



A simple guide to creating a Will and making a charitable bequest

This document gives a simple guide to how to go about creating a Will and making a charitable bequest. It contains the following information:

- 1. Creating a new Will – an introduction.**
- 2. The Will making process.**
- 3. How to include the Marine Conservation Society in your Will.**
- 4. Potential tax benefits to making a bequest to the Marine Conservation Society.**
- 5. Types of legacy.**
- 6. Examples of wording.**
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If this document fails to answer any of your questions, or you would like to talk in person about your decision or about our work then please don't hesitate to contact the Fundraising Team either by calling on 01989 566017, or by emailing fundraising@mcsuk.org.

1. Creating a new Will – an introduction

The UK's seas are extraordinarily rich in wildlife, as more than half of our nation's life lives beneath the waves. Dolphins, porpoises, seals and even endangered marine turtles reside within our waters, but they are poorly protected compared to wildlife on land, and under increasing threat from fishing, industry, pollution, litter and climate change.

The Marine Conservation Society (MCS) is the only UK charity dedicated to protecting our seas, shores and wildlife – now and for future generations. MCS campaigns for clean seas and beaches, sustainable fisheries, protection of marine life and their habitats, and the sensitive use of our marine resources. We are passionately committed to building a more harmonious relationship between human and marine life - creating a clean, safe and thriving environment for all.

A legacy left to the Marine Conservation Society can make all the difference in helping us to carry on this vital work, and we cannot thank you enough for considering this wonderful way to help us. In this section you'll find information to guide you through the Will-making process. Should you need it; a glossary of terms can also be found at the end of this document.

2. The Will making process

Making a Will and keeping it up to date is very important - it puts you in control. You can use the process below to make sure your Will reflects your wishes.

- **Assess your estate.**
Make a list of all your significant possessions. For example: your house, car, savings, insurance policies, and other items of value.
- **Decide who you would like to benefit.**
You can choose to share your estate between anyone you like - your spouse, family or friends. You could also leave a legacy to a charity or good cause, such as the Marine Conservation Society, after your family and friends have all been properly provided for.
- **Decide what sorts of gift to leave.**
You can leave any kind of gift: a share of your estate (residuary), an amount of money (pecuniary) or specific items. Find out more about some of the different types of legacy. Your solicitor will also be able to advise you on the benefits of different types of legacy.
- **Choose your executors.**
You should now select between one and four people who will be able and willing to ensure the wishes within your Will are carried out. You can choose your bank, your solicitor, or willing friends or relatives.
- **Make a list of any other questions you may want to ask your solicitor.**

- **Arrange to see your solicitor to make your Will.**
This shouldn't take long - but it's important to involve a legal professional to draw it up for you. If all the legal formalities are not followed correctly, your Will could be declared invalid.
- **Ensure that your Will is correctly drawn up.**
When you are happy with the contents of your Will, make sure that it is executed and witnessed properly. Your solicitor can advise you on this.
- **Keep your Will up to date.**
You can update your Will at any time to reflect changes in your circumstances - such as the sale of your house, or the death of friends or loved ones. Your solicitor can advise you on the best way to change your Will - either by re-writing it or by adding a codicil.

MCS would advise anyone making or updating a Will to get in touch with a practicing solicitor to help you do this.

3. How to include the Marine Conservation Society in your Will

All you need to do is to include our full name of Marine Conservation Society, registered office address and registered charity number, as below:

Marine Conservation Society
Unit 3, Wolf Business Park
Alton Road
Ross on Wye
Herefordshire HR9 5NB
Registered Charity Number: 1004005

And then state what form you would like your bequest to the charity to take. However, if you want to be completely sure of the correct wording used to make a legacy, please use the examples provided in the section entitled 'Examples of wording'. Your solicitor will also be able to assist you with these.

4. Potential tax benefits to making a bequest to the Marine Conservation Society

If you leave an estate of a certain value or above (this value can change with each Government Budget), it may be subject to inheritance tax. At the time of writing charities are generally exempt from inheritance tax on bequests made to them in Wills. **However, please do discuss possible ways of minimising the tax burden on your estate with your solicitor.** (Please note: the Gift Aid scheme does not apply to gifts in Wills.)

5. Types of legacy

There are a few different kinds of gift you can leave in your Will. The most common are described below.

Residuary bequest

A gift of the remainder of the estate after all other bequests have been made and debts cleared is called a residuary bequest.

Pecuniary bequest

A gift of a fixed sum of money in your Will is called a pecuniary bequest. The real value of pecuniary legacies will decrease over time, as the cost of living increases.

Specific bequest

A particular named item left as a gift in your Will is known as a specific bequest - for example, a piece of jewellery.

Contingent bequest

A gift in your Will that depends upon the occurrence of an event, which may or may not happen, is known legally as a contingent bequest. An example is a bequest to a charity which applies only if other beneficiaries named in the Will die before the testator (person who made the Will).

6. Examples of wording

Should you wish to remember the Marine Conservation Society in your Will you might wish to take the following wording suggestions for a residuary bequest and a pecuniary bequest to your solicitor. They will ensure that your wishes are accurately followed:

1. Residuary bequest (a proportion)

I give (%) of the residue of my real and personal estate which I can dispose of by Will in any manner I think proper to the Marine Conservation Society (Registered Charity No. **1004005**) of Unit 3, Wolf Business Park, Alton Rd, Ross on Wye, Herefordshire HR9 5NB and the receipt of the Honorary Treasurer or the proper officer for the time being of Marine Conservation Society shall be a complete discharge to my Executors.

2. Pecuniary bequest (a set sum)

I give the sum of pounds to the Marine Conservation Society (Registered Charity No. **1004005**) of Unit 3, Wolf Business Park, Alton Rd, Ross on Wye, Herefordshire HR9 5NB and the receipt of the Honorary Treasurer or other proper officer for the time being of the Marine Conservation Society shall be a complete discharge to my Executors.

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It is important to ensure that the following clause is inserted, whichever wording you need to use:

If at my death any charity named as a beneficiary in this Will or any Codicil hereto has changed its name or amalgamated with or transferred its assets to another body then my Executors shall give effect to any gift made to such charity as if it had been made (in the first case) to the body in its changed name or (in the second place) to the body which results from such amalgamation or to which such transfer has been made.

7. Glossary

Beneficiary

Any person or organisation to whom you wish to leave a legacy or bequest (gift) in your Will.

Codicil

Any change or addition that you make to your Will. It must follow the same legal formalities as the original Will.

Contingent bequest

A gift in your Will which depends upon the occurrence of an event which may or may not happen. For example - a bequest to a charity which applies only if other beneficiaries named in the Will die before the testator (person who made the Will).

Estate

The total sum of your possessions, property and money (minus debts) left after your death.

Executor(s)

Person(s) appointed by you to make sure the wishes in your Will are carried out.

Intestate

The condition of dying without having made a Will.

Legacy

A bequest or gift left in your Will. It can be in the form of money, property, stocks and shares or possessions.

Life interest

The right of a beneficiary to benefit from part or all of an estate for their lifetime.

Pecuniary bequest

A gift of a fixed sum of money in your Will.

Probate

The legal procedure after death which confirms your Will is valid and confirms the executors' authority to carry out your wishes.

Residuary bequest

A gift of the remainder of the estate after all other bequests have been made and debts cleared.

Specific bequest

A particular named item left as a gift in your Will - for example, a piece of jewellery.

Testator

A person who has made a Will.