

Your guide to  
making or updating  
your Will





## Why do I need a Will?

Having an up-to-date and professionally written Will is incredibly important. It's the only way to ensure that your wishes are carried out after you pass away, and that the people and causes you care about are looked after.

Sadly, it is not always the case that your estate will automatically be inherited by your spouse, civil partner, partner or children. If you die without a valid Will, you are considered by law to be an 'intestate person' and the law decides who inherits your estate (your property, money and belongings), according to the statutory rules of intestacy. These rules are very strict and don't, for example, provide for step children. Unmarried partners also don't currently have an automatic entitlement and must apply to court to inherit your estate. It is at the discretion of the court whether or not an unmarried partner will receive anything.

## Contents

Whether you're thinking about writing a Will for the first time or updating an existing Will, it needn't be a difficult or expensive process.

This guide has been designed to give you all the information you need to make or update your Will. We hope you find it useful. It contains the following sections:

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Information on what to think about when beginning to make/update your Will.

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### Contacts p10

Information on the Law Society, and how you can find a local solicitor to prepare your Will.

“It was very easy to update our Wills. Our solicitor took care of everything. It only took a few minutes, but it’s so easy not to get around to doing this sort of thing until it’s too late.”

Mike, MS Society Supporter, Edinburgh

## Preparing and updating your Will

### **Making or updating your Will can be simple and straightforward.**

If you already have a Will, you may need to update it in certain circumstances. Your Will is automatically declared void if you get married or re-marry (except if you live in Scotland). You may wish to change your Will if you want to add extra people or organisations, such as children, grandchildren or charities.

We always recommend that you prepare your Will through a solicitor. This is the best way to ensure it’s accurate, legally binding and that it truly fulfils your wishes.

If you don’t currently have a solicitor, you can easily find one through The Law Society. You will find their contact details on page 10 of this guide.

You should review your Will every few years to ensure it still reflects your wishes, especially after any major changes in your life, such as getting married or divorced, having a child or moving house.

Any changes must be done via a legal document known as a codicil or by making a new Will, otherwise your changes will have no legal effect and could invalidate the whole of your existing Will.

### Six simple steps to help you make your Will

Before you visit your solicitor, it is best for you to do a little preparation at home. This will save time in the solicitor’s office – which might save you money on the cost of preparing your Will.

**Step 1 – Make a list of your assets and estimate their value.** It’s surprising how the value of your home and possessions can add up. You can use the checklist on page 6 to help you make your list.

**Step 2 – Make a list of what you owe or are owed.** Don’t forget to include outstanding mortgage repayments, loans or bills. This will give you a much better idea of the value of your estate overall. Use the checklist on page 6 to help.

**Step 3 – Decide who you would like to benefit from your Will.** Write down a list of the people and organisations you wish to remember in your Will and consider how you’d like to divide your estate between them.

**Step 4 – Choose your executors, then arrange to meet your solicitor.** You can appoint between one and four executors to be responsible for carrying out your wishes. These can be family members, friends or a solicitor. After you’ve asked your chosen executor or executors to be included, you’re then ready to arrange an appointment with your solicitor to prepare your Will.

**Step 5 – Get your Will signed.** After making your Will, you’ll need to get it signed, dated and witnessed (in Scotland, Wills must be signed on every page with the same signature). Your witnesses can’t be people who will benefit from your Will or who are married to people who will benefit.

**Step 6 – Keep your Will safe and up-to-date.** Your Will is an important document. Most people like to leave it in the care of their solicitor or legal advisor and keep their own copy in a safe place, ensuring their executors know how to find it.

# Assets and liabilities checklist

To create an accurate Will, you need to work out the value of your assets. Your assets could include your home, investments, savings and personal items. Then add up your liabilities which could include credit card debt or bank loans. If you subtract the value of your liabilities from your assets, it will give you an overall estimate of your estate’s value.

## Your assets – your liabilities = your estate

Use the checklist below to work out the approximate value of your estate.

Everything I own (assets)	
House value	£
Car/motorbike/transport	£
Jewellery	£
Furniture/antiques/collectables	£
Bank accounts – current balance	£
Building society – current balance	£
ISAs/savings certificates/premium bonds	£
Stocks and shares	£
Life assurance policies	£
Other possessions	£
Total	£
Everything I owe (liabilities)	
Mortgage – outstanding balance	£
Overdrafts	£
Credit card debts	£
Bank loans	£
Other debts	£
Total	£
Total assets	£
Minus total liabilities	£
Total estate value	£

## Types of gift

There are a number of ways to leave gifts to the people, organisations and charities that you want to include in your Will. Your solicitor will be able to talk you through those most suitable for you.

### Cash gift

This is also known as a pecuniary gift. It is usually a fixed sum of money, but it can also be a fixed percentage of the estate value.

### Specific gift

This is a gift of a particular item, for example a house, a piece of furniture or a piece of jewellery. It’s important that the gift is described precisely in your Will so that your executors can understand exactly what you intend.

### Residuary gift

This is when a person leaves a percentage of their estate to a beneficiary after all other gifts have been made and debts cleared. Dividing what’s left over into percentages means you’re less likely to need to update your Will in the future. The percentage remains unchanged if the value of your estate rises or falls over time. Many people choose to leave charitable legacies as a residuary gift for this reason.



“We already give to the MS Society by monthly direct debit, but when we’re no longer around that money will cease. Leaving gifts in our Wills means we can still make a difference after we’re gone”

Mike, MS Society Supporter, Edinburgh



## Leaving a legacy

More and more of our supporters are choosing to leave a legacy to the MS Society when making or updating their Will. For many supporters, it’s a way of continuing a lifetime of support for a cause they care deeply about.

Of course, first and foremost, your Will is a way to ensure your loved ones are taken care of after you die. But when you leave us a gift in your Will, you’ll also be helping future generations affected by this terrible condition. Gifts in Wills are vital to make sure that, ultimately, we can continue our search for a cure. It will help us work toward stopping MS when you’re no longer around. Every gift, no matter how small, makes a difference to real people with MS.

## Draft clause wording

If you do decide to leave us a gift in your Will, we’re incredibly grateful. Here’s some advice on how you and your solicitor should word this.

### Residuary Bequest

“I leave X% of the residue of my estate to the MS Society, 372 Edgware Road, London NW2 6ND, registered charity numbers 1139257 and SC041990 for the general purposes of the charity and that the receipt of the Treasurer or other proper officer for the time being shall be sufficient discharge to my Executors.”

### Pecuniary Bequest

“I leave the sum of £\*\*\*\*\* to the MS Society, 372 Edgware Road, London NW2 6ND, registered charity numbers 1139257 and SC041990 for the general purposes of the charity and that the receipt of the Treasurer or other proper officer for the time being shall be sufficient discharge to my Executors.”

It is also possible for you to leave gifts for a specific purpose or area, such as for research or to your local branch. However, we would always be keen to talk to you about this in advance to help ensure that these gifts are correctly worded.

If you do wish to restrict a gift in this way, please just get in touch with the Legacies Team at the MS Society on 020 8827 0374 or [legacies@mssociety.org.uk](mailto:legacies@mssociety.org.uk).



## Finding a solicitor

To find an approved solicitor in your area it is best to contact the Law Society. You can find a solicitor via their website by using their online directory. Costs will vary by solicitor but any solicitor you contact should make these costs clear before you begin.

### England and Wales

lawsociety.org.uk  
0870 6062555

### Scotland

lawscot.org.uk  
0131 2267411

### Northern Ireland

lawsoc-ni.org  
028 9023 1614

### Channel Islands

jerseylawsociety.je  
01534 601700

### Isle of Man

iomlawsociety.co.im  
01624 662910

## MS Society Tissue Bank

Aside from leaving a gift in their Will, many supporters also choose to donate their brain and spinal cord to the MS Society Tissue Bank after their death. The MS Society Tissue Bank allows anyone to donate their brain and spinal cord tissue after their death, so that they can be used for vital MS research. Understanding MS damage will help us understand the causes of MS and find more effective treatments.

This world-class resource has supplied over 10,000 individual samples to laboratories since the bank was set up in 1998. To find out more please visit the Tissue Bank website:

[imperial.ac.uk/medicine/multiple-sclerosis-and-parkinsons-tissue-bank/](https://imperial.ac.uk/medicine/multiple-sclerosis-and-parkinsons-tissue-bank/)

## Contact us

Our Legacies Team is always on hand to answer any further questions you have about writing your Will as well as leaving a charitable legacy. If you would like further information, or just a friendly chat please get in touch. You can call 020 8827 0374 or, alternatively, email [legacies@mssociety.org.uk](mailto:legacies@mssociety.org.uk)



# We're the MS Society.

Over 100,000 of us in the UK have MS. It's unpredictable, and different for everyone. It's often painful, exhausting and can cause problems with how we walk, move, see, think and feel. But it doesn't have to be this way. We're driving research into more – and better – treatments. For everyone. Together, we are strong enough to stop MS.

## Let's stop MS together.

### **MS Society**

MS National Centre (MSNC)  
372 Edgware Road  
London  
NW2 6ND  
Tel: **020 8438 0700**

### **MS Society Cymru**

Temple Court  
Cathedral Road  
Cardiff  
CF11 9HA  
Tel: **020 8438 0700**

### **MS Society Scotland**

Ratho Park  
88 Glasgow Road  
Ratho Station  
Newbridge  
EH28 8PP  
Tel: **0131 335 4050**

### **MS Society Northern Ireland**

The Resource Centre  
34 Annadale Avenue  
Belfast  
BT7 3JJ  
Tel: **02890 802 802**

[mssociety.org.uk/legacy](https://mssociety.org.uk/legacy)