



Advice on Kindness
Talking about charitable
gift-giving in Wills

Leave a Will. Leave Goodwill.

Most of us benefit from the important work done by charities.

Whether it's in relation to health or the end-of-life care of a loved one, adopting a furry friend, or enjoying a regular walk in a wild place, many of us have good reason to feel gratitude towards a charity of some kind.

Writing a donation into our Will gives us the unique opportunity to reach into the future to show gratitude by repaying that positivity.

Make sure your favourite charity can continue doing its great work, by leaving a gift in your Will.

It is easier than you might think to leave a gift in your Will to charity. A gift of any size will always make a big difference to your chosen charity.

You can give:

- The remainder of your estate after your other wishes have been fulfilled
- A proportion or percentage of what you own
- A specific amount of money, large or small
- A property or possessions that would be valuable to your chosen charity

In most cases, gifts to charity are free of tax.

You may wish to tell the charity or charities you intend to leave a gift to them, so that they can keep you updated about their work.

Why do I need a Will?

A Will is one of the most important documents you'll ever sign. With a Will in place, you decide what happens to your money and possessions, while protecting those you care about most. If you die without a valid Will, your estate is said to be 'intestate' and the law decides what happens to your assets. This can happen if...

- You don't have a Will
- You've revoked your Will
- Your Will is invalid – for example if it's not correctly signed or witnessed.

Having a professionally written, up-to-date Will is the only way to make sure the people and causes you love are looked after

I already have a Will. Do I need to update it?

It is a good idea to review your Will periodically (perhaps every 3-5 years) to make sure it still reflects your wishes. You should also review your Will if your personal circumstances have changed. Changes that may affect your Will include...

- Divorce or separation
- A new arrival or death in your family
- Moving home or moving abroad
- A change in your financial circumstances

If you get married or form a civil partnership any previous Will which you have made will automatically be revoked, unless you have made it specifically in contemplation of the marriage or civil partnership.



Who should write my Will?

When it comes to writing a Will, we recommend using a qualified solicitor.

The cost of using a solicitor varies depending on how complicated your Will is and where you live. The solicitor should make the costs clear from the start. The Law Society can help you find a solicitor in your area. You can call them on 028 9023 1614 or visit www.lawsoc-ni.org

How do I choose my Executors?

Executors are the people appointed by you in your Will to carry out your wishes after your death. It's best to name more than one person to do this job in case one of them is unable to act for you. You can choose friends, family members or a professional executor, such as a solicitor.

Naming someone as an executor doesn't stop them benefitting in your Will.

Can't I just write my own will?

This may seem like a cost-effective option, but it's very easy to make technical mistakes which could invalidate your Will or lead to costly and upsetting disputes in the future.

Our recommendation is that professional advice should be obtained.

Where can I store my Will?

Your solicitor is likely to offer to keep your original Will safe as part of their service. Make sure you keep a copy in a safe place too, along with the information your executors will need about your property, your accounts and any investments and insurance policies you might have.



Glossary – useful terms for writing your Will

Contingent gift:

It is a gift which only takes effect if a certain condition, ‘the contingency’, is met. An example would be leaving a gift to someone upon them reaching the age of 21. That person will only receive the gift if they attain that age.

Pecuniary gift:

A gift made of a fixed sum of money. The effect of inflation means that the value of a pecuniary gift will decrease over time unless index-linked.

Dying intestate:

Dying without having a valid Will.

Executor:

The person named in a Will who administers the estate of the person who has died. This can be a professional executor like a solicitor or a bank/trust corporation or a lay executor such as a friend or family member.

Inheritance Tax:

Currently paid to the Government at a rate of 40% on any part of your estate over the applicable threshold or ‘nil rate band’ in force from time to time. Most gifts left to charities are exempt from inheritance tax. If more than 10% of a person’s net estate is left to charity then the inheritance tax on the rest of their estate is also reduced.

Guardian(s):

Individual(s) appointed to look after a person’s children if they die whilst they are under eighteen.

Specific gift:

A specific gift is a particular item or sum of money that you wish to leave to someone in your Will. It can be anything from jewellery to a car.

Residuary gift:

Is a percentage of your estate after all debts and taxes have been paid and may include property, investments and cash. It is less likely to be affected by inflation so is the most valuable way to provide for your family, friends and causes you care about.

Trust:

A gift of property left to named individuals (trustees) to hold for the benefit of others (beneficiaries). Trusts are useful to protect assets if beneficiaries are minors, suffer from a disability or have financial difficulties.

Probate:

An official court process to prove if a Will is authentic and valid. It confirms that the executor has the legal right to distribute the estate according to the Will.

