

# I have a will. Now what?

Your will remains in force from the moment it is validly signed and witnessed. It does not need to be lodged or recorded anywhere.

If a lawyer has prepared your will, they may register its location on the [Law Society's Wills Register](#).

## When to update your will

You should review your will every couple of years to check it still meets your needs and circumstances.

Some life events **automatically** revoke (cancel) your will. You will need to make a new will if you

- marry
- start a registered relationship
- divorce
- end a registered relationship

unless it is clear from your will that it was made with the change in relationship in mind.

A **registered relationship** is a relationship that has been formally registered at Births, Deaths and Marriages under the South Australian Relationships Register Act.

Some couples choose to register their relationship rather than marry to ensure their relationship is recognised by law.



You may also wish to update your will or make a new one following significant **life events** including

- a new or ended relationship
- the birth or adoption of children
- a change in circumstances of an executor or beneficiary, including relocation overseas, loss of legal capacity, or death
- a significant change in assets, such as buying or selling a house
- retirement.

If you experience a significant life event, you should contact the lawyer who prepared your will.

You can also call our **legal helpline** on **1300 366 424** for general information and advice about when your will may need updating.

## How to update your will

You cannot update or change your formally executed will by simply crossing something out or adding something in.

You may make small changes to your will by making a **codicil**. A codicil is a separate document that adds to or changes an existing will.

The same legal requirements that apply to making a will apply to making a codicil. You must have **legal capacity** and it must be formally **signed** and **witnessed**. You should seek legal advice before making a codicil.

The easiest and simplest way to update your will is to **make a new one**. Making a new will automatically revokes any previous or existing wills you have made.

## How to revoke (cancel) your will

You can also revoke your will by

- preparing and signing, in front of 2 witnesses, a **document** that states your intention to revoke your will
- physically **destroying it** (for example, by burning it or tearing it up)
- starting a registered relationship or marrying.

You must have **legal capacity** to revoke a will.

If you revoke your will and do not make a new one, when you die, the law of intestacy will determine who inherits your estate. Revoking a will does not restart or reactivate a previous will you may have made.

See also [📖 Why have a will?](#)