

Why Non UK Resident Individuals with UK Assets Should Put a UK Only Will in Place

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By **Paul Webb**, 25th March 2026

If you already have a Will in your country of residence covering your worldwide assets, it is understandable to assume that your affairs are fully in order. However, UK-situated assets are governed by UK law, regardless of nationality, residence or where your principal Will was drafted. While an overseas Will may ultimately be recognised by the UK courts, recognition does not necessarily translate into a smooth or efficient probate process.

For non-UK resident individuals who own property or other assets in the UK, putting a UK-only Will in place, rather than relying solely on an overseas Will, can significantly simplify the administration of a UK estate and reduce cost and delay. In short, a UK-only Will provides a practical safeguard for internationally mobile wealth.

What Are the Advantages of Putting a UK-only Will in Place?

Greater control over the destination of UK assets

Any property or financial interests you hold in the UK are subject to UK law. Without a UK Will dealing specifically with those assets, the UK intestacy rules may apply. These rules are prescriptive and may not reflect your personal wishes. For example, unmarried partners may inherit nothing, and spouses may be required to share assets with children.

For high-net-worth families, particularly those with international structures, blended families or carefully planned succession arrangements, this lack of control can be especially problematic.

A more efficient probate process and reduced risk

Relying solely on an overseas Will to administer UK assets often creates practical and procedural difficulties. The UK Probate Registry may require certified translations, foreign legal opinions or formal confirmation that the overseas Will is valid under local law. In some cases, the UK probate process cannot even begin until probate has been completed in the home jurisdiction.

This sequencing risk is frequently underestimated and can leave UK assets exposed, unmaintained or unsaleable for extended periods.

UK property owners face the greatest exposure. UK residential and commercial property is the most common source of difficulty in cross-border estates. Conveyancing, land registration and probate requirements in the UK are highly procedural, and delays in obtaining probate can prevent sales, refinancing or restructuring.

A UK-only Will gives executors the authority they need to deal with UK property promptly, rather than waiting for foreign processes to conclude. It allows UK executors to apply directly for a UK Grant of Probate, enabling UK estate administration to run in parallel with overseas probate. For high-value UK property or investment portfolios, this efficiency is often the primary driver for putting a UK-only Will in place.

Inheritance Tax planning opportunities

UK inheritance tax applies to UK-situated assets regardless of where the owner is resident. A UK-only Will can make inheritance tax planning more straightforward, allowing estates to be structured in a tax-efficient manner and ensuring that available allowances and reliefs are utilised where appropriate.

A practical step that reduces complexity

Putting a UK-only Will in place is a relatively straightforward measure that can provide clarity, reduce complications and ease the administrative burden on loved ones. For non-UK residents with UK assets, it is a practical way to ensure those assets are dealt with in accordance with your wishes and with minimal difficulty.

One Will or two? Why separation matters

Separate Wills are generally recommended for separate jurisdictions, particularly where immovable assets such as property are involved. A properly drafted UK-only Will deals exclusively with UK assets and is carefully structured so that it does not revoke or interfere with any foreign Will.

Professional advice is essential. Poor drafting can inadvertently undermine existing planning. When prepared correctly, however, the two Wills operate smoothly and independently.

This is not about becoming UK tax resident

A common concern among internationally mobile individuals is whether making a UK Will could affect tax residence or domicile. Putting a UK-only Will in place does not, of

itself, alter tax status. A Will governs succession and administration, not tax residence.

In practice, clear and well-structured estate planning often makes it easier for executors and advisers to manage any UK tax compliance that arises in respect of UK-situated assets.

Final thoughts

For non-UK resident high-net-worth individuals with UK assets, a carefully drafted UK-only Will is a key component of effective succession planning and long-term wealth protection.

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