

What legal terms mean

Beneficiary or **legatee**: anyone you leave a gift to in your will; anyone entitled to the benefit of property held on trust

Children: under will law, legitimate, illegitimate and legally adopted children, but not step-children (they will need to be specifically mentioned if they are to benefit)

Codicil: Document adding to or altering the terms of an existing will

Crown or **Treasury**: the tax authorities

Executor: person or institution appointed in a will to administer the Estate and carry out your instructions

Intestate: having died without leaving a valid will

Pecuniary gift: gift of a specific sum of money

Letters of Administration: Authority to administer your Estate, granted by the Probate Registry, where there is a will but no Executor

Probate: Binding confirmation that your Estate will be administered by one or more of the Executors named in your will

Residuary gift: gift of all or a percentage of what's left of your Estate once all specific gifts, administration expenses and liabilities have been taken out

Testator or **testatrix**: the person making the will

Trustee: an Executor looking after any part of your Estate left in Trust

How English and Scottish law differ

Please see your solicitor for the details of your particular will

Under English law

- You must normally be 18 to make your will;
- Marriage and divorce invalidate an existing will;
- A spouse and children cannot automatically challenge an existing will (important after remarriage or when more children are born);
- You must sign the will in the presence of two or more witnesses present at the same time.

Under Scottish law

- The minimum age for making your will is 12;
- Marriage and divorce do not automatically revoke an existing will;
- Your spouse and children have a greater right to challenge your will;
- If you write your will by hand (a holographic will), you do not need witnesses but you must sign the bottom of each page.

How to make the most of your will

- Make an appointment with yourself to go through your affairs, using this workbook as a guide. Write it in your diary – keep the appointment.
- Ask friends who you trust for any advice they have from making their own wills.
- If you wish, talk through your ideas or concerns with those who stand to benefit. They may raise issues you had not considered, and they can come to understand the reasons behind any decisions you make.
- Couples may consider making their wills together, as a joint venture – and even making wills that ‘mirror’ each other.
- Promise yourself that you’ll review your will every five years, just to keep it up-to-date. You could choose a significant date to do it on, just so that you will remember.
- Start now. Why wait?

Please note:

We are not solicitors, but we have done our best to ensure that the information given here is accurate and appropriate. We strongly recommend that, once you have made your decisions, you visit your solicitor.

May we reassure supporters who have already made a bequest naming ITDG, Intermediate Technology Development Group Limited, or Practical Action in their wills, that there is no need to take any action due to our change of name and address. All of our details are registered with the Charity Commission. Our registered charity number of 247257 remains unchanged for all previous names.

The Robbins Building, 25 Albert Street, Rugby, Warwickshire, CV21 2SD, UK
T +44 (0)1926 634400 F +44 (0)1926 634401
E enquiries@practicalaction.org.uk W www.practicalaction.org

Front cover image: Practical Action/Awadalla Hamed

Practical Action is a registered charity and company limited by guarantee. Company Reg No. 871954.
Registered Charity No. 247257. VAT No. 880 9924 76.
Patron HRH The Prince of Wales, KG, KT, GCB

Your will: How to make it or change it

Your will workbook includes

- A step by step guide to making your will
- How to work out your financial position
- Tips on making a will that reflects your real wishes
- Help with tax, the law and legal terms
- Wording to use if you want to remember Practical Action



Start here

This workbook is made both to read and to write on: there is space for you to work out the value of your Estate, and note down your questions and decisions (page 3). If you have any questions about wills, or about Practical Action's work, just call our Legacy Officer, Liz Webb, on 01926 634400.

Making your will? Follow these six simple steps;

- Choose your solicitor. To be sure that your will is correct, legally binding, and truly reflects your wishes, you'll need expert advice. If you don't have a solicitor, ask friends or the Citizens Advice Bureau to recommend someone.
- Work out what your financial position is. Before you see the solicitor, use page 3 to work out the value of everything you own and any debts. Doing this will help the solicitor, and may save you tax.
- Decide what to do with your Estate. Think about what you want to leave, and make notes on page 4. As well as items like property or heirlooms, you can leave 'residuary gifts' – shares of what is left after specific gifts and expenses have been taken off.
- Choose someone to carry out your wishes. Choose an Executor (Executor Nominate in Scotland) to see that your instructions are followed. You can pick anyone, even if they benefit from your will. You may of course appoint a professional Executor, such as a bank, solicitor or accountant, but bear in mind that these people will charge for their services.
- Make your will. It takes a few minutes, and probably costs less than you think – and you'll feel great knowing that everything is sorted.
- Put your will in safe hands. Leave it with your bank or solicitor, and keep a copy for yourself (let someone you trust know where to find it). After all your careful thought, don't leave it to chance.

Changing your will? Here's how;

To change or add something to a will you have already made, you can make a codicil. This is a simple form of wording that attaches to your existing will. It is cheap and easy to do, but you should still use a solicitor to avoid confusion. If you feel you need to rewrite your will completely, follow the steps above.

Find out how much you are worth

Note down the rough value of the things you own (your 'assets') and the things you owe to others (your 'debts'). The balance gives you the value of your 'Estate' – the basis for making your will.

What you own		What you owe to others	
House	£	Items on hire purchase	£
Business and business property	£	Mortgage	£
Other property or land	£	Bank overdraft	£
Car(s)	£	Credit cards	£
Bank accounts	£	Outstanding loans	£
Savings	£	Other	£
Stocks and shares	£		
Insurance policies	£		
Valuables <i>(collections, jewellery, art, etc)</i>	£		
Money owed to you	£		
Furnishings and personal effects	£		
Other	£		
Total	£	Total	£
Balance (the value of your Estate)		£	

Notes

_____ **Now you can think about how to divide it up...**

Decide who gets what

Use this space to note down;

- The names of all those you want to remember in your will, including charities
- Their addresses, to avoid confusion later
- What you want them to get, including specific items or amounts of money, but also percentage shares of what is left (residuary gifts)
- Details of your chosen Executors.

Name/address	Item/gift/share of Estate
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Executors' details

To remember Practical Action in your will, use this wording;

- *For a residuary legacy:* 'I give devise bequeath and appoint to Practical Action (registered charity no 247257) of The Robbins Building, 25 Albert Street, Rugby, Warwickshire, CV21 2SD _____% of the residue of my Estate and I direct that the receipt of the Treasurer of the time being or other authorised officer will be sufficient discharge for my Executors.'
- *For a specific sum:* 'I give Practical Action (as above) ... the sum of £_____ and I direct that the receipt of the Treasurer of the time being or other authorised officer will be sufficient discharge for my Executors.'