with counterpart as proof of name, together with a utility bill or bank statement and supporting bank card showing your current address which must be dated within the last 3 months. At this stage email copies are fine, we will then verify your ID electronically for which there is a fee of £10 + VAT per name.

We attach our ID checklist and would be grateful if you could ensure that you bring the relevant ID documentation to your initial meeting. If you do not have the ID listed please discuss with the fee earner at the meeting.

**Money Laundering:**

We are professionally and legally obliged to keep your affairs confidential. However, where we know or suspect that a transaction may involve money laundering or terrorist financing, we are required by statute to make a disclosure to the National Crime Agency. If we make a disclosure in relation to your matter, we may not be able to tell you that a disclosure has been made. We may have to stop working on your matter for a period of time and may not be able to tell you why.

If we feel that it is appropriate to report the matter to the authorities, we may have to stop work on the matter immediately. You agree to waive any losses.

It is a condition of your retainer with the firm, both in relation to your current instructions and any future instructions, that you assist us as far as you are able to comply with our duties under the legislation and that you agree to meet all the costs and disbursements incurred thereby. We also reserve the right to refuse to act for you, or to cease acting for you, if our Money Laundering Reporting Officer determines that we have not been provided with sufficient information to be satisfied about the integrity of a person or transaction.

You should not send any funds to us until you have provided us with evidence of your identity, nor pass our bank account details to any third party without our prior written approval. If you do, we may have to cease work.

When we receive monies on behalf of you it will be paid into a general client account with Lloyds Bank plc who are the firm's banker. The general client account will hold pooled amounts for different clients and matters. Under anti-money laundering regulations, law firms must hold information on the identity of the person on whose behalf the monies are held in a pooled client account, and make this available to their bank on request. If our bank requests information about who we hold funds for, we are required to provide that information. In the event of this happening, you agree to us disclosing your details to them.

#### **Data Protection:**

We use information that you provide to us primarily to provide you with legal services. We may also use this information for related purposes such as updating and enhancing our client records, legal and regulatory compliance, collecting our fees and sending you legal information and legal updates. Our use of that information is subject to your instructions, the General Data Protection Regulations 2018 and our duty of confidentiality. Please note that our work for you may require us to give information to third parties such as other professionals related to the matter.

In order to provide you with services we may need to process your personal data. Please see our Privacy policy for detailed information about how we use your personal data and your rights in relation to your personal data. The Privacy policy is enclosed in your pack and is also available on request from [Satbir@p-llp.net](mailto:Satbir@p-llp.net)

You have a right of access under data protection legislation to the personal data that we hold about you.

#### **Storage of Papers and Documents:**

Under the Money Laundering Regulations 2017 we are required to keep either a copy of CDD material, or references to it for 5 years after the business relationship ends. However, various records must be kept to comply with the Regulations and defend any allegations against the practice in relation to money laundering and failure to report offences. Therefore, once a matter is completed, it is the firm's policy to retain the file in our storage facility for a minimum period of 7 years after the final invoice is rendered, depending on the type of matter. The file will be kept on the understanding that we have been given your express consent to keep your documents and other papers for 7 years after we send you our final bill on the understanding that we may destroy them after that period. We may destroy

your original paper document and scan it into our system instead. We take reasonable steps to ensure that the system is secure and that our overriding duty of confidentiality to you is observed.

We reserve the right to charge you for retrieving the documents from storage and for passing them to other people or back to you. We also reserve the right to charge for storage in the future, but only after notifying you.

#### **Our Retainer:**

We may end the retainer by writing to the last address we have for you if:

- (a) By continuing to act would be a breach of our duties as Officers of the Court or under Solicitor's Practice Rules.
- (b) You fail to provide information or instructions within a reasonable amount of time.
- (c) A conflict of interest arises.
- (d) The necessary confidence needed between a solicitor and client is irretrievably destroyed and you fail to co-operate with our efforts to advise and assist you.

#### **Lexcel**

We hold the Law Society's Lexcel Excellence Award which means that our procedures and service are subject to review. As part of this review your file may need to be audited by an external body. We will assume that your consent to an audit is provided unless you specifically object to the same in which case please advise us in writing.

#### **Complaints**

Any complaint in the first instance should be raised with the fee earner in conduct of your matter. If you are not satisfied with their resolution please contact Kelly Cirillo or Satbir Sethi in her place. They will then provide you with a copy of our complaints handling procedure along with timeframes in which your complaint will be dealt with. Following their resolution of your complaint if you remain dissatisfied you can bring your complaint to the Legal Ombudsman by telephoning them on 0300 555 0333 or visiting <http://www.legalombudsman.org.uk/>.

#### **Indemnity Insurance**

Please note that in line with Law Society requirements we hold professional indemnity insurance with a limit of £3,000,000. We are covered for providing professional advice and assistance in England and Wales.

#### **Storage and registration**

As an extra service to you we can also store your signed original Will in a secure, purpose-built storage facility as well as keep a scanned electronic version on our system. If you would like us to store your Will we are more than happy to do so. There is a fee of £40 plus VAT for doing so which includes the registration fee with Certainty mentioned below.

There is no fee for retrieval of the Will if you wish to update with us or when you pass away. There will be a fee of £25 plus VAT if you wish to remove your Will during your lifetime and store elsewhere.

You will have the peace of mind knowing that your Will is in a safe place and may be retrieved very quickly when required.

When storing your Will we will register the same with Certainty the National Will Register, so that the people you have left your estate to, or those you have chosen to be your executors, can find it when you have passed away. Registration ensures that if beneficiaries and executors are unaware that you have written a Will or forget where it's located, it can be easily found by conducting a Register Will Search ([www.certainty.co.uk](http://www.certainty.co.uk)). No details of your Will are made public and anybody searching for a Will can simply be put in touch with us whereupon we will establish who is looking for your Will and the reasons why. You are protected from fraudulent versions of your Will appearing through the provision of a certificate from Certainty as to where your original will is stored.

**Please confirm whether you would like your Will stored or whether you will keep this yourself.**

I would like my will stored

I do not require my will to be stored

**We will automatically register your Will with Certainty if we are storing your Will. If you do not want your Will to be registered please tick this box**

**Please sign below to confirm you have read and understood these terms and conditions and wish us to proceed.**

*Signed*

*Dated*

**When attending the initial meeting please bring the following: -**

- 1. These terms and conditions duly completed.**
- 2. The attached questionnaire completed as best you can.**
- 3. Your ID documents.**
- 4. Any previous Wills you have made.**

## Preuveneers LLP Will Questionnaire

Please complete all questions to the best of your ability. We will fully discuss the contents of this Questionnaire at our meeting so if you have difficulty with any question or any queries we will deal with the same at the meeting.

### Section 1 – personal details

<b>Full name</b>	
<b>Are you known by any other name?</b>	<b>Are there any assets held in this other name?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Address</b>	
<b>Telephone numbers</b>	<b>Home:</b>  <b>Mobile:</b>
<b>E-mail address</b>	

<b>Have you made a Will before? If so, please provide us with a copy of your current Will (this is not essential if it cannot be located)</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please note down any time constraints (e.g. illness or travel arrangements) affecting the urgency of when your Will is required.</b>	

<b>Marital status</b> <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed
<b>If married, please confirm the full name of your husband/wife</b>
<b>Are you likely to be getting married within the next two years?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Do you have any children?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>If yes, please list them ALL below (including children you do not have contact with) together with their date of birth if under 18. If you have more than 5 children please add them to the Additional Information sheet</b>		
<b>Child's name</b>	<b>Date of birth (if under 18)</b>	<b>Over 18</b>
		<input type="checkbox"/>

	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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**Section 2 – Executors**

You need to appoint a person or persons (a maximum of four) to administer your Will. These people will be your Executors/Trustees. They will ensure that the directions in your Will are carried out.

There are advantages in appointing a professional Executor or Trustee, especially when Will trusts are created or advice on tax and investments is needed. Sometime impartial advice is particularly useful when family members are involved.

**Would you like this firm to act as an Executor**                       **Yes**                       **No**

Please set out below the names of the person/people you would like to act as Executor(s). You should ensure that these are people that you trust. Please note, if your Executor is based abroad this can cause difficulties in administering your Will. It is therefore better, if possible, to name Executor(s) based in the UK. Family members and beneficiaries of the Will can be executors of your Will.

Full name	Address	Relationship to you

In the event that the person/persons named as Executors/Trustees above are unable or unwilling to act for you, please state the names and addresses of the person/persons who you wish to appoint in their substitution. You do not have to appoint any substitute Executors if you do not wish to.

Full name	Address	Relationship to you

### Section 3 – Guardianship

If you have any children under the age of 18 years you should consider the appointment of guardians. If you wish to include this in your Will please complete this section: -

<b>Do you want to appoint the same guardian for all your minor children?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Do you wish to include any conditions regarding your child's upbringing?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If so, please specify</b>

Please set out below the names of the person/people you would like to be your guardians. If naming more than one then they should, ideally, live at the same address as this will make things easier in the future.

Full name	Address	Relationship to you

### Section 4 – Funeral directions

Please state any specific instructions regarding your funeral i.e. to be cremated or buried. You do not have to include this in your Will and in any event should ensure the members of your family are aware of your wishes.

## Section 5 – Assets

In order that we may advise you fully please answer the following questions. This information is not compulsory but it will assist us in ensuring we deal with all relevant factors when considering your Will.

Do you have any assets abroad?  Yes  No

If so, have you made a separate Will to deal with those assets?  Yes  No

Do you own any property in the UK?  Yes  No

If yes, is this property held in your sole name or jointly with another person?

Sole name  Jointly with another person

If joint please answer the following: -

What is the relationship between you and the joint owner?

Do you know whether you own the property as joint tenants or tenants-in-common? These are the forms of joint ownership which dictate how the property is to pass on death

Joint tenants  Tenants-in-common  Do not know

If you do not know how you own the property we can obtain a copy of the Land Registry title at our meeting; the fee for this is £3

In order that we may advise you as to whether inheritance tax is payable or not and whether you will need to give tax planning consideration, please confirm a rough estimate of the total value of your assets and current debts

<u>Assets</u>	<u>Approximate value</u>
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Property	
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**Bank accounts**

**Investments**

**Life policies**

**Other assets (i.e. car, jewellery)**

**Debts**

**Approximate value**

**Mortgage**

**Credit cards**

**Loans**

**Section 6 – Monetary Gifts**

Do you want to leave a gift of money to anyone (inc. charities) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please confirm how much and to who below			
Name	Address	Relationship	How much?

**Section 7 – Specific Gifts**

Do you want to leave a specific gift (i.e. jewellery, a house, a car etc) to anyone (inc. charities) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please confirm what the gift is and to who below			
Name	Address	Relationship	Gift?

**Section 8 – Interests in property**

If you own any property do you wish to give another person a right to stay in that property until a certain time? If so, please provide details and we can discuss this at our meeting.

Full name	Address of property	Relationship to you


**Section 9 – Residuary Estate**

The rest of your estate which you have not given away in any specific gifts is referred to as your residuary estate. This includes everything you own, it is usual that there is a clause in your will stating that the residuary estate is to be left to someone. You can leave this equally between people or in unequal shares. Please state who you wish to leave your residuary estate to and their relationship to you.

<b>Name</b>	<b>Address</b>	<b>Relationship</b>	<b>% of Estate?</b>

It is usual to make a substituted gift of your residuary estate in case the person/persons mentioned above are unable to take the gift. Please state who should receive your residuary estate in substitution and their relationship to you.

<b>Name</b>	<b>Address</b>	<b>Relationship</b>	<b>% of Estate?</b>

**Additional information**

Please set out below any additional information which may be useful. This can include details of family members which you are leaving out of the Will and the reasons why, any further information regarding your assets and any queries you may wish us to discuss when we meet

