

## Wills and Estates in Cyprus

### Wills and Should You Make One?

Our Wills service provides all the expertise and guidance you need to make a Will which will protect your estate and benefit your loved ones on your death.

Most people do not leave a Will. It is something that sits on the "to do" list and is often left there. We reconcile our conscience by saying we will deal with this when we are older and it is more necessary.

Unfortunately, death has its own design. It has no respect for our life plans. It can be premature, completely unexpected and devastating in its impact. It may take our mind before our body and deny us the opportunity to have our say about what happens to our estate when we are gone.

### What Happens If You Don't?

If you do not make a Will then legal rules determine how and to whom your estate will pass. These are called the intestacy rules. Their operation can mean your immediate loved ones will suffer hardship or estranged (or unwanted!) relatives will share in your estate. The effect of these rules can cause family feuding; can result in bitter court battles and costly legal bills.

When making a Will you should always seek expert legal advice. Without expert help there is a real risk that mistakes can happen. Such mistakes can leave your Will or estate exposed to the risk of legal challenge. We can help you avoid those risks.

With increases in property prices, personal estates have become more valuable. This means they are more likely to suffer significant potential tax burdens and have become a more attractive prospect for legal claims.

Do I need a Cyprus Will if I already have an English Will?

If you own assets in more than one country then your individual circumstances need to be carefully considered by a lawyer who knows the laws of the countries involved.

Whilst a Will from your home country might be able to govern your Property in Cyprus, this would mean that the Will would need to be "re-sealed" out here. This can be costly and time consuming. We always advise our clients to make a separate Cyprus Will.

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In Cyprus, it is possible for a person who (or whose father) was born in the UK or in a Commonwealth country to make a Will to determine who will inherit his estate in Cyprus. If you do not fall within this category or if you do not make a Will then your property in Cyprus will be governed by the Cypriot rules of forced heirship.

The formalities for making a valid Will in Cyprus are not the same as in the UK or another European country – make sure you are given correct advice on how to sign.

### **What about Inheritance Tax?**

There is no estate duty in Cyprus for Cypriot domiciles but if you are domiciled in the UK, then regardless of the location of the assets, you will be taxed on your worldwide estate – this will include your property in Cyprus. At 40% on anything above the nil rate band – this can be hefty. Thankfully there are ways to plan your estate tax efficiently when making your Will - careful planning can reduce (or even remove) liability.

Domicile is a crucial matter to determine when making a Will. Your domicile is the country you were born in – unless you actively change it – and this is not easy to do. If you live in Cyprus, but are not Cypriot, you need to seek legal advice to ascertain where you are currently domiciled.

### **List Your Assets**

We advise our clients to keep copies of all documentation relating to their estate together somewhere safe. When the time comes it will be quicker and easier to deal with the estate if it is clear what assets you have.

### **Our Legal Services**

We have extensive experience in providing advice on how to best protect your estate from any legal challenge and how to reduce any tax burden payable on your death. We can help you consider all eventualities should life and death not perform to your most hopeful prediction and ensure you leave your loved ones with a legacy of security. At the end of the day it will not be you that suffers but those left behind.