

Legacy Information Pack

Why leave a Legacy?

Legacies can be the most valuable gift you ever give to a charity, and could save you up to 40 % in inheritance tax. After you have provided for your loved ones, why not make an impact on the future for wild orangutans, and leave a portion of your estate to the Sumatran Orangutan Society.

Section I: If you do not already have a Will

How do I make a Will?

It is quite straightforward to write a Will. A solicitor or a professional will writer will be able to offer you the best advice. Alongside advice from your legal advisor, this document will help you ensure your wishes are carried out. Fill in the relevant sections, take it along with you to your legal advisor and hopefully it will help you save both time and money.

1) Firstly, work out the value of your estate and make a list of your assets and liabilities.

My Assets (everything I own)

Property:

Your home and any other property £_____

Possessions:

Your car £_____

Furniture £_____

Other household effects (pictures, books, silver, antiques) £_____

Jewellery and other individual items £_____

Financial:

Cash in your bank/building society account £_____

National Savings/other savings schemes £_____

Stocks, shares, bonds, investment trusts £_____

Insurance policies £_____

Pension death benefits £_____

Other savings and cash £_____

Total Assets: £_____

My Liabilities (everything I owe)

Mortgage (current outstanding balance) £ _____

Bank Loans £ _____

Overdraft £ _____

Hire Purchase Agreements £ _____

Credit Card Debts £ _____

Any other debts £ _____

Total Liabilities: £ _____

To find out the full value of your estate, subtract the liabilities subtotal from the assets subtotal.

TOTAL ASSETS £ _____

minus

TOTAL LIABILITES £ _____

equals

TOTAL VALUE OF ESTATE £ _____

This checklist will also help you to assess if you need further advice on inheritance tax planning if your total estate is above the tax threshold. Currently, if your estate is worth over £312,000 you may need to take steps to reduce your liability to tax however this changes from year to year depending on the budget. Your solicitor or will writer will be able to advise you on this.

2) Next, make a list of charities you want to benefit from your will.

Make a list of the charities you would like to benefit and what you would like them to receive.

I _____ (name) of _____ (address)

(a) Sumatran Orangutan Soceity of The Old Music Hall, 106-108 Cowley Road, Oxford OX4 1JE, UK), Registered charity number 1085600, _____ % of my estate or the sum of £ _____ , and/or _____ (a specific item)

(b) _____ (charity name) of _____ (charity address)

Registered charity number _____, _____ % of my estate or the sum of £ _____ , and/or _____ (a specific item)

(c) _____ (charity name) of _____ (charity address)

Registered charity number _____, _____ % of my estate or the sum of £ _____ , and/or _____ (a specific item)

3) Decide what type of legacy you want to leave.

Ask your legal advisor to use the wording below when writing your gift into your Will.

- A share of your estate (residuary bequest):

I give all/a share of (please state fraction/percentage) of the residue of my estate absolutely to (charity name) of (charity address), (registered charity number) to be applied by (charity name) for its charitable purposes, and I declare that the receipt of the Honoury Treasurer or any other proper officer for the time being shall be a good discharge to my executors.

- A specific sum (pecuniary bequest):

I give to (charity name) of (charity address), (registered charity number) absolutely the sum (amount in figures, amount in words) to be applied by (charity name) for its general charitable purposes, and I declare that the receipt of the Honorary Treasurer or other any other proper officer for the time being shall be a good discharge to my executors.

- For a specific item (conditional bequest):

I give to (charity name) of (charity address), (registered charity number) absolutely, (write here whatever you wish to give) to be applied by (charity name) for its charitable purposes, and I declare that the receipt of the Honorary Treasurer or any other proper officer for the time being shall be a good discharge to my executors.

4) What happens if any of your beneficiaries die before you?

What do you want to happen to your estate - would you like to leave it to charity? make a note below:

5) Choose your executors.

These are the people who will take care of your estate after your death. You can choose up to four people, who can be family, friends, your solicitor or sometimes even your charity. Whoever you choose make sure you ask their permission. Make a note of their names and addresses below:

6) Choose 2 witnesses to sign your Will.

To be legally binding your will must be signed in the presence of 2 witnesses who must then sign it themselves. Neither they nor their spouses must be beneficiaries of the Will.

7) Choose a solicitor.

We recommend that you use a solicitor or professional will writer to write your Will. If you don't already have one, you can ask a friend or relative to recommend one, or you can search online via the Law Society at www.solicitors-online.com or contact the Society for Trust and Estate Practitioners on 0207 838 4885.

8) Will Aid.

You might also want to consider using Will Aid - A charity Will making scheme which takes place in November every 2 years. If you choose to use this scheme, instead of the solicitor taking your fee it is donated to one of the 9 participating charities. However you can still leave a legacy in your will to any charity of your choice. For more information about Will Aid and to find your local Will Aid solicitor please visit www.willaid.org.

Section II: If you already have a Will

Can I change my Will?

Yes, you can change your Will as often as you want. It is very important to update your Will regularly to ensure that it reflects your current wishes and circumstances.

How do I change my Will?

If you already have a Will, but wish to add a legacy there is no need to change the whole Will. You simply need to fill in a short form called a codicil (see below) instructing your bequest, and take it or send it to your solicitor. Do not cross anything out or make any changes to your actual Will as this will make it invalid.

How to add a legacy to your Will (Codicil Form)

If you have already made your Will, it is very simple to amend it leave a gift to charity. You do not need to write another Will, you can just add an amendment (codicil) to your existing one.

Please complete this form and send one copy to your solicitor and another copy to your executor or a trusted friend with a note of where the original is kept:

I _____ (name)
of _____
_____ (address)

Declare this to be a codicil to my last Will dated ___/___/___ In addition to any legacies given in my said Will I give to the Sumatran Orangutan Society of The Old Music Hall, 106-108 Cowley Road, Oxford, OX4 1JE Registered charity number 1085600, _____ % of my estate or the sum of £_____, and/or _____ (a specific item) to be used for general purposes and I declare that the receipt of the Treasurer or duly authorised officer shall be a full and sufficient discharge. In all other respects I confirm my said Will and all other codicils thereto.

Signed _____ Date _____

Signed by the above named in our presence and witnessed by us in the presence of him/her and each other.

Witnessed by:

Signature _____ Signature _____

Name _____ Name _____

Address _____ Address _____

Occupation _____ Occupation _____

What type of charity legacy can I leave?

- You can leave what is left of your estate after expenses and all other wishes have been met. This is called a *residuary bequest*.
- You can leave a specific sum of money. This is called a *pecuniary bequest*.
- You can leave a particular item of value, such as jewellery or an antique. This is called a *specific bequest*.
- You can leave a gift which would be made if the person you first intended to benefit died before you. This is called a *conditional bequest*.

What tax benefits do I gain?

Gifts to charity are exempt from Inheritance Tax (IHT) (which is charged at 40 % of the value of your estate). They can also help to reduce the value of your estate, and therefore your tax liability. The tax threshold changes according to the chancellor's budget however for 2008/2009 it stands at £312,000 for individuals.

As an example if you had an estate with the value of £500,000 then £188,000 of that is subject to 40 % tax. Your estate would therefore actually only be worth £424,800 as £75,200 would go to the government. However any amount of your £500,000 that you leave to charity would be tax free, therefore the charity would get 100 %.

Can I request that my money is used for a specific project?

You can make your specific wishes known to the charity, however rather than writing a specific project into your Will, it is better to keep the legacy wording general and then add a separate letter of wishes. This means that if the specific project has finished by the time the charity receive your money, we will still be able to make use of it, otherwise we may not legally be entitled to receive your gift at all.