



A Legal Insight

Your Monthly Newsletter from
Chhokar & Co

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Editor's note

Welcome to this month's newsletter which includes articles of the legal happenings that have been taking place. This is a way for you to stay informed of current news and legislation changes.

All the topics that are covered in this newsletter are areas of law that we deal with as a firm so if you have any questions or queries arising from any of these articles, Chhokar & Co is here to help.

You can contact our Head Office in the United Kingdom by e-mail, via SKYPE and by phone. You can also contact us through our website Enquiry Form: www.chhokar.com.

- Aman Bhambra

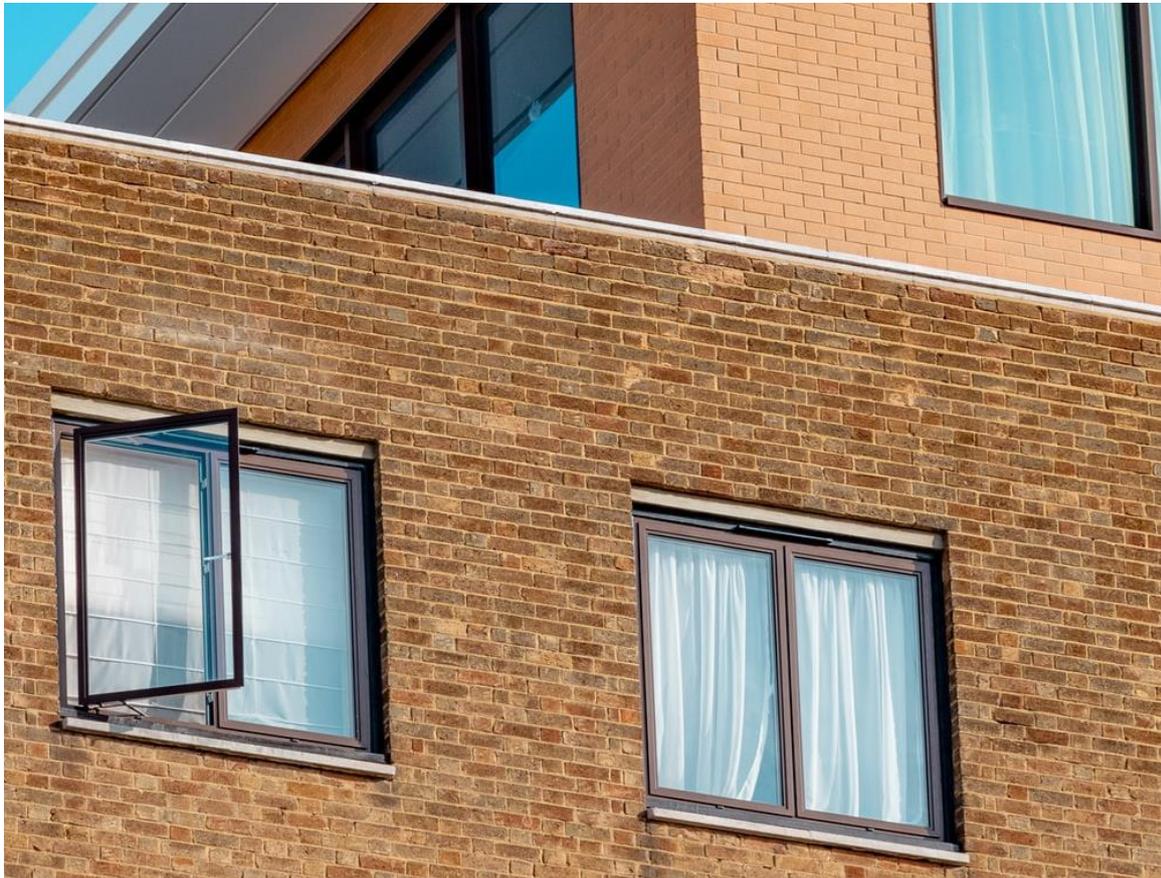
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PROPERTY

TA6 Form -Vital property information to be available up front

The Law Society has intended to introduce new plans to make vital property information upfront to buyers and sellers at an earlier stage in the conveyancing process. The TA6 form contains key information regarding the sale of a property and covers area including compliance with building and planning applications, the supply of services and more. Typically this information would only be accessible post-offer after a solicitor has been instructed, however the Law Society is working with its conveyancing and land law committee to identify key early marketing questions that can be completed, up front, in a transaction in what will be known as the 'TA6 Part 1'.



Over a million people in the UK rush to sell their homes without the correct paperwork

The CEO of 'Moveable', Simon Bath, has researched the dangers of rushing into the purchase of a house which severe consequences for both buyers and sellers. This recent research concludes that 7% of British people agree 'that they are living in dilapidated down homes because they have rushed through a property purchase without the budget to renovate'. Bath also concluded that the use of concierge apps

may in fact *'speed up each process and make it easier to complete each step in the right order'* which ensures nothing is left out in the process of purchasing a house.

'Substantial rent arrears' evictions rule will stay at six months

The housing minister Christopher Pincher has confirmed that the government will keep the current definition of 'substantial rent arrears' to six months (previously nine months). Rent which has accumulated since the start of the pandemic would no longer be excluded. Previously, landlords in England had been allowed to enforce possession orders against tenants with more than nine months rent arrears as long as then had been accrued before the first lockdown on 23rd March 2020.

At Chhokar & Co we aim to deal with a wide variety of client matters including corporate services in which we offer property management and rent collection, if you would like more information or have an issue you wish to discuss with us please contact us at +44 (0) 208 574 2488 or law@chhokar.com

FAMILY

Bringing Marriage formalities to the 21st century

The law regarding information to be contained within marriage certificates, is set to be reformed by the UK government as a result of societal changes. As of May 2021, the details of the mothers of both the bride and groom will be included alongside details of their fathers. In addition to this, the system for registering marriages will also change requiring the parties to sign a marriage schedule issued by the register office. This will contain all of the necessary information that will then be entered into the online marriage register and maintained by the Registrar General.



'DIY' divorces

As a result of the pandemic, the last 12 months has seen an increase in 'DIY' divorces which consist of neither party appointing a lawyer. Research undertaken by the law firm Wilsons, revealed that 58% of all divorces in 2019/20 saw neither party appoint a lawyer. Those who are financially disadvantaged may look to represent themselves in court as a way to save money. However this also results in several clients not finalising their financial settlement in court, which could end up costing more in challenged in court down the line.

The Home Office and violence against women & girls.

The Home Office has re-opened its call for evidence seeking further input from women and girls who have been subject to violence. Anyone aged 16 or over can contribute to the call for evidence on the gov.uk website; you do not have to have experienced violence or abuse to take part. The aim of this is to help inform the development of the governments next Tackling Violence Against Women and Girls Strategy.

Here at Chhokar & Co, we pride ourselves in our family law work, if you have any enquiries regarding the article or any other family law issue, contact us contact us for a consultation at +44 (0) 208 574 2488 or law@chhokar.com.

IMMIGRATION

'New plan' for immigration

The Home office has published a new plan for immigration which is mainly concerned with asylum and people who enter the UK illegally. There will be 'bonus' point for 'safe and legal arrivals' who may receive benefits including indefinite leave to remain, extra funding for integration programmes and joining resettlement schemes. In contrast to this, people who have entered the UK illegally to claim asylum, or who have travelled through a "safe third country", will have fewer rights. Rules allowing the Home Office to refuse even to consider an asylum claim where the person has come via a safe third country are already in place.



Understanding your right to work in the UK: EU, EEA and Swiss citizens

As the UK has withdrawn from the European Union and the freedom of movement has come to an end, it is more important now than ever to be familiar with the new UK points-based immigration system. This system applies to anyone who wants to come to live, study or work in the UK

If you arrived in the UK by 31 December 2020

You and your family need to apply to the EU Settlement Scheme to continue to live, work and study in the UK after 30 June 2021. You must have started living in the UK by 31 December 2020 to be eligible, unless you are joining a close family member who already holds status under the scheme or is eligible and will apply to the

scheme before 30 June 2021. Irish citizens or those with indefinite leave to remain or enter do not need to apply, but can if they want to.

If you arrived in the UK after 31 December 2020

You must have permission to live and work in the UK under the UK's points-based immigration system (unless you are eligible to apply to the EU Settlement Scheme.)

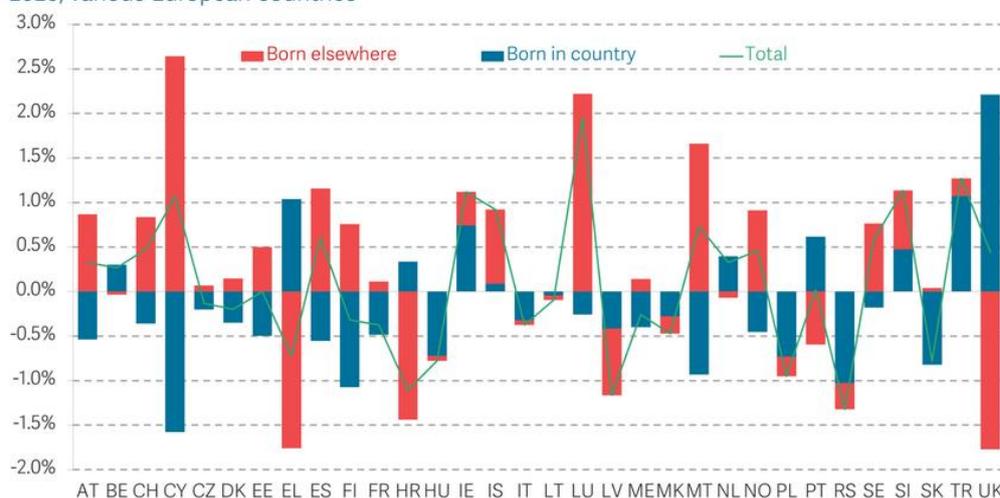
This will in many cases require an application for a 'Skilled Worker visa' before coming to the UK. To be eligible for this route, you must satisfy the following:

- you must have a job offer from an employer who is able to sponsor your visa application
- the job offer must be at the appropriate skill and salary level
- you must be able to speak English to the required standard

Migration during the pandemic

Greg Thwaites, research director at Resolution Foundation, states that according to the Labour Force Survey (LFS), the number of people living in the UK but born overseas fell by approximately 1 million between the first and third quarters of 2020. Meanwhile the number of UK-born UK residents in this same category band rose by 1.3 million over the same period. These statistics have been debated by some who have suggested that UK migrant and total populations may have in fact both fallen with no rise in the UK-born population resulting in approximately 1.3 million migrants having left the UK.

Contributions of domestic and foreign-born to population growth in the four quarters to Q3 2020, various European countries



Source: RF analysis of Eurostat, Migration and migrant population statistics.

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resolutionfoundation.org

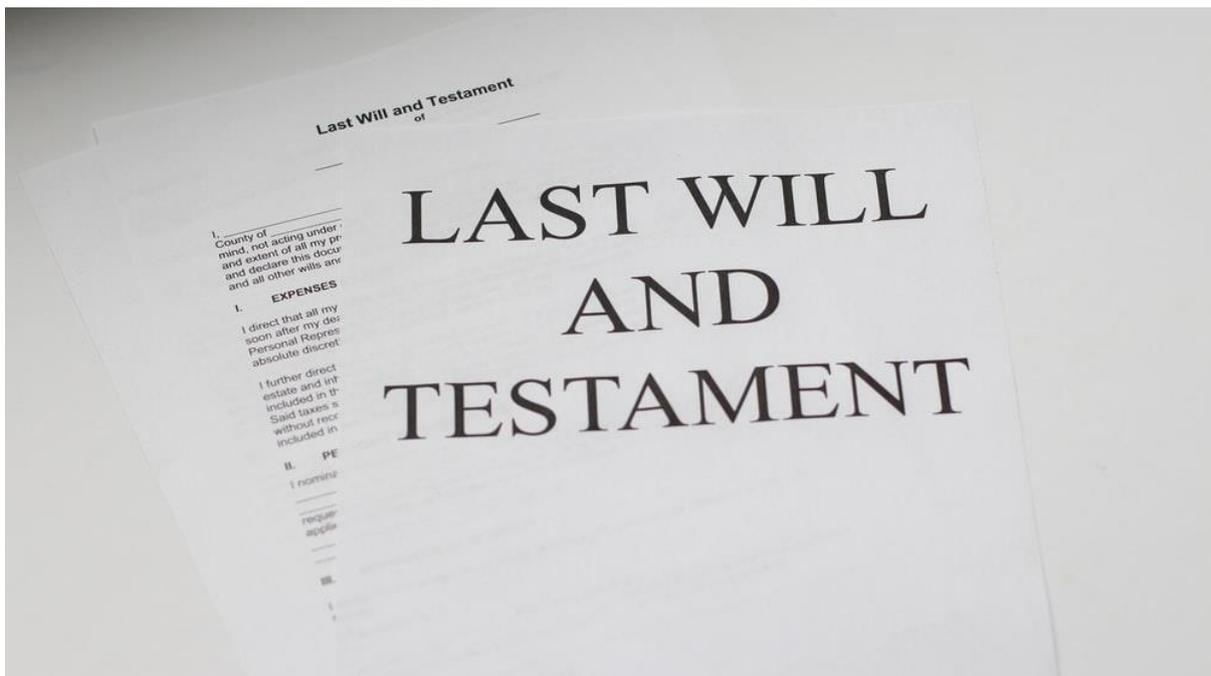
Source: Resolution Foundation (<https://www.resolutionfoundation.org/>)

Immigration is a serious and complicated matter, here at Chhokar & Co we have years of experience dealing with immigration matters. Feel free to contact us for a consultation at +44 (0) 208 574 2488 or law@chhokar.com.

WILLS, TRUST & PROBATE

Wills & financial affairs

Recent research from probate expert, Exizent reveals that many people do not have their financial affairs in order by creating a will. The probate prospects report concluded that almost a quarter of UK citizens do not have a will. Many solicitors rely on the information from the deceased's family to assess assets and liabilities, yet most people die without ensuring their affairs are in order. According to solicitors, the primary reason behind the delays for probate cases stems from the institutions themselves. Exizent also revealed that the majority of legal professionals 'feel the process does not work as it should, admitting the time it takes to complete probate is unacceptable.'



Video witnessing of Wills to become the 'new normal'?

The use of video witnessing to formulate a Will in the UK, was made legal by the Ministry of Justice in July 2020 as a result of the pandemic. As the UK enters its third lockdown, there have been mixed reactions to the use of video calling. However according to the 'UK Wills & Probate Market 2020: Consumer report', 'video witnessing' would be acceptable to over a third of consumers. Organisations including 'STEP' have stressed the importance of using video witnessing as a last resort.

<https://www.step.org/>

Law Society urges people to include 'digital assets' in their Wills

The Law Society has been encouraging people to incorporate 'digital assets' including photos, emails and passwords, into their wills. David Greene, the Law Society President said: "Technology is a huge part of modern life'. A recent survey conducted by the Law Society found that 93% of those who have a will have not included any digital assets. Three quarters of people do not know what happens to their online presence after they die.

Here at Chhokar & Co we are experienced in wills, trust and probate. If you have any enquires regarding your Will arrange for a consultation by calling +44 (0) 208 574 2488 or emailing law@chhokar.com.

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