

How to change a will

Why would I want to change a will?

Putting it simply, your circumstances might change. You might have more – or less – when it comes to assets and savings, or perhaps the people you want the money to go – or not go – to has changed. The most common things that cause our clients to change a will are:

- Changing your married status: this includes getting married, divorced, remarried or registering (or dissolving) a civil partnership
- The birth, adoption or death of any children

However, other big changes like buying a home or getting a lump sum from a redundancy or pension should also be reasons to reconsider your will.

Remember - If you get married or register a civil partnership, this makes any previous will you have made invalid.

How do I change my will?

This is really important: you must **not** do this by amending the original will after it has been signed and witnessed. Any changes simply written onto the will later on do **not** form part of the original legally valid will.

The only way you can change a will is by making a **codicil** to the will.

What is a codicil?

It's a technical term that is used only for talking about wills: all it means is an 'add-on' to your will that makes some changes but leaves the rest of it exactly the same.

A codicil must be signed by the person who made the will and be witnessed in the same way. However, the witnesses for a codicil do **not** have to be the same witnesses you used for the original will.

How many codicils can I add?

There's actually no limit on how many codicils can be added to a will, but they are only really intended for simple and straightforward changes. If the change you want to make is quite large, or likely to be quite complicated, then you're probably better off making a new will.

Is that exactly like making the first will?

Almost: the only real difference is that the new will needs to begin with a clause stating that it revokes all previous wills and codicils. You then need to destroy the old will.

Destroy the will? Can I just keep it for my records, in case?

It sounds dramatic, but you really need to destroy it. Not only that, you can't just throw it in the bin: you need to burn it, or tear it up very thoroughly.

If you keep a copy of it, or if bits of it are put back together, then it might be thought you destroyed it accidentally. Even worse, someone who stood to get something in one will but not the other might try to argue which one was the real will. This is even more difficult if the wills aren't clearly dated.

Remember - You must destroy the will yourself or it must be destroyed in your presence.