

Contents

Table of Statutes

Table of Secondary Legislation

Table of Cases

Chapter 1: Introducing Succession

Chapter 2: Wills and Validity

- 2.1 Introduction
- 2.2 Reasons for making a will
- 2.3 Capacity
- 2.4 Intention
- 2.5 Formalities
- 2.6 Witnesses
- 2.7 Summary

Chapter 3: Preparation of Will

- 3.1 Introduction
- 3.2 Taking instructions
 - 3.2.1 Client's full name, address and contact details
 - 3.2.2 Money-laundering regulations and risk management
 - 3.2.3 Costs
 - 3.2.4 Previous will
 - 3.2.5 Dependants
 - 3.2.6 Size/constitution of estate
 - 3.2.7 Executors
 - 3.2.8 Gifts
- 3.3 Provision for the family
- 3.4 Summary

Chapter 4: Administrative Clauses

- 4.1 Introduction
- 4.2 Investment
- 4.3 Insurance
- 4.4 Appropriation
- 4.5 Business
- 4.6 Maintenance
- 4.7 Advancement
- 4.8 Receipts
- 4.9 Guardians
- 4.10 Summary

Chapter 5: Drafting and Executing the Will

- 5.1 Introduction
- 5.2 Execution
- 5.3 After execution
- 5.4 Summary

Chapter 6:	Case Illustration – Making a Will
6.1	Introduction
6.2	Taking instructions
6.3	Drafting the will and arranging execution
6.4	Summary
Chapter 7:	Contentious and Non-contentious Probate
7.1	Introduction
7.2	Probate jurisdiction
7.3	Is a grant always needed?
7.4	Types of grant
7.5	Summary
Chapter 8:	Application for Grant of Probate
8.1	Introduction
8.2	Executors
8.3	Initial steps
8.4	Documents needed for probate application
8.4.1	H M Revenue & Customs forms
8.4.1.1	Which estates are “excepted”?
8.4.1.2	Form IHT 205
8.4.1.3	Form IHT 400
8.4.1.4	Form IHT 421
8.4.2	Documents sent to Probate Registry
8.4.3	Fees
8.5	Applying for the grant
8.6	Summary
Chapter 9:	Case Illustration – Application for Grant of Probate
9.1	Introduction
9.2	Taking instructions
9.3	Obtaining the grant of probate
9.4	Notes on oath for executors
9.5	Notes on IHT 400
9.6	Summary
Chapter 10:	Grant of Letters of Administration with the Will
10.1	Introduction
10.2	Entitlement to and effect of grant
10.3	Applying for the grant
10.4	Summary
Chapter 11:	Grant of Letters of Administration
11.1	Introduction
11.2	Effect of grant
11.3	Entitlement to grant
11.4	Instructions and application for grant
11.5	Notes on oath for administrators
11.6	Summary

Chapter 12: Post-grant Practice

12.1	Introduction
12.2	Post-grant steps
12.3	Standing searches
12.4	Summary

Answers to Self-assessment Questions**Appendix****Index**

© 2011 Copyright ILEX Tutorial College Limited

All materials included in this ITC publication are copyright protected.

All rights reserved.

Any unauthorised reproduction or transmission of any part of this publication, whether electronically or otherwise, will constitute an infringement of copyright. No part of this publication may be lent, resold or hired out for any purpose without the prior written permission of ILEX Tutorial College Ltd.

WARNING: Any person carrying out an unauthorised act in relation to this copyright work may be liable to both criminal prosecution and a civil claim for damages.

This publication is intended only for the purpose of private study. Its contents were believed to be correct at the time of publication or any date stated in any preface, whichever is the earlier.

This publication does not constitute any form of legal advice to any person or organisation.

ILEX Tutorial College Ltd will not be liable for any loss or damage of any description caused by the reliance of any person on any part of the contents of this publication.

Published in 2011 by:
ILEX Tutorial College Ltd
College House
Manor Drive
Kempston
Bedford
United Kingdom
MK42 7AB

British Library Cataloguing in Publication Data

A catalogue record for this manual is available from the British Library.
ISBN 978-1-84256-549-0