

Why make a Will?

What is a Will?

Your Will sets out what should happen to your property and personal possessions (together called your 'estate') when you die.

Why do you need to two types of Wills in Jersey?

Jersey law divides property into 'immovable' and 'movable' estate. It is best to make separate Wills to cover each of them because different legal rules apply to each.

Immovable estate

Immovable estate consists of land, buildings on land, leases of more than nine years, flying freeholds and mortgages known as "hypothèques conventionnelles".

Movable estate

Everything else is known as movable estate. It includes bank accounts, jewellery, furniture, cars, shares relating to share transfer apartments and intellectual property such as online files and assets.

Who can make a Will?

Anyone who is of sound mind and (i) 16 or 17 and married or (ii) 18 or over can make a Will.

Why should you make a Will?

A Will ensures that your estate is distributed in accordance with your wishes after your death. If you don't make a Will, your estate may be distributed very differently from what you would have wanted. Making a Will can help to avoid unnecessary stress for those closest to you.

Why should I consult a lawyer?

You can draw up your own Will of movable estate but we would always recommend that legal advice is taken, as Jersey law imposes restrictions upon what you can do with your movable estate.

As there are strict validity requirements for Wills of immovable estate you should always take legal advice otherwise your will not be deemed valid.

Why should I consult Ogier?

Ogier can advise and assist you with putting your wishes into writing, giving you peace of mind.

When is my Will effective?

Your Will only comes into effect after your death so, if your circumstances alter, you can make changes to it at any time.

What happens if I do not make a Will?

If you die without making a Will, the law will apply the intestacy rules which are explained in our briefing Who can benefit from my Will?.

How do I make a Will?

It is simple and easy to start the process. You should think about what you would like to happen to your estate, our briefings Things to consider when making a Will and our Wills Questionnaire will help you to do this.

The information and expressions of opinion contained in this guide are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

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