

# **'IT IS BETTER TO LIGHT A CANDLE THAN CURSE THE DARKNESS'**



Peter Benenson  
Founder of Amnesty International

**A GUIDE TO  
LEAVING A GIFT  
IN YOUR WILL**



**‘Only when the last prisoner of conscience has been freed, when the last torture chamber has been closed, when the United Nations Declaration of Human Rights is a reality for the world’s people, will our work be done.’**

Peter Benenson  
Founder of Amnesty International

**‘I just picture myself, friends and family receiving abhorrent treatment. How can anyone stand by? I feel just as outraged for a stranger. Bullying and torture is vile.’**

Dr Anthony Lempert who has pledged a gift to Amnesty in his Will

This booklet explains how a gift in your Will to Amnesty can leave a lasting impression on the world. It will help make leaving a gift easy, with details of different types of gifts, and includes suggested wording for your Will, a Codicil Form to amend an existing Will and information about Inheritance Tax.

### **Amnesty International is the world’s leading human rights organisation**

We are ordinary people from across the world standing up for humanity and human rights. Our purpose is to protect individuals wherever justice, fairness, freedom and truth are denied.

### **Leaving a gift in your Will**

Making a Will and leaving a gift in your Will is easier than you may think and is one of the best ways you can help us to change the future for the better. Any gift, large or small, really is priceless to us – gifts left in Wills by our supporters now pay for around one in 10 of our campaigns.

Making a Will is one of the most important things you can do to ensure your wishes are carried out exactly as you wanted. It’s also the only way to protect the rights of your family and friends.

The money and assets that make up your estate may be subject to Inheritance Tax. Gifts to charity are exempt from this tax, and could reduce the amount your family would have to pay. Please see the Inheritance Tax section in this booklet.

We always advise you to consult a solicitor when making your Will.

### **In memoriam giving**

Giving a gift in memory of a family member or friend is a very special way to remember them, whilst also helping us to keep fighting for justice, fairness and freedom for everyone. Find out more at [amnesty.org.uk/inmemory](https://www.amnesty.org.uk/inmemory)

# MAKING YOUR WILL

Having an up-to-date Will is one of the best ways to safeguard your nearest and dearest – yet almost two-thirds of the UK population don't have one.

Making a Will is the only way to make sure that your money and belongings will go to the people and causes that you care about, and that your personal wishes will be respected when you're gone. If you don't have a Will, your family could face long delays and added expenses as they sort out your estate.

Even if you have a Will already, it is important to update it as your circumstances change. As your life changes, your Will should change too.

Making a Will need not be complicated. The following steps will help guide you through the process. Use this Will planner to note down key information about your assets and your wishes before visiting a solicitor.

## 1. Choose the executor

Firstly you need to think about who you would like to administer your Will as executor(s). You can nominate a partner, close friend, or a solicitor. People usually choose two executors, but you can have up to four if considered appropriate. There is no restriction on an executor being a beneficiary of your Will. Please note unfortunately Amnesty **cannot** act as the executor of a Will. This is because we do not have the resources to manage it and also because we don't have Trust Corporation status which you need to have to be an executor of a Will.

## 2. Guardians for young children

If you have children under 18 (under 16 in Scotland) or pets, it is important to choose and ask a guardian to look after them in the event of your death.

## 3. What do you own?

Make a note of your assets and calculate their approximate value. The value of your estate will be your assets minus any outstanding money owed eg. mortgage, loans etc.

## 4. How do you want to leave it?

Make a note of who you would like to receive your property. There's no limit to the number of different gifts you can make. Once you have provided for your loved ones, you could also consider making a gift to charity

to transform the lives of people in need in the future. Even a very small percentage of your estate could make a real difference. Your solicitor or other professional adviser will help you with the wording of your gift, but if you want to leave a gift to Amnesty International UK here is an example of some wording you might use:

### For a residuary gift:

'I give all (or a....% share of) the residue of my estate to Amnesty International UK Section Charitable Trust, The Human Rights Action Centre, 17-25 New Inn Yard, London, EC2A 3EA, registered charity number 1051681 to be used for its general charitable purposes and I declare that the receipt of their Treasurer or other proper officer shall be a full and sufficient discharge.'

### For a pecuniary gift:

'I give the sum of £ (words & figures) to Amnesty International UK Section Charitable Trust, The Human Rights Action Centre, 17-25 New Inn Yard, London, EC2A 3EA, registered charity number 1051681 to be used for its general charitable purposes and I declare that the receipt of their Treasurer or other proper officer shall be a full and sufficient discharge.'

## 5. Meeting the solicitor

Take this completed Will planner with you when you meet your solicitor. Your solicitor will discuss your instructions and advise on how best to word the Will. If you do not have an executor, your solicitor can also arrange this for you. If your estate is large, your solicitor will also advise whether you need to make additional arrangements for tax planning and will advise you of the costs.

## 6. Approving your Will

When drafted, your Will should be sent to you to look over for approval. Any changes can be made at this point. Once you are happy with the document, your solicitor will ask you to sign it in the presence of two witnesses at the same time. Please note that beneficiaries cannot witness your Will.

## 7. Keeping your Will Safe

You can keep your Will at home or your solicitor may offer to hold it for you. Don't forget to make sure it is safe and to let your family know where it is.

## LEGAL TERMS

Glossary of legal terms you might find useful when making your Will

**An administrator** is someone who is appointed by law to settle your affairs if you die with no Will.

**A beneficiary** is anyone who receives something from a Will.

**A bequest** (legacy) is a gift left in a Will. It can be:

- **Specific:** a definite object or property
- **Pecuniary:** a gift of a particular sum of money
- **Residuary:** a gift of money or assets left when other legacies and expenses have been paid. It is normally expressed as a part or percentage of the residue of your estate.

**A codicil** is an addition or amendment to an existing Will.

**Your estate** is the total value of everything you own at your death, less any outstanding commitments.

**An executor** is the person or people you choose to make your Will happen. They can be a relative, a friend or your solicitor.

**Guardians** are the people chosen by parents to look after their children in the event of their death.

**Intestacy** is the name for the situation that arises when someone dies without making a Will.

**Inheritance tax** is a 40 per cent tax deducted from estates with a value of more than £325,000. Money left to your spouse or a charity is not taxed. If your spouse predeceased you and did not use up their full inheritance-tax-free allowance, this will be added to your own at the rate prevailing at your death.

**Probate** is the legal process to establish whether your Will is valid. If not, an administrator is appointed.

**A testator/testatrix** is the person making the Will.

**A trust** is an arrangement you can make in your Will to administer part of your assets after your death.

## INHERITANCE TAX

It comes as a surprise to many people to discover they are liable for Inheritance Tax. But the value of your assets can quickly add up, particularly if you own your home.

A properly drawn up Will can reduce your Inheritance Tax liability. For example, leaving a gift to charity such as Amnesty International can lower the amount of Inheritance Tax payable on your estate. So you can support Amnesty International and

reduce the amount of tax your family or other beneficiaries will have to pay.

### How much Inheritance Tax will have to be paid?

If the total value of your estate is over £325,000 your beneficiaries will have to pay 40% Inheritance Tax on the amount over £325,000. The table below shows how much they would have to pay at current rates.

Net value of your estate	Tax payable	Remaining value of your estate
£350,000	£10,000	£340,000
£500,000	£70,000	£430,000

This means if your estate is worth over £325,000 your beneficiaries will only keep £6,000 out of every extra £10,000 that you leave. In addition, if your estate mainly consists of property, your relatives may have to sell this in order to pay the tax.

Your solicitor or financial advisor will be able to help you with these and other relevant issues, including how to keep your Inheritance Tax liability as low as possible.

# SIMPLE WILL PLANNER

Prepare for your meeting with your solicitor by completing this simple checklist

<b>Your name and address</b>	
<b>Your partner's name and address</b> (if different from your own)	
<b>Your executors</b> <i>These are the people who will ensure everything happens. You can have up to four executors. They could be friends or family or a solicitor. Make a note of their full names and addresses.</i>	
<b>Children's full names and addresses</b> (if different from your own)	
<b>Guardian's full name and addresses</b> <i>(if you are appointing a guardian for your child). Remember to discuss your wishes with the people you'd like to appoint to make sure they agree. Some people may also have pets they would like someone to take care of.</i>	

## MAKE A LIST OF YOUR ASSETS

In this section below, make a list of everything you own and make a note of its approximate value.

This section will help you work out the value of your estate.

In the second section, think about what you owe and make a note of your liabilities.

Deduct total B from total A and the result is the total net value of your estate.

<b>What is the value of your major assets?</b>	<b>£</b>
Your home (or share in it)	
Other property and land	
Cars and other vehicles	
Home contents including furniture and fittings	
Items of particular value (eg jewellery/art)	
Money in banks and building societies	
Shares, investments, national savings, premium bonds	
Insurance and pensions	
Other savings and assets	
<b>A Total assets</b>	

<b>What are your major liabilities?</b>	<b>£</b>
Your mortgage	
Loans and overdrafts	
Your credit cards	
Credit or HP agreements	
Other liabilities	
<b>B Total liabilities</b>	

<b>Total assets – total liabilities = total estate value</b>	<b>£</b>
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# HOW TO CHANGE YOUR WILL

If you already have a Will, adding a gift to Amnesty International is straightforward. Ask your solicitor to draft an amendment, which is called a 'Codicil'. This is then kept with your Will and has legal status. Below is a Codicil Form which can be added to an existing Will.

## CODICIL SUGGESTED WORDING/RETAINABLE CODICIL

I \_\_\_\_\_ (your name)

of \_\_\_\_\_

\_\_\_\_\_ (your address)

declare this to be a first/second/third (delete as appropriate) Codicil to my Will

dated:   /   /

**I give** (delete or complete the following sections as appropriate):

- the whole /  portion (delete as appropriate) of my real and personal property not hereby or by a Codicil hereto, otherwise specifically disposed of after payments of my debts, pecuniary legacies, funeral and administration expense, and any taxes in respect of my estate (a gift of the residue)
- the sum £  free of tax (a cash gift)
- my  (a gift of valuable possession) to Amnesty International UK Section Charitable Trust (registered charity number 1051681) of the Human Rights Action Centre, 17-25 New Inn Yard, London EC2A 3EA and I DECLARE that the receipt of the Treasurer or other proper officer of the Fund shall be a good discharge for the gift.

In all respects I confirm my said Will and any previous Codicils thereto.

I witness thereof I have hereunto set my hand this

dated: (day of) \_\_\_\_\_ (month) \_\_\_\_\_ (year) \_\_\_\_\_

Signed by the said: \_\_\_\_\_

(your name) \_\_\_\_\_

as a first/second/third (delete as appropriate) Codicil to (his/her) last Will in our joint presence and then by us in (his/hers)

### First witness

(First witness's signature) \_\_\_\_\_

(Name) \_\_\_\_\_ (Occupation) \_\_\_\_\_

(Address) \_\_\_\_\_

\_\_\_\_\_

### Second witness

(Second witness's signature) \_\_\_\_\_

(Name) \_\_\_\_\_ (Occupation) \_\_\_\_\_

(Address) \_\_\_\_\_

\_\_\_\_\_

**‘Once the concentration camps and the hell-holes of the world were in darkness. Now they are lit by the light of the Amnesty candle; the candle in barbed wire. When I first lit the Amnesty candle, I had in mind the old Chinese proverb: ‘It is better to light a candle than curse the darkness.’**

Peter Benenson  
Founder of Amnesty International

### Please let us know if you can help

If you have decided to leave a gift in your Will to Amnesty International, and would like to let us know, you can use the form below. We would really like to write to thank you for your kindness. By letting us know of your intentions, you will also help us to make informed forecasts about our future income and the work we will be able to do.

We understand that your Will is a private matter. So all the information you provide will be kept in the strictest of confidence and is not legally binding.

### Free Wills Network

We are a member of the Free Wills Network, a scheme that allows our supporters to make their Will free of charge at hundreds of participating solicitors across the UK. There’s no obligation to leave a gift to us if you use this service, but we hope that you choose to do so.

Places are limited, so if you would like to make use of the Free Wills Network please email [legacy@amnesty.org.uk](mailto:legacy@amnesty.org.uk) for further information.



I am including a gift in my Will to Amnesty International UK Section Charitable Trust

Name:

Address:

Postcode:

**Thank you**

I would like a member of the legacy team to contact me

My telephone number is:

Please return this form to:  
FREEPOST RTLC-HBKA-SUEC,  
Legacy Development Manager, Amnesty International UK,  
London EC2A 3EA