

For immediate release

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### **CIVIL PARTNERSHIP BILL HAS HUGE IMPLICATIONS ON WILLS SAYS IPW**

Same sex couples looking forward to arranging a trip to the Registry to enter into a Civil Partnership once the Civil Partnership Bill comes into force on December 5, 2005, need to update their Wills in advance of signing the Register says the Institute of Professional Willwriters **(08456 442042)**.

The IPW always encourages consumers to check that 'It's Perfectly Worded' when it comes to their Will, as poor wording and misinterpretation of inadequate phraseology is a common reason for disappointment amongst family and friends, once a Will is read.

In the case of Civil Partnerships, the IPW warns that same sex couples must not be lured into a false sense of security. It feels that many will be cracking open the champagne to celebrate the financial rights that are theirs under the terms of the Bill, in the way of pension rights, life assurance, tax and other financial benefits, overlooking the impact on inheritance.

To date, many will have already arranged for the future of their same sex partner by drawing up a Will that allows that partner to inherit everything, should they die. This is because, currently, the intestacy laws do not recognise the rights of a gay or lesbian partner. Such a Will is set to be revoked, if the couple enter into a Civil Partnership, just as marriage revokes any Will made prior to it.

The impact of this is that if a pre-existing Will is not amended before a couple enter into a Civil Partnership, and a new Will is not made afterwards, then the Civil Partner who has drawn up that Will is going to die intestate – probably without their knowledge. Although the Civil Partner who would probably be the beneficiary of the previous Will will inherit under intestacy, they may not inherit everything. Under the new law, if they deceased had no children their Civil Partner will receive their personal chattels, the first £200,000 of the estate and half of any residue over that amount. The other half of the residue will pass to parents, if still alive or, if not, to siblings and so on.

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Where a Will does already exist, it needs to be rewritten, making it clear that the Will is being drawn up 'in contemplation of Civil Partnership.' This will prevent the Will being revoked by that Civil Partnership.

Where no Will has been written, the couple need to recognise the impact that a Civil Partnership is going to have on inheritance, which will be exactly the same as marriage. They need to write a Will if they wish their partner to inherit everything, or else the law will again dictate where the estate is allocated.

Paul Sharpe, Chairman of the IPW, says: *"We are convinced that many same sex couples are overlooking this aspect to the Civil Partnership legislation, with the majority being totally unaware that it could overturn previous provisions that have been made for partners.*

*"Any Will that is drawn up needs to be correctly worded, with individual circumstances being fully considered, so that the couple pay the least amount of tax due from the estate and have a Will that is relevant to their own situation.*

*"We at the IPW have professionally trained and experienced Willwriters who are fully regulated and bound by our strict codes of conduct and ethics. This is why we know that with any of our Wills 'It's Perfectly Worded' and why we protect the consumer's interests. However, the Willwriting profession is not regulated by the Government, which means that there are many untrained 'willwriters' in the market, many of whom are not able to draw up watertight Wills. We hope that this situation does not lead to a snow-balling in the number of Wills that are totally ineffective and open to being contested."*

If a member of the public wishes to access a professional willwriter who has passed the IPW's strict entrance exam, undergone on-going training and who has a minimum of £2 million professional indemnity insurance, they can call the IPW on **(08456 442042)**.

The other advantage to using the IPW's services is that the cost of drawing up a professional Will is much lower than that charged by solicitors and will be a guaranteed price once the quote is given. Typically, a Will for an individual, from an IPW member costs around £50-70. ENDS

**Press calls: Jane Hunt/David Aaron, Catapult PR, 01253 851188**

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### **Note to Editors**

The other pitfall to using other Willwriters is that, in some cases, they give a low initial quote and then, once the Will is produced, add another charge, which has been known to be as high as £300.

The IPW has many examples of Wills that have been drawn up by willwriters who have reneged on their original quote for journalists who wish to examine this aspect to the lack of regulation in the willwriting profession.

Paul Sharpe is also happy to give interviews on any aspect of willwriting and his mission to bring much higher standards of regulation to the industry.