



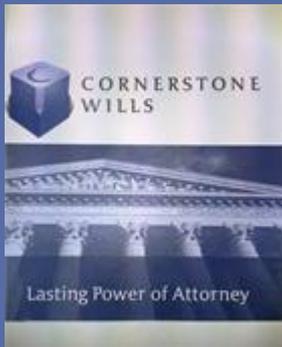
CORNERSTONE  
WILLS

May 2013 Newsletter

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### Lasting Power of Attorney



Next month our focus will be on Lasting Power of Attorney. We will explain the different types and why these documents are so important to have.

Join us on the following sites



## Making & Reviewing a Will

In our March newsletter we told you about our 'Top 5 tax planning Tips' and the importance of having an up to date and valid Will. Our feature below helps you to understand how to achieve this and the importance of protecting your family/loved ones.



You've invested and built a fund of money that will provide security for your family in the event of your death. Or will it? If you haven't yet made a Will, the people you thought would benefit from your life savings could lose out in the long term or suffer stress and financial hardship while your affairs are resolved. By making a legally valid Will - the foundation of your financial planning - you ensure that your wishes are followed and that your family's future is safeguarded. For more information on why make a Will [Click here](#).

Second to this is the continued reviewing and updating of your Will to ensure that your security stays in place as your family grows and your circumstances change. As our lives change so does the legislation we live with and any changes made could impact you, without you knowing. Taking the time to review your Will ensures that you are constantly benefitting from the up to date changes and knowing that you have done everything you can to take care of your family/loved ones. For more information on reviewing a Will [Click here](#).

Finally, for the Will to be legally valid it must be signed in the presence of your two witnesses who must then sign in your presence. Sometimes when we have Wills returned to us for storage we notice that the Wills haven't been executed properly. Luckily for these clients we can start again. For clients who haven't returned their Wills to us it might be prudent to check they have been signed and witnessed.

An article appeared in the Guardian newspaper about the impact of not updating a Will which you may find of interest [Click here](#).

## Property Preservation Trusts - the possible pitfalls

It came to our attention at a seminar given by a Trust Corporation which specialises in estate administration that a number of Property Trusts in Wills failed because the trust has not been worded correctly. In most cases this has been due to a known fault in the software that a number of Will companies and solicitors use to draft their Wills and Trusts. In some cases it is just that the software had been incorrectly used by the operator.

A [Property Preservation Trust](#) is a very popular trust that enables someone to leave their share of the property in a sheltered Trust structure to mitigate against loss of the estate in between their death and a surviving partner's death. For example, this would offer protection should the survivor re-marry or have the need for long term care. It is also often used by couples where they have children from a previous relationship and when the person making the Will wants to provide protection for their children and also their new partner.

The implication of these failing Wills is huge – the share of the property is not at all protected

and **may** be used to pay for long term care, **may not** pass to your children and **will not** be protected from remarriage, bankruptcy, etc.

At Cornerstone Wills we provide a bespoke service and don't use software to produce our Wills so please be assured that this does not impact on any Property Trusts included in our Wills.

If you would like us to review a Will that contains such a trust for a parent, say, then please do not hesitate to get in touch.