
Wills Questionnaire

YOUR PERSONAL DETAILS

Title (please circle) Mr/Mrs/Ms/Miss

Name (including any maiden/former names)

.....

Address

.....

.....

Telephone number

Email address

Date of birth / /

How long have you lived in Guernsey

Current Will? Yes No

If yes, where held?

SPOUSE/PARTNER DETAILS (IF RELEVANT)

Husband Wife Civil Partner Partner

Title (please circle) Mr/Mrs/Ms/Miss

Name (including any maiden/former names)

.....

Address

.....

.....

Telephone number

Email address

Date of birth / /

Do you have children: (see note 3) Yes No

If yes, please provide full names and dates of birth

Name Date of birth / /

Legitimate Illegitimate Stepchild

Name Date of birth / /

Legitimate Illegitimate Stepchild

Name Date of birth / /

Legitimate Illegitimate Stepchild

Name Date of birth / /

Legitimate Illegitimate Stepchild

Names of any other dependents (see note 2)

.....

.....

PROPERTY

Real estate owned in Guernsey? (see note 4) Yes No

How owned? Solely Jointly and for the survivor Undivided shares

Address

.....

.....

(Please provide us with a copy of title deeds)

Real estate owned outside of Guernsey? (see note 5) Yes No

How owned?

Address

.....

.....

Will in that country? Yes No

ASSETS

Cash (bank accounts etc)

.....

Personal Belongings (cars/jewellery etc)

.....

.....

Life Insurance Policies/Pensions/RATS

.....

Investment (shares/investments/premium bonds)

Trust Benefits

Any other assets

BENEFICIARIES

Specific gifts (cash items)?

.....

.....

Residuary beneficiaries? (see note 6)

.....

Will trust for minors? (see note 7) Yes No Not applicable

At what age to benefit?

Other will trust? (for other dependents)

OTHER CONSIDERATIONS

Executors/Trustees (see note 8)

Alternate Executors/Trustees

Guardians (for children under 18) (see note 9)

.....

Funeral wishes? (see note 10) Cremated Buried No preference

Pets? (any requests)

Please complete this Wills Questionnaire and return it by email to hello@torodeadvocates.com or to the following address:

Torode Advocates
Windsor House
Lower Pollet
St Peter Port
Guernsey GY1 1WF

NOTES

1. The Inheritance (Guernsey) Law, 2011 ("the 2011 Law") came into force on 2 April 2012. This allows freedom of testamentary disposition, meaning that you are able to leave your Guernsey real estate and your worldwide personal estate to whom you wish (subject to dependency claims - see note 2).
2. Under the 2011 Law, there is a mechanism to allow a dependent to bring an application for reasonable financial provision where they are aggrieved at what they have (or have not) received under a Will. A dependent includes a spouse/civil partner, former spouse/civil partner, child or someone treated as a child of the deceased, someone with whom the deceased cohabited as spouse/civil partner for at least two years immediately before they died, and any person being wholly or partly maintained by the deceased immediately before they died. If such a claim is made against an estate, the court will look at all the circumstances of the claimant, the estate, and any other beneficiaries. If you are concerned about a potential claim against your estate, we would be happy to discuss this with you. The system in Guernsey is now similar to that in place in England and Wales.
3. Following the Law Reform (Inheritance and Miscellaneous Provisions) (Guernsey) Law, 2006, illegitimate children (but not stepchildren) have the same rights of inheritance as legitimate children.
4. In Guernsey, there are two methods of owning real estate; on a survivorship basis or in undivided shares. It will be necessary to check your title in order to ascertain how your Guernsey real estate is held. If Guernsey real estate is held on a survivorship basis, it will automatically pass to the survivor of you. If Guernsey real estate is held in undivided shares, your share will pass in accordance with the terms of your Will.
5. It is a general principle of private international law that your real estate will devolve in accordance with the rules of the jurisdiction where it is situate, and your personal estate will pass in accordance with the rules of the jurisdiction where you are domiciled. We therefore recommend that if you have real estate outside of Guernsey that you seek advice in the country where it is situate and if necessary, make a Will there.
6. Your residuary beneficiaries are those who will benefit from your personal estate after debts and expenses have been paid and specific gifts have been distributed.
7. In the event that any of the beneficiaries of your personal estate are minors at the date of your death, their inheritance will be looked after by their parent or guardian until they reach 18. You may feel that at 18, a beneficiary would be too young to inherit. It is therefore possible to include a trust in the Will which provides that trustees look after their inheritance until they reach a certain age, e.g., 25 years. During this time the trustees will have discretion to provide sums for e.g., the beneficiary's education and maintenance, if applicable.
8. Your executors/trustees are those who will carry out the instructions relating to your personal estate and/or hold your personal estate or part of it on certain trusts. You may wish to appoint your spouse/civil partner or your children if they are over the age of 18. We advise you to appoint a maximum of two executors and that at least one of them should be a Guernsey resident if possible.
9. You may wish to appoint a guardian to look after any minor children living at the date of your death. The appointment of a guardian will not override the powers of a surviving parent. The role of guardian is a

position of responsibility and we would advise discussing this matter with your intended guardian prior to their appointment in any Will as they may not wish to accept the role.

10. Your wishes in relation to the disposal of your body do not tend to be legally binding, but it is often preferable that your family and friends are aware of what you want. This can be done in your Will, or by a "Letter of Wishes" left with your Will. If you do not feel strongly about this issue, it is not necessary to include any provisions.
11. Please note that this Wills Questionnaire is intended to gather information and to give a general overview of Wills. It is not intended to be comprehensive and does not constitute, and should not be taken to be, legal advice.