

SOUTHEND BLIND WELFARE ORGANISATION

WHY MAKE A WILL ?

- If a person dies without making a Will (which means they die 'intestate') English Law lays down who will inherit that person's assets. The persons who will inherit an intestate's estate are not necessarily the people one would expect (for instance, an intestate's surviving husband or wife does not always automatically inherit **the whole** of their partner's assets -it depends upon a number of factors, ie. whether there are children etc.)
- **A will ensures that your assets go to those whom you want to benefit**, provided you have made adequate provision for anyone who is financially dependent upon you. A person may be financially dependent upon you, regardless of their relationship to you. **A couple who are not married or in a civil partnership have no automatic right to inherit their partner's assets** or even part of them, regardless of how long that relationship has lasted. That partner may have to claim through the courts which would be a very costly exercise – simply because you have decided not to put your wishes in a proper will!
- You should appoint executors of your choice (people who you can rely on and trust) to carry out the wishes expressed in your will, who can be relatives and/or beneficiaries and who can also act as trustees for children under 18 years old who have been left assets in your will
- You can plan your will to ensure that it is tax efficient, to avoid your beneficiaries having to pay more Inheritance Tax (IHT) than is necessary. Bequests to certain beneficiaries are freed from any charge to IHT. **For instance all bequests of money or assets to surviving husbands or wives and registered charities are IHT –free.**
- Family disputes sometimes arise over wills which have been poorly prepared. Unless you are making an extremely simple will **you should seek the advice of a solicitor** to try and avoid such disputes and where possible avoid your beneficiaries incurring more IHT than is really necessary

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HOW TO MAKE A WILL

- Although a simple will can be made without professional assistance, a mistake in preparation and signing could prove costly later. For instance **there are very strict rules for the signing and witnessing of a will**. If those rules are not observed, the whole will could be considered invalid.
- **It is advisable to employ a solicitor to ensure that your will is correctly prepared and completed**. The cost of doing this can vary greatly depending on the complexity of your requirements and how much tax advice you want to receive
- **Before you consult a solicitor, note down all the people who may be financially dependant on you, and their relationship to you**, so that the solicitor has a full picture of the people you want to benefit from your estate.
- If you have no immediate family or dependants consider who you would want to benefit from your estate. If someone dies intestate with no known relatives (this only rarely occurs) then your estate can go to the State – this may not be your choice of beneficiary! In such circumstances you must stipulate in a will who **will** benefit.
- **Remember that if you decide to include charities as beneficiaries, that benefit will be tax free to the charity**
- If you are intending to include a charity or charities in your Will, be specific as to the charity involved. A will leaving a benefit to 'a cancer charity', for instance, would not be effective as there are a number of cancer charities, and such a provision would be considered 'void for uncertainty'. Find out the name of the charity (and also if possible the charity registered number) and make sure it goes in your will
- PLEASE ALSO REMEMBER THAT A BEQUEST TO A NATIONALLY BASED CHARITY MAY NOT NECESSARILY HELP PEOPLE NEEDING THE ASSISTANCE OF THAT CHARITY IN YOUR AREA. LOOK FOR A CHARITY OPERATING IN YOUR AREA
- **SOUTHEND BLIND WELFARE ORGANISATION IS THE ONLY CHARITY HELPING BLIND AND PARTIALLY SIGHTED PEOPLE EXCLUSIVELY IN THE AREA OF SOUTHEND-ON-SEA AND SOUTH EAST ESSEX**

RECOMMENDED WORDING FOR A BEQUEST TO SOUTHEND BLIND WELFARE ORGANISATION

YOU SHOULD INCLUDE THE FOLLOWING WORDING IN THE WILL, DEPENDING ON WHETHER YOU WANT TO LEAVE IT A SPECIFIC SUM OF MONEY OR A SHARE OF YOUR ESTATE :

Cash legacy

I give and bequeath to the SOUTHEND BLIND WELFARE ORGANISATION (registered Charity No. 1069765) of 117 Hamlet Court Road Westcliff-on Sea Essex the sum of £ for the general purposes of the charity.

Share of Residue

I give and bequeath (fraction or percentage detail) of the residue of my estate to the SOUTHEND BLIND WELFARE ORGANISATION (registered Charity No. 1069765) of 117 Hamlet Court Road Westcliff-on Sea Essex for the general purposes of the charity.