



## Leaving a legacy to Green Alliance, guidance document

**This document offers a guide to leaving a legacy to Green Alliance. Green Alliance is a charity (registered in England and Wales under the name The Green Alliance Trust with registered charity number 1045395).**

**Leaving a legacy to charity is one of the best ways to support a cause that you care about. It won't cost you a penny now, and any legacy you leave to a charity like Green Alliance will be completely free of Inheritance Tax.**

---

Green Alliance works with senior people in government, parliament business and NGOs to make environmental solutions a priority in British politics. A critical feature of our approach is to build support for our proposals amongst politicians, pressure groups, business leaders and key commentators. Three aims govern our work: to make environment a central political issue, to integrate the environment into public policy and decision-making and to stimulate new thinking and advance the environmental agenda into new areas.

Our work behind the scenes has helped persuade politicians of all parties to give the environment the prominence it deserves. Over the past 28 years we have been instrumental in securing better policy on pesticides, GM, energy, planning and waste. But more can be done.

Legacies are critically important to Green Alliance's work. Unlike other larger environmental charities we find it difficult to attract funding for the seemingly intangible influencing and policy work that we do. We are in constant need of funds to further our work. Leaving a gift in your Will to Green Alliance is one of the most lasting gifts you can make.

Your gift, no matter what amount, will help us to fund our work to persuade politicians and the public to take the action needed to tackle the environmental problems we face.

We hope that you find this booklet useful and that it answers some of your questions. This leaflet is intended to give you guidance only. It is by no means comprehensive and you should always consult a solicitor before making a Will or making changes to an existing Will.

### The Importance of a Will

It's only natural that most of us prefer not to dwell on the subject of Wills. However, making a Will does present a wonderful opportunity to remember those who have been closest to us throughout our lives and causes that we support.

Your Will has a crucial role to play in providing for your family, friends, loved ones and causes you support. Your Will disposes, broadly speaking, of everything that you own. By your Will, you can ensure the future financial well-being of your family and those other persons who may benefit. If you do not make a Will then your assets may not be distributed as you intend. Many people do not realise that if they die without having made a Will (called dying "intestate")

there are laws which decide who will receive your assets and it may not be who you intend. For example, if you are cohabitating and are not married, your partner will not be entitled to receive any of your assets. Even if you are married, your spouse may not be entitled to everything.

By investing a little time now, putting your affairs in order and deciding what you want to happen to your worldly goods and making a Will, this can be avoided.

Making a will helps to give you peace of mind in the knowledge that your wishes will be carried out, leaving you free to get on with your life.

To find out just how easy it is to make a Will, read on...

---

If you decide to make a Will, the following tips will be useful. If you also decide to include Green Alliance in your Will, you will find some suggested wording to take to your solicitor at the end of this document.

### 1. Choose your executors

Executors are the people you appoint in your Will to carry out the instructions in your Will. Their main job will be to work out what assets you have and work out what debts you have, then pay your debts, tax and so on and distribute your remaining assets in accordance with your instructions contained in your Will. Before appointing anyone to act as your Executor, be sure to ask whether they are willing to do so. You can appoint one or more Executor(s), (up to four) and your solicitor will advise you on how many are recommended in your particular circumstances.

As the role of Executor carries a lot of responsibility, it is sensible to choose someone that you trust and who has knowledge of your family circumstances.

### 2. Choose a guardian(s) for your children

If you have children under the age of 18 years, it is sensible to appoint guardian(s) for them in your Will. You will need to think carefully about who you choose, such as family or close friends whom you trust, and always ask them first.

### 3. Choose a solicitor

Your Will is a legal document. You should always ask a solicitor to prepare your Will and to make changes to your existing Will.

It is never advisable to draw up your own Will as a Will is a legal document which must comply with certain formalities. If you draw up your Will incorrectly or do not sign your Will correctly it may not be effective and your assets may not pass to those you intend.

If you need help in finding a local solicitor, contact **The Law Society**

**113 Chancery Lane, London, WC2A 1PL** (Tel: 0870 606 2500)

You can also search for a solicitor online at the Law Society's website:

[www.solicitors-online.com](http://www.solicitors-online.com)

#### 4. Work out your assets and liabilities

Before you visit your solicitor it is sensible to work out and make a list of your assets and your liabilities. Your assets are items that you own, e.g. property, investments such as shares, monies in bank accounts and personal possessions, e.g. furniture, jewellery, books. Your liabilities are sums that you owe – such as your mortgage, bank loans, credit card bills and hire-purchase commitments. Making this list is a very worthwhile exercise, as it will save you time when you visit your solicitor and may help to keep the solicitor's costs down.

#### 5. What Will Happen to your Estate

It is often helpful to write down in your own words what you wish to say in your Will. It is important to consider whom you would wish to benefit and how you would like them to benefit. Your solicitor should be able to advise you on how your wishes may be achieved and the range of options available to you.

Your list will probably include family, friends and, we hope, Green Alliance.

The types of legacy that you can include in your Will are as follows:

**Pecuniary legacy:** this is a gift of a sum of money.

**Residuary gift:** your residuary estate is what is left over of your estate after your Executors have paid your debts, and other expenses such as funeral costs and tax and so on and paid pecuniary and specific legacies. A gift of the whole or a share of your residuary estate is called a "residuary gift".

**Specific legacy:** this is a gift of a specific item or items, such as property, stocks and shares, jewellery, books or any other personal possessions .

#### 6. Visit your solicitor

Once you have worked out your assets and liabilities and thought about your beneficiaries and executors etc, it's time to make an appointment with your solicitor. Before visiting, write down a list of any questions you want to ask. Your solicitor will go over your wishes with you in detail and will then prepare a draft Will. Once you are happy with what your Will says your solicitor will arrange for you to sign it. It is important to follow your solicitor's instructions on how to sign it carefully. There are special rules that must be complied with (e.g. you must sign in front of two independent witnesses) and if you do not follow these rules, your Will may not be valid.

#### 7. Keep your Will safe

Once your Will has been signed make sure you keep it in a safe place. Your solicitor may keep it for you or you may be able to store it at your bank (check whether they charge a fee for storage). Make sure you keep a copy for your own reference. Ensure that your executors know where the original is kept.

#### 8. Review your Will regularly

It is always advisable to review your Will every five to ten years, or sooner if your circumstances change, for example, if you marry, divorce, retire, have children, have a change in your finances, or simply a change of mind. (see *How do I change my will* overleaf)

## 9. How do I change my Will?

If you have already made a Will but you wish to change it, e.g. to include a legacy to Green Alliance, you can amend your existing Will easily by making a Codicil. A Codicil is a short legal document which is usually used to make minor alterations to your Will. If you are planning to make more extensive changes it may be preferable to have a new Will altogether. Your solicitor can give you advice on this.

### **Recommended wording**

If you wish to leave a legacy to Green Alliance it is important that the charity is correctly identified in your Will. Your solicitor may find it helpful if you provide him or her with the example wording set out below, so we suggest that you take it with you when you visit your solicitor. Please bear in mind that these wordings are recommendations only. Care should be taken when incorporating provisions such as these within a Will or Codicil. The definitions used should be amended to be consistent with the other provisions of your Will. Your solicitor should ensure this.

### **Pecuniary legacy**

I give to the charity The Green Alliance Trust (Charity No: 1045395 )of registered office address 36 Buckingham Palace Road, London, SW1W 0RE free of inheritance tax the sum of ..... (insert the amount you wish to leave) to be applied by the charity for its general charitable purposes. I declare that the receipt in writing of the person who professes to be Treasurer or other proper officer of the charity shall be a full and sufficient discharge to my executors and trustees.

### **Residuary gift**

I give to the charity The Green Alliance Trust (Charity No: 1045395 )of registered office address, 36 Buckingham Palace Road, London, SW1W 0RE [all] [X%] of the residue of my estate after payment of all debts, funeral, testamentary and administration expenses and legacies specified in this Will and any codicil to it to be applied by the charity for its general charitable purposes. I declare that the receipt in writing of the person who professes to be Treasurer or other proper officer of the charity shall be a full and sufficient discharge to my executors and trustees.

### **Specific legacy**

I give to the charity The Green Alliance Trust (Charity No: 1045395 ) of registered office address 36 Buckingham Palace Road, London, SW1W 0RE free of inheritance tax (insert whatever it is you wish to leave to Green Alliance eg. all my shares in (name of company))to be applied by the charity for its general charitable purposes. I direct that the receipt in writing of the person who professes to be Treasurer or other proper officer of the charity shall be a full and sufficient discharge to my executors and trustees.

## 10. Can I specify what Green Alliance can use my legacy for?

Yes you can.

You can leave a legacy to Green Alliance in your Will and request or express the wish that Green Alliance use that legacy for a particular project or activity. That “request” or “wish” will not be binding on the charity i.e. we could choose to use your legacy for another purpose, but we always try to comply with your wishes as far as possible. If you want to leave a legacy and

you want to express a wish as to how Green Alliance should use it, it is very helpful if you speak to us first and we can give you an indication of whether it is likely that we will be able to use your legacy as you wish.

If you are convinced you only want to leave Green Alliance a legacy for a particular purpose, you can state in your Will that Green Alliance **must** use the legacy for a particular project or activity. This is usually called a “restrictive gift”. But you should bear in mind that, if Green Alliance cannot comply with the terms of the gift, the legacy may fail i.e. not be take effect under your Will. For this reason, it is always preferable if you do not specify how the legacy must be used by the charity - the charity will then retain flexibility to use the gift where need can most usefully be met.

If you do want to make a restrictive gift, so that we can make sure that the charity can use the gift as you require, it is very helpful if you speak to us first. If we think that it will be difficult to use the gift as you intend, we can suggest alternative projects that you might like to benefit instead.

## Legal language explained

### **Beneficiary**

A person or organisation, such as a charity, to whom you leave a legacy in your Will.

### **Legacy**

A gift given in your Will, also known as a bequest.

### **Codicil**

A codicil is a document, separate to your Will, which changes your Will.

### **Estate**

Everything you own i.e. all your assets that you own at your death, such as your house or flat, money, investments such as stocks and shares, personal possessions such as furniture and jewellery, before deduction of your liabilities (such as your mortgage, loans and other debts).

### **Executors**

The person or persons appointed by you to administer your estate according to the terms of your Will.

### **Intestate**

If you die without leaving a valid Will, you are said to have died ‘intestate’.

### **Residuary estate or residue**

What is left over of your estate once all liabilities including your debts and other expenses such as funeral costs and tax and so on have been met and specific and pecuniary legacies gifts and so on have been paid.

**NB: Some terms might be different in Scotland and Ireland. Please check with your solicitor.**

## Frequently asked questions

### **How much will it cost to make a Will?**

You are strongly advised to ask a solicitor to prepare your Will, but it may be less expensive than you think. The cost will vary depending upon the complexity of your estate. To keep costs down, have the basic information about your assets and liabilities, executors and beneficiaries to hand when you visit your solicitor and be sure to make a list of questions to ask.

### **Can I make a Will myself**

It is never a good idea to write your own Will. A Will is a technical legal document. Home-made Wills may not comply with the necessary formalities so your Will may not be valid or provisions may not have the effect you intend. It is worth investing a little money and having a qualified solicitor draw your Will up properly.

### **What is Inheritance Tax?**

Inheritance tax is normally payable on the value of your net estate (which is essentially the value of all your assets less your liabilities) when you die if the value of your net estate exceeds the inheritance tax threshold.

However, any legacies that you give to a charity, such as Green Alliance, or to your spouse or civil partner are exempt from inheritance tax. So leaving a legacy to a charity can reduce the amount of inheritance tax payable on your estate.

Careful tax planning is essential if you wish to keep the amount of inheritance tax payable on your estate to a minimum. Inheritance tax is a complicated business and it is always best to discuss it with a professional adviser, such as a solicitor or accountant, with a detailed understanding of tax matters.

### **What happens if I don't make a Will?**

If you die without leaving a Will, or if the Will you leave is invalid, you are said to have died intestate. In such circumstances there are laws which determine who will receive your estate and this may not be who you intend, for example, if you are unmarried but cohabiting, your partner will not be entitled to anything and even if you are married your spouse may not be entitled to receive all your estate.

### **Should I let Green Alliance know I have left them a legacy?**

Yes, it would be very helpful.

All information you provide will be treated as strictly confidential. Even if you tell us that you have left a legacy to us in your Will, it is not binding. You can change your Will at any time.

### **Disclaimer**

The information in this legacy material is intended to help you understand the law relating to Wills. This information is not intended to replace formal legal advice and the Green Alliance Trust cannot be held responsible for the information contained herein. In case of any query you should contact a solicitor.