



Law
Commission
Reforming the law



Making a will

Our plans to change the law



EasyRead version



**Law
Commission**
Reforming the law

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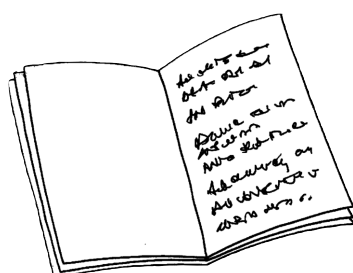
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Who we are



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We are the Law Commission.

The Government set up the Law Commission to look at whether there should be changes to certain laws.



We are looking at the law about **wills**.

A **will** is an important document. It tells people what you want to happen after you die.



A will explains:

- who you want the things you own to go to after you die

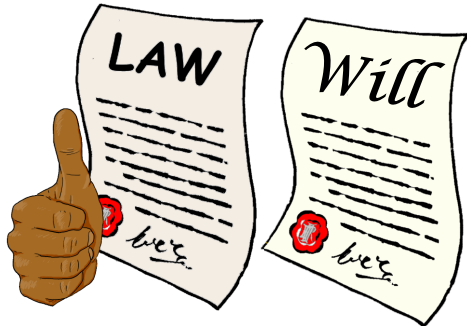


- what you want your family to do with your body such as a burial or a cremation.



The Wills Act 1837

The law about wills is very old. It was written over 180 years ago.



In 2016 we started to look at ways to make the law about wills work better for modern day people.



We did a **consultation** which means we asked people to tell us what they think.



We collected people's answers and are writing a final report.



Before we finish the report we want to know what you think about 2 things:

1. Allowing electronic wills.



2. What happens to your will when you get married.



Your will is usually a paper document

Wills are usually written down as a paper document.



The current law has clear rules for deciding if a will is **valid**.

Valid means true and correct.



For a will to be valid in the UK:

- you must be over 18 when you make your will



- you must understand what you are signing



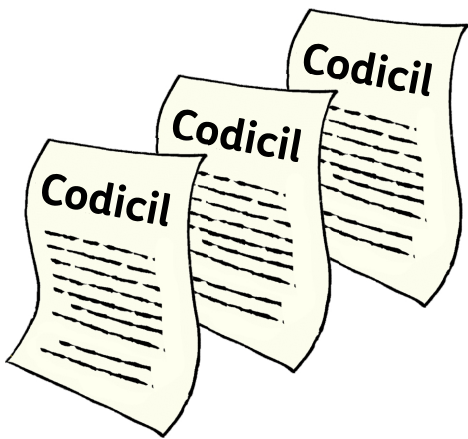
- it must be in writing



- you must sign the will in front of 2 independent witnesses who also sign it.



If you want to change any words in your will, you can write another document called a **codicil** and sign it in front of witnesses who can say the change was done fairly.



You can have as many codicils or changes as you wish.

Codicils give you a clear record of what you have changed.

Allowing electronic wills



Many people use **technology** for reading and writing.

Technology includes devices such as computers, tablets and phones.



Lots of people find it easier to write things on a computer than on paper.



Many important documents are now made and signed on computers and not paper.



During the COVID-19 pandemic people had to socially distance so the Government let people witness the signing of paper wills using a video conference.



An **electronic will** is a document made and signed on a device.



We are looking at:

- whether it is okay to make an electronic will on a computer

and



- if we need rules about being sure the words in an electronic will have not been changed.



We know electronic documents can be changed in a way that you cannot see the changes.



So there may be no clear record of what you have changed.



We are worried about this.



We need to be sure that the person's words have not been changed without them knowing.



We also need to be sure that the right person has signed the electronic will.



We think we will need strong rules about checking an electronic will is valid.



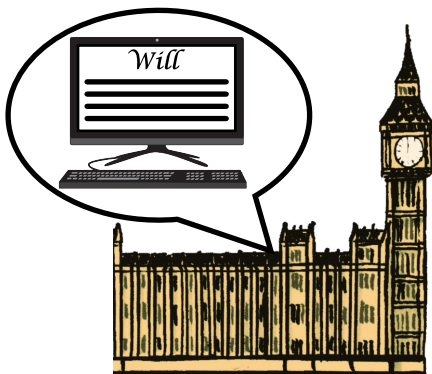
What we want you to tell us

- should the new Wills Act say people can make an electronic will?



- should there be extra rules that say how to check an electronic will is valid?

or



- should the new Wills Act say the Government will be allowed to bring in electronic wills when they are ready in the future?

What happens to your will when you get married



There are 2 ways to change your will.

You choose to change it

The law says you can change your will.



You write your changes in a codicil or write a new will.



You get married or enter civil partnership

The law says your will is cancelled if you get married or form a civil partnership. To have a valid will you will need to make another one. But someone might not know that they need to do this.



We are worried about **predatory marriages**.

A **predatory marriage** or partnership happens when a person marries a vulnerable person for their money or property.



If the vulnerable person has not made a new will and dies the new partner gets most of their money and property.



This is financial abuse.



Also, the new partner can decide if the vulnerable person is buried or cremated.



We know we need to find out more about people who marry for financial abuse.



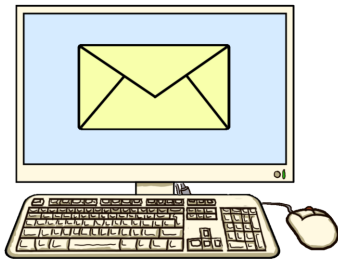
What we want you to tell us

We want you to say if you think a person's will should be cancelled if they get married or form a civil partnership.

How to tell us what you think



1. Please look for the form online at **www.consult.justice.gov.uk/law-commission/wills/**

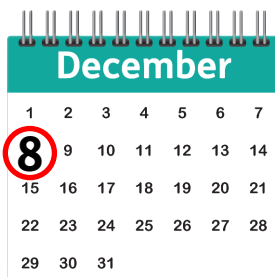


2. If you prefer to write to us

Email us at:
wills@lawcommission.gov.uk



Or send a letter to:
**Wills Team,
Law Commission, 1st Floor,
52 Queen Anne's Gate,
London, SW1H 9AG.**



Please send your information by
8 December 2023.



Let us know if you want us to leave out your name when we write the final report.

What the words mean

Consultation: asking people to tell us what they think.

Predatory marriage or partnership: when a person marries a vulnerable person for their money or property.

Technology: devices such as computers, tablets and phones.

Valid: means true and correct.

Will: document that tells people what you want to happen to your things and your body after you die.

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