**When might I need to change my Will?**

It is important to review your Will when a major life event occurs, such as a marriage, a divorce, a separation, the birth of a child, the death of a relative or a change in your financial situation. These events may have an impact both on your wishes for the distribution of your estate and on the validity of your current Will.

**Marriage/Civil Partnership**

When you marry, any Will that you may have made previously is automatically revoked. The only exception to this is if your Will states that a marriage is about to take place and contains explicit instructions that you intend for the Will to remain valid after marriage.

Since the introduction of the Civil Partnership Act in December 2004, members of a Civil Partnership are treated in the same way as married couples. When a civil partnership is registered, any Will that either partner has previously made will be automatically revoked.

**Divorce**

If you get divorced or your civil partnership is dissolved, your Will does not become invalid, but many of its provisions would no longer be effective if you pass away before making a new Will. For example, any gift that you had bequeathed in your Will to your former spouse or civil partner would take effect as if they had died on the date your divorce was completed. This usually means the gift falls back into the estate residue for the benefit of the residuary beneficiaries. If your Will states that everything passes to your spouse, then it would be as if you died intestate (leaving no valid Will).

In addition, if in your Will you had appointed your spouse as an executor or trustee, after divorce they would be barred from acting as an executor or trustee after your death. For these reasons, it is always best to make a new Will as soon as possible after your divorce.

**Birth of a Child**

If you have a child after writing your Will, they will not automatically become a beneficiary even if you have named your other children as beneficiaries. Therefore, in order to ensure that your wishes are carried out, you should speak with us as soon as possible after the birth of a child, to check if your will needs updating.

**How to change your Will**

To change your Will, you cannot simply write changes on an existing Will. Such alterations are assumed to have been made after the Will was executed and so they do not form part of the original legally valid Will.

The only way a Will can be legally changed is by:

* making a codicil to the existing Will, or
* making an entirely new Will.

**For further information contact Walker Foster**

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