

# **Your step-by-step guide to making a will**



# About this leaflet

This leaflet is a guide to making or updating your will. It is for anyone living with cancer. Having an up-to-date will is important. It can reassure you that your finances and belongings will be passed on in the way that you want after you die. Making a will can be simple to do and does not need to be expensive.

This leaflet explains:

- how to make or update your will
- how **Inheritance Tax** works
- how to leave a gift to charity, if you want to
- who to contact for more information or support.

## Using the glossary

Some of the words used to talk about wills can be confusing. In this leaflet, these words are in bold once on each page where they are used. We have explained these words in the [glossary](#).

## Quotes

In this leaflet, we have included quotes from people who have made a will. These are from people who have chosen to share their story with us. To share your experience, visit [macmillan.org.uk/shareyourstory](https://macmillan.org.uk/shareyourstory)

## For more information

If you have more questions or would like to talk to someone, call the Macmillan Support Line free on **0808 808 00 00**, 7 days a week, 8am to 8pm, or visit [macmillan.org.uk](https://www.macmillan.org.uk)

If you would prefer to speak to us in another language, interpreters are available. Please tell us, in English, the language you want to use.

If you are deaf or hard of hearing, call us using Relay UK on **18001 0808 808 00 00**, or use the Relay UK app.

We have some information in different languages and formats, including audio, interactive PDFs, easy read, Braille, large print and translations. To order these, visit [macmillan.org.uk/otherformats](https://www.macmillan.org.uk/otherformats) or call **0808 808 00 00**.

## How to use this leaflet

This leaflet is split into sections to help you find what you need. You do not have to read it from start to finish. You can use the contents list on [page 3](#) to help you. It is fine to skip parts of the leaflet. You can always come back to them when you feel ready.

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# What is a will?

A will is a legal document. It gives instructions about who you want to give your money and belongings (possessions) to when you die.

People who get your money or possessions when you die are called your **beneficiaries**. Writing a will makes it clear who and where you would like your money and belongings to go to when you die.

What you leave when you die is called your **estate**. This is made up of the following:

- Everything you own, including money, property and belongings.
- Your share of anything you own jointly with someone else. But if a property is held as **joint tenants** (joint ownership in Scotland) it is not usually possible to pass it on through a will. If a property is held as **tenants in common**, a person's share can be passed on through a will.

Anything you owe is taken off the value of your estate, after any debts are repaid. For example, the value of a mortgage would be taken off.

Your will can also include instructions about:

- who you want to look after your children – this person is called a **legal guardian**
- your funeral plans
- who you want to carry out the instructions in your will – this person is called an **executor**.

# How do I make a will?

To make a will you must be at least:

- 18 years old in England, Wales and Northern Ireland
- 12 years old in Scotland.

Making a will is not as expensive or difficult as you might think. But it is a legal document and must be prepared properly. It is best to use a solicitor. They will be able to help with the wording in the document. This ensures all legal processes are followed, as even small mistakes can make a will invalid. A solicitor will also make sure your wishes are clear and that they are carried out exactly as you want.

You can make a will with a solicitor in person or over the phone. Some solicitors have a form that you can fill in and send to them online or through the post.

This leaflet goes through the steps you can take to prepare for writing a will. We have more information about finding a solicitor, and [Macmillan's free will-writing service](#).

## Step 1: Write down what you have

You need to find out the value of your **estate**. Your estate is everything you own when you die. Make a list of everything you own. These are called your assets. Then, make a list of everything you owe. These are called your liabilities.

You can use these tables to help you. Completing these may save time when you are with your solicitor.

Everything I own (my assets)	Value (£)
Property (house or flat)	
Car	
Jewellery and watches	
Furniture, antiques or collectables	
Bank accounts – current balance	
Building society accounts – current balance	
ISAs, saving certificates or premium bonds	
Stocks and shares	
Life insurance policies. This is the amount payable on death or diagnosis of a terminal illness – check policies for details.	
Other possessions	
<b>Total</b>	

<b>Everything I owe (my liabilities)</b>	<b>Value (£)</b>
Mortgage – outstanding balance	
Overdrafts	
Credit card debts	
Bank loans	
Other debts	
<b>Total</b>	

The table will help you to calculate the estimated value of your **estate**.

	<b>Value (£)</b>
Everything I own (my assets) – total	
Money owed to me from other people – total	
<b>Minus</b>	
Everything I owe (my liabilities) – total	
<b>= Estimated value of my estate</b>	



## Step 2: Decide who to include

Make a list of all the people, charities or organisations you would like to remember in your will. Think about the types of gifts you may want to leave them.

For example, you might want to leave someone a specific amount of money or an item with financial or sentimental value. You can also give someone a share or percentage of the value of your **estate**, after any taxes or costs have been taken off. You might not know what the value of your estate will be after the rest of your will is settled. By giving a percentage, you can make sure that they will get a share of your estate.

When you have provided for your loved ones, you may want to consider supporting your favourite charities or causes. We have more information about [leaving gifts to charity](#).

You can use the space on the next page to write down who you want to include in your will.

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Family

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Friends

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Charities or organisations

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**“ Doctors told my mum, ‘there isn’t much we can do from here’. Mum arranged her funeral with me and outlined what she wanted. She wanted people who came to the funeral to know to wear the brightest colours and no dark colours. ”**

Kevin, whose mother was diagnosed with stomach cancer

## Step 3: Decide on other instructions to give

You need to choose someone to carry out the instructions in your will. This person is called an **executor**. This is a serious responsibility and can take up a lot of time. It is often done by a solicitor. Or it can be done by somebody else that you trust.

If you have young children, you should also decide who you want to look after them when you die. If you and any other parent die when your children are aged under 18 (or under 16 in Scotland), this person will be their **legal guardian**. You can name more than 1 person as a legal guardian.

You can use the space on the next page to write down your instructions.



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Who I want to carry out my instructions (**executors**) \_\_\_\_\_

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Who I want to be the **legal guardians** of my children \_\_\_\_\_

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Who I want to look after family members who depend on me \_\_\_\_\_

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Who I want to look after my pets \_\_\_\_\_

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Instructions for my funeral \_\_\_\_\_

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Other instructions \_\_\_\_\_

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## Step 4: Make your will and keep it safe

Making a will does not have to be a long or expensive process. But it is a legal document and must be prepared properly. It is best to use a solicitor. They will be able to help with the wording in the document. This ensures all legal processes are followed, as even small mistakes can make a will invalid. If you use a solicitor, it is a good idea to ask for a few quotes to compare prices and to find the right solicitor for you. We have more information about finding a local solicitor in our booklet [Sorting out your financial affairs](#).

Different law societies in the UK have online databases where you can search for a local wills solicitor:

- In England and Wales, visit [solicitors.lawsociety.org.uk](https://solicitors.lawsociety.org.uk)
- In Scotland, visit [lawscot.org.uk/find-a-solicitor](https://lawscot.org.uk/find-a-solicitor)
- In Northern Ireland, visit [lawsoc-ni.org/solicitors](https://lawsoc-ni.org/solicitors)

You can also visit your local [Citizens Advice](#) in England, Scotland and Wales or [Advice NI](#) in Northern Ireland and ask for a list of local solicitors.

You can make a will with a solicitor in person or over the phone. Some solicitors have a form that you can fill in and send them online or through the post.

After your meeting or phone call with a solicitor, they should arrange a follow-up appointment with you. This is to check that your will has been written the way you want it to be.

You will then need to sign it with 2 witnesses present, or 1 witness if you live in Scotland. The witnesses must also sign the will for it to be valid. Your witness cannot be 1 of your **beneficiaries**, or someone who is married to 1 of your beneficiaries.

## Macmillan's Free Will Service

Macmillan works with trusted will writing providers across the UK to offer a Free Will Service.

To register for your free will, visit [macmillan.org.uk/free-will-service](https://macmillan.org.uk/free-will-service). You will also find more information on our partners and will writing methods. Or you can call us on **0800 8048 490**.

If you have been diagnosed with cancer, you can call our money advisers on **0800 808 00 00** for information on all the options on how to write your will. They can also help with and planning your **estate**, or any other personal finance issues.

## Keeping your will safe

Leave your original will document in a place where it is safe and easy to find. For example, you can leave it with your solicitor. You should also keep a copy yourself, and make sure your **executors** know where to find it. You may want to keep it with other important documents, such as the details of your insurance policies.

**“ I’m a very practical person and while I never thought I was going to die when I was diagnosed with cancer, I did feel that I needed to get my affairs in order. I’ve made a will and a list of other things I think should get sorted before I die. ”**

Samixa, diagnosed with ovarian cancer

# Updating your will

You may need to update your will if your situation changes, or if your wishes change.

The only way to make a change to your existing will is by signing something called a **codicil**. A codicil is an official alteration to your will. You need to sign a codicil and get it witnessed in the same way as witnessing a will. The witnesses do not need to be the same as for the original will.

There is no limit on how many codicils you can add to a will, but they are only suitable for small or simple changes. For example, you could add a codicil to change the **executors** or add a gift for a charity. If you need to make any major changes, you should write a new will.

It is important to get advice from a solicitor if you want to write a new will or make a codicil. They can help to make sure a new or updated will is still valid.



## When should I update my will or make a new one?

In England, Northern Ireland and Wales, getting married or entering into a civil partnership cancels your existing will. Unless your will specifically states that it takes a future wedding or civil partnership into account, you will need to make a new will. In Scotland, getting married or entering into a civil partnership does not cancel your existing will.

If you get divorced or end a civil partnership, any will you made while married or in a civil partnership is still valid. But if you have left a gift in your will to your husband, wife or civil partner, they may not receive this. This applies in all parts of the UK.

If you get divorced or end a civil partnership, you should review your will as it may need updating.

You may also need to update your will to include:

- any new children or grandchildren
- any new partner
- any changes in your finances.

Our money advisers can give you guidance and information on wills and **estate** planning. Contact them on **0808 808 00 00**. But if your will needs updating, it is always a good idea to get help from a solicitor.



# Other useful information

There are other things that it might help to know when you are making a will.

## Inheritance Tax

**Inheritance Tax** may need to be paid when you die if the value of your **estate** is above £325,000. It may also need to be paid on some gifts you make during your lifetime.

The amount of your estate that you can pass on without needing to pay tax is called the tax-free allowance, or nil-rate band. It is set by the government.

Anything above the tax-free allowance of £325,000 will be taxed by 40%, except for:

- anything you leave to your husband, wife or civil partner
- anything you leave to a UK-registered charity.

For example, if your estate is worth £500,000 and your tax-free threshold is £325,000, Inheritance Tax will be 40% of £175,000.

If you own a home, you may also be entitled to an extra tax-free allowance. This is called the residence nil-rate band, or the family home allowance. We have more information about Inheritance Tax in our booklet [Sorting out your financial affairs](#).

## Gifts to charity

You might want to leave something in your will to a charity of your choice. This is called a **charitable legacy**.

Charitable legacy amounts are taken off the value of your **estate** before **Inheritance Tax** is calculated. Leaving 10% or more of your taxable estate to charity reduces your Inheritance Tax.

For advice on Inheritance Tax, speak to a solicitor when making your will. You can also talk with one of our Macmillan money advisers by calling **0808 808 00 00**.

If you would like to find out more about leaving a gift to Macmillan in your will, you can get your free copy of **A guide to gifts in wills** at [macmillan.org.uk/giftsinwills](https://macmillan.org.uk/giftsinwills) or call us on **0300 1000 200**. Whatever you are able to give to Macmillan will make a difference to people affected by cancer.

**“ We made our wills, and decided we would give half to charities for animals and the rest to cancer charities. If I can leave something that will make a difference to other families, or even one family, it will be worth it. ”**

Jackie, diagnosed with breast cancer

# Glossary

## Beneficiaries

People who get your money or possessions when you die are called your beneficiaries.

## Charitable legacy

A gift left to a charity in a will.

## Codicil

A codicil is an official alteration to your will.

## Estate

Everything you own when you die, minus everything you owe. This includes belongings (possessions), money and debts.

## Executor

A person named in a will who sorts out the estate.

## Inheritance Tax

A tax on your estate that may need to be paid when you die.

## Joint tenants

Where 2 or more people share equal ownership of a property. In Scotland they are called joint owners.

## Legal guardians

People you name in your will who you would like to look after your children. This applies if you have children aged under 18, or under 16 in Scotland.

## Tenants in common

Where 2 or more people own separate shares of a property. In Scotland they are called owners in common.

# About our information

We provide expert, up-to-date information about cancer. And all our information is free for everyone.

Our information has the PIF Tick quality mark for trusted health information. This means our information has been through a professional and strong production process.

## Order what you need

You may want to order more booklets or leaflets like this one. Visit [orders.macmillan.org.uk](https://orders.macmillan.org.uk) or call us on **0808 808 00 00**.

We have booklets about different cancer types, treatments and side effects. We also have information about work, financial issues, diet, life after cancer treatment, and information for carers, family and friends.

## Online information

All our information is also available online at [macmillan.org.uk/information-and-support](https://macmillan.org.uk/information-and-support) You can also find videos featuring stories from people affected by cancer, and information from health and social care professionals.

## Other formats

We also provide information in different languages and formats, including:

- audiobooks
- Braille
- British Sign Language
- easy read booklets
- interactive PDFs
- large print
- translations.

Find out more at [macmillan.org.uk/otherformats](https://macmillan.org.uk/otherformats)

If you would like us to produce information in a different format for you, email us at [informationproductionteam@macmillan.org.uk](mailto:informationproductionteam@macmillan.org.uk) or call us on **0808 808 00 00**.

## The language we use

We want everyone affected by cancer to feel our information is written for them.

We want our information to be as clear as possible. To do this, we try to:

- use plain English
- explain medical words
- use short sentences
- use illustrations to explain text
- structure the information clearly
- make sure important points are clear.

We use gender-inclusive language and talk to our readers as 'you' so that everyone feels included. Where clinically necessary we use the terms 'men' and 'women' or 'male' and 'female'. For example, we do so when talking about parts of the body or mentioning statistics or research about who is affected.

To find out more about how we produce our information, visit [macmillan.org.uk/ourinfo](https://www.macmillan.org.uk/ourinfo)





# Other ways we can help you

At Macmillan, we know how a cancer diagnosis can affect everything, and we are here to support you.

## Talk to us

If you or someone you know is affected by cancer, talking about how you feel and sharing your concerns can really help.

## Macmillan Support Line

Our support line has specialist teams who can help you with:

- emotional and practical support if you or someone you know has been diagnosed with cancer
- clinical information from our nurses about things like diagnosis and treatments from our nurse specialists
- welfare rights advice, for information about benefits and general money worries.

To contact any of our teams, call the Macmillan Support Line for free on **0808 808 00 00**. Or visit [macmillan.org.uk/support-line](https://www.macmillan.org.uk/support-line) to chat online and see the options and opening times

You can also email us, or use the Macmillan Chat Service via our website. You can use the chat service to ask our advisers about anything that is worrying you. Tell them what you would like to talk about so they can direct your chat to the right person. Click on the 'Chat to us' button, which appears on pages across the website. Or go to [macmillan.org.uk/talktous](https://macmillan.org.uk/talktous)

If you would like to talk to someone in a language other than English, we also offer an interpreter service for our Macmillan Support Line. Call **0808 808 00 00** and say, in English, the language you want to use. Or send us a web chat message saying you would like an interpreter. Let us know the language you need and we'll arrange for an interpreter to contact you.

## **Macmillan Information and Support Centres**

Our Information and Support Centres are based in hospitals, libraries and mobile centres. Visit one to get the information you need and speak with someone face to face. If you would like a private chat, most centres have a room where you can speak with someone confidentially.

Find your nearest centre at [macmillan.org.uk/informationcentres](https://macmillan.org.uk/informationcentres) or call us on **0808 808 00 00**.

## Help with money worries

Having cancer can bring extra costs such as hospital parking, travel fares and higher heating bills. If you have been affected in this way, we can help. Please note the opening times may vary by service.

### Financial advice

Our expert money advisers on the Macmillan Support Line can help you deal with money worries and recommend other useful organisations that can help.

### Help accessing benefits

You can speak to our money advisers for more information. Call us free on **0808 808 00 00**. Visit [macmillan.org.uk/financialsupport](https://www.macmillan.org.uk/financialsupport) for more information about benefits.

### Macmillan Grants

Macmillan offers one-off payments to people with cancer. A grant can be for anything from heating bills or extra clothing, to changes needed to your home.

Call us on **0808 808 00 00** to find out more about Macmillan Grants.

## Help with work and cancer

Whether you are an employee, a carer, an employer or are self-employed, we can provide information to help you manage cancer at work. Visit [macmillan.org.uk/work](https://www.macmillan.org.uk/work)

## Talk to others

No one knows more about the impact cancer can have on your life than those who have been through it themselves. That is why we help bring people together in their communities and online.

### Support groups

Whether you are someone living with cancer or a carer, family member or friend, we can help you find support in your local area, so you can speak face to face with people who understand. Find out about support groups in your area by calling us or by visiting [macmillan.org.uk/selfhelpandsupport](https://macmillan.org.uk/selfhelpandsupport)

### Online Community

Thousands of people use our Online Community to make friends, blog about their experiences and join groups to meet other people going through the same things. You can access it any time of day or night. Share your experiences, ask questions, or just read through people's posts at [macmillan.org.uk/community](https://macmillan.org.uk/community)

You can also use our Ask an Expert service on the Online Community. You can ask a money adviser, cancer information nurse, work support adviser or an information and support adviser any questions you have.

## Macmillan healthcare professionals

Our nurses, doctors and other health and social care professionals give expert care and support to individuals and their families. Call us or ask your GP, consultant, district nurse or hospital ward sister if there are any Macmillan professionals near you.

# Other useful organisations

There are lots of other organisations that can give you information or support. Details correct at time of printing.

## Financial support or legal advice and information

### Advice NI

Helpline **0800 915 4604**

[www.adviceni.net](http://www.adviceni.net)

Provides advice on a variety of issues including financial, legal, housing and employment issues.

### Citizens Advice

Provides advice on a variety of issues including financial, legal, housing and employment issues. Use its online webchat or find details for your local office by contacting:

#### England

Helpline **0800 144 8848**

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

#### Scotland

Helpline **0800 028 1456**

[www.cas.org.uk](http://www.cas.org.uk)

## Wales

Helpline **0800 702 2020**

[www.citizensadvice.org.uk/wales](http://www.citizensadvice.org.uk/wales)

## Civil Legal Advice

Helpline **0345 345 4345**

Minicom: **0345 609 6677**

[www.gov.uk/civil-legal-advice](http://www.gov.uk/civil-legal-advice)

Has a list of legal advice centres in England and Wales and solicitors that take legal aid cases. Offers a free translation service if English is not your first language.

## Law Centres Network

[www.lawcentres.org.uk](http://www.lawcentres.org.uk)

Local Law Centres provides advice and legal assistance for people who cannot afford a lawyer. Use the website to find your local Law Centre.

## The Law Society of England and Wales

Tel **0207 242 1222**

[www.lawsociety.org.uk](http://www.lawsociety.org.uk)

Represents solicitors in England and Wales and can provide details of local solicitors.

## Law Society of Scotland

Tel **0131 226 7411**

[www.lawscot.org.uk](http://www.lawscot.org.uk)

Represents solicitors in Scotland and can provide details of local solicitors.

## **Law Society of Northern Ireland**

Tel **0289 023 1614**

[www.lawsoc-ni.org](http://www.lawsoc-ni.org)

Represents solicitors in Northern Ireland and can provide details of local solicitors.

## **NI Direct**

[www.nidirect.gov.uk](http://www.nidirect.gov.uk)

Has information about benefits and public services in Northern Ireland.

## **Finding a financial adviser**

### **Chartered Institute for Securities and Investment**

[www.financialplanning.org.uk/wayfinder](http://www.financialplanning.org.uk/wayfinder)

Enter your postcode on the website to find a financial planner near you.

### **The Personal Finance Society – Find an Adviser service**

[www.thepfs.org/yourmoney/find-an-adviser](http://www.thepfs.org/yourmoney/find-an-adviser)

Enter your location to find qualified financial advisers near you.







## Disclaimer

We make every effort to ensure that the information we provide is accurate and up to date, but it should not be relied upon as a substitute for specialist professional advice tailored to your situation. So far as is permitted by law, Macmillan does not accept liability in relation to the use of any information contained in this publication, or third-party information or websites included or referred to in it. Some photos are of models.

## Thanks

This leaflet has been written, revised and edited by Macmillan Cancer Support's Cancer Information Development team. It has been approved by: Amanda South, Service Manager, Macmillan Financial Guidance; and Louise Dinsdale, Service Knowledge Specialist, Macmillan Financial Guidance.

With thanks to: Ross Anderson, Solicitor, Jones Whyte; Macmillan's Financial Guidance team; Macmillan's Legacy Income Team; and Fiona Wilson, Solicitor, Hempsons.

Thanks also to the people affected by cancer who reviewed this edition, and those who shared their stories.

We welcome feedback on our information. If you have any, please contact [informationproductionteam@macmillan.org.uk](mailto:informationproductionteam@macmillan.org.uk)

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### Sources

Below is a sample of the sources used in our making a will information. If you would like more information about the sources we use, please contact us at [informationproductionteam@macmillan.org.uk](mailto:informationproductionteam@macmillan.org.uk)

Citizens Advice. [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) [accessed January 2023].

GOV.UK [www.gov.uk](http://www.gov.uk) [accessed January 2023].

## Can you do something to help?

We hope this leaflet has been useful to you. It is just one of our many publications that are available free to anyone affected by cancer. They are produced by our cancer information specialists who, along with our nurses, money advisers, campaigners and volunteers, are part of the Macmillan team. When people are facing the toughest fight of their lives, we are here to support them every step of the way.

We want to make sure no one has to go through cancer alone, so we need more people to help us. When the time is right for you, here are some ways in which you can become a part of our team.

### 5 ways you can help someone with cancer

#### 1. Share your cancer experience

Support people living with cancer by telling your story, online, in the media or face to face.

#### 2. Campaign for change

We need your help to make sure everyone gets the right support. Take an action, big or small, for better cancer care.

#### 3. Help someone in your community

A lift to an appointment. Help with the shopping.  
Or just a cup of tea and a chat. Could you lend a hand?

#### 4. Raise money

Whatever you like doing you can raise money to help. Take part in one of our events or create your own.

#### 5. Give money

Big or small, every penny helps.  
To make a one-off donation see over.

## Please fill in your personal details

Mr/Mrs/Miss/Other

Name

Surname

Address

Postcode

Phone

Email

Please accept my gift of £  
(Please delete as appropriate)

I enclose a cheque / postal order /  
Charity Voucher made payable to  
Macmillan Cancer Support

OR debit my:

Visa / MasterCard / CAF Charity  
Card / Switch / Maestro

Card number

Valid from

Expiry date

Issue no

Security number

Signature

Date / /

## Do not let the taxman keep your money

Do you pay tax? If so, your gift will be worth 25% more to us – at no extra cost to you. All you have to do is tick the box below, and the tax office will give 25p for every pound you give.

I am a UK tax payer and I would like Macmillan Cancer Support to treat all donations I make or have made to Macmillan Cancer Support in the last 4 years as Gift Aid donations, until I notify you otherwise.

I understand that if I pay less Income Tax and/or Capital Gains Tax than the amount of Gift Aid claimed on all my donations in that tax year it is my responsibility to pay any difference. I understand Macmillan Cancer Support will reclaim 25p of tax on every £1 that I give.

Macmillan Cancer Support and our trading companies would like to hold your details in order to contact you about our fundraising, campaigning and services for people affected by cancer. If you would prefer us not to use your details in this way please tick this box.

In order to carry out our work we may need to pass your details to agents or partners who act on our behalf.

If you would rather donate online go to [macmillan.org.uk/donate](http://macmillan.org.uk/donate)



Registered with  
**FUNDRAISING  
REGULATOR**



## This leaflet is a guide to making or updating your will. It is for anyone living with cancer.

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This leaflet is for anyone living with cancer who wants to make or update a will. It explains Inheritance Tax and who to contact for more information and support.

At Macmillan, we give people with cancer everything we've got. If you are diagnosed, your worries are our worries. We will help you live life as fully as you can.

For information, support or just someone to talk to, call **0808 808 00 00** or visit [macmillan.org.uk](https://www.macmillan.org.uk)

Would you prefer to speak to us in another language? Interpreters are available. Please tell us in English the language you would like to use. Are you deaf or hard of hearing? Call us using Relay UK on **18001 0808 808 00 00**, or use the Relay UK app.

Need information in different languages or formats? We produce information in audio, interactive PDFs, easy read, Braille, large print and translations. To order these, visit [macmillan.org.uk/otherformats](https://www.macmillan.org.uk/otherformats) or call our support line.



Patient Information Forum