

Nick Barrett, Chief Executive of the Ramblers' Association

Dear friend

I was astounded to hear that seven out of ten people die without an up-to-date Will. It seems that many people view making a Will as an expensive and complicated process, always filing it under 'things to do tomorrow'.



Nick enjoying a walk with his family

Whatever the reasons putting you off making a Will, we hope this guide will show that the process is straightforward, easy to arrange, and needn't be costly. It's also something which shouldn't be delayed, as no one knows when it will be too late to put their affairs in order, and leaving them to be sorted out once you've gone could mean they aren't arranged in the way you would like.

Once you have provided for your loved ones in your Will you may also like to remember a cause that you have cared about during your lifetime. This guide includes information on how to leave a legacy to the Ramblers, enabling you to continue protecting Britain's paths and countryside for many years after your death.

I hope you find this guide helpful. It's vital that you don't delay making or updating your Will any longer - like the future of your loved ones, the future of paths and open spaces in Britain is too important to leave to chance.

Yours sincerely



Nick Barrett
Chief Executive

PS If you do include the Ramblers in your Will please consider filling in the confidential pledge form on page ten of the booklet. This will be invaluable to us when planning future work.

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legal language

some legal terms explained

■ Administrator

The person who will sort out your affairs if you don't have a Will

■ Beneficiary

Someone who benefits from your Will

■ Bequest/legacy

A gift made in your Will

■ Codicil

A separate document altering an existing Will

■ Estate

What you own less what you owe

■ Executors

The people you choose to be responsible for administering your Will

■ Intestate

A term to describe someone dying without a Will

■ Pecuniary bequest

A gift of a specific sum of money

■ Probate

The legal authorisation confirming that your Will is valid, allowing your executors to carry out their duties according to your wishes

■ Residue

What is left in your estate after all bequests and legacies and after debts, tax and costs have been paid

■ Residuary legacy

An instruction in your Will which explains what should happen to the residue of the estate



why

you need an up-to-date Will

Making a Will is the best way you can be sure of what will happen to your property and possessions after your death.

Even if you have no family, you will still want to ensure that your possessions go where you wish - perhaps to friends or to charities you supported during your lifetime.

If you die without a Will ("intestate") you will have no control over what happens to everything you own (your "estate") after your death. Instead, what happens to your estate is dictated by the laws of intestacy.

Most people do not realise that, under these laws:

- *a husband/wife does not necessarily receive all your estate. Only if you have no other living relatives will your spouse automatically get everything. Without a Will, the law decides how your possessions should be divided and if there are children or other close living relatives - even cousins - they may have a claim on the property of the deceased. This may even lead to the family home being sold because other relatives are entitled to a share in the value.*
- *an unmarried partner will receive nothing from the estate of the first to die unless financial dependency can be proved.*
- *if you leave no relatives, everything you own will pass to the state, unless a Will instructs otherwise.*

The question of 'who gets what' can lead to complicated and expensive legal disputes. And, of course, your intentions to leave a gift to someone special or to a charity will be lost.

There is no need for any of this to happen if you make a proper Will. Through your Will you can make your wishes clear.



four steps

to making a Will

It is not expensive to make a Will: the cost is usually around £60. Although DIY Will forms may seem a good idea, it is far better to go to a solicitor to get professional advice.

If you do not know a solicitor, ask a friend or the Law Society to recommend law firms and then call around to compare their prices.

Once you have a solicitor, but before you make an appointment, follow the four steps below. The more informed you are in advance, the quicker it will be to draw up your Will and the less money you will spend on legal fees.

1 Work out the value of what you own

Use the checklist below to work out the total sum of your property, money and possessions (this is your estate).

Asset checklist

House (present value)	£
Antiques/Paintings	£
Household contents	£
Jewellery	£
Vehicles	£
National Savings	£
Bank/building society account(s)	£
Stocks and Shares	£
Bonds	£
Unit and investment trusts	£
Life assurance	£
Other savings	£
Pension benefits	£
Other	£
Total assets	£

Liabilities

(money that you owe)

Mortgage outstanding	£
Any loans	£
HP agreements	£
Credit card debts	£
Other debts	£
Overdraft	£
Tax due	£
Total liabilities	£

Balance £

(deduct Total Liabilities from Total Assets)



2 Decide 'who gets what'

Write down the names and addresses of all the people (and organisations/charities) to whom you wish to leave money or gifts. Those who stand to benefit are called 'beneficiaries'.



3 Choose your executors

An executor is a person you appoint to carry out the instructions in your Will. As he or she is responsible for administering your estate, it should be someone who you trust to act quickly, efficiently and tactfully. Executors can be friends, relations or professionals and they can also be beneficiaries of the Will.

You can appoint up to four executors, and it makes good sense to appoint at least two in case one is unable to act for you. Most people appoint one family member and one professional.

Remember that if you appoint a professional they may charge a fee which will be deducted from the value of your estate.



4 Keep your Will safe

Most people ask their solicitor or bank manager to look after their Will, as well as keeping a copy themselves. It is wise to tell your executors where they can find the original.



when

you should change your Will

Your Will should be checked every few years to ensure that it still meets your wishes and accurately reflects your current personal circumstances.

You will need to review your Will if ...

- *...your family circumstances have changed, for example if you have new children or grandchildren, or new relatives by marriage, and you wish to include them*
- *... your marital situation has changed since you wrote your Will*
- *... your circumstances have changed. For example, if your estate has changed in value since you wrote your Will, perhaps because your insurance policies have matured, you have paid off your mortgage, or inherited property from others.*
- *... you wish to support a favourite charity.*

If you do need to make minor changes to your Will, you can often do so very easily by adding a 'codicil' - an addition to your existing Will that should be drawn up by your solicitor.

Please refer to page ten to see how you can easily add a codicil to leave a bequest to the Ramblers.

If the changes to your Will are major, it may be a good idea to write a new one. Your solicitor will be able to advise.



why

leave a legacy to charity?

Inheritance Tax

Inheritance tax is the tax payable on your estate after your death. If the total net value comes to more than the tax threshold, your estate will be liable to pay inheritance tax at the current rate.

If your estate is worth £234,000 or more (as at December 2000) the inheritance tax must be paid out of it before the people to whom you leave the money can benefit.

The £234,000 threshold may seem high, but when you use the checklist on page six and add up the value of your home, contents, vehicles, savings and insurance policies, you could well find that your estate is worth more than that.

Leaving a gift to the Ramblers

The Government allows all gifts to charities to be tax free. So if you make a gift to the Ramblers in your Will, its value will be deducted from your estate before inheritance tax is calculated. Essentially this means you can help the Ramblers and reduce your inheritance tax liability at the same time.

As the only organisation protecting the rights of walkers in Britain, it's essential that the Ramblers' Association is able to continue its work to protect the countryside, improve access and promote walking for many years to come.

A legacy to the Ramblers means after your death you can continue to help protect the places you have walked, enabling future generations to explore and enjoy the areas which have given you so much pleasure in your lifetime.



how to remember the Ramblers' Association in your Will

If you would like to leave a gift to the Ramblers in your Will, we recommend that you show your solicitor the specific wording given here:

Pecuniary bequest

"I give the sum ofpounds to the Ramblers' Association of 2nd Floor, Camelford House, 87-90 Albert Embankment, London, SE1 7TW for its charitable purposes. I further direct that the receipt of the treasurer, director or other proper officer of the Ramblers' Association for the time being shall be a full and sufficient discharge for my Executors or Trustees."

Residuary bequest

"I give the residue of my Estate to the Ramblers' Association of 2nd Floor, Camelford House, 87-90 Albert Embankment, London, SE1 7TW for its charitable purposes. I further direct that the receipt of the treasurer, director or other proper officer of the Ramblers' Association for the time being shall be a full and sufficient discharge for my Executors or Trustees."

Share of residue

"I give a (state the share in words such as "one half share") of the residue of my Estate to the Ramblers' Association of 2nd Floor, Camelford House, 87-90 Albert Embankment, London, SE1 7TW for its charitable purposes. I further direct that the receipt of the treasurer, director or other proper officer of the Ramblers' Association for the time being shall be a full and sufficient discharge for my Executors or Trustees."

If you have a Will already and would like to amend it to leave a gift to the Ramblers, below is a suggested codicil.

Suggested codicil

"I (name as in original Will) of (address) DECLARE this is codicil x to my Will dated y"

"I give the sum ofpounds to the Ramblers' Association of 2nd Floor, Camelford House, 87-90 Albert Embankment, London, SE1 7TW for its charitable purposes. I further direct that the receipt of the treasurer, director or other proper officer of the Ramblers' Association for the time being shall be a full and sufficient discharge for my Executors or Trustees."

In all other respects I hereby confirm my said Will. In witness whereof I have hereunto set my hand this (date in words).

(then signed and witnessed)



confidential pledge

If you decide to remember the Ramblers in your Will it would be a great help to our future planning if you could let us know by completing the pledge form below and returning it to Vicky Furnival, Legacy Officer, The Ramblers' Association, FREEPOST SW15, London, SE1 7BR.

Please mark your envelope 'Confidential'.

Naturally, this Pledge is simply a statement of your present intentions and you are under no legal obligation.

Please complete the following:

- I have already included the Ramblers' Association in my Will.
- I plan to leave a legacy to the Ramblers' Association in my Will.

The legacy I have made/am planning to make is:

- the residue of my estate after I have provided for the people I care about
- a share of the residue
- a specific item of value
- a cash gift of £ _____
- I have not yet decided

It would also be helpful if you could tell us the approximate value of the bequest: £ _____

Name _____

Address _____

Postcode _____

Are you a member? YES NO

Returning this form places you under no obligation whatsoever. We understand that what you say is a statement of your present intentions only.

If, after reading this booklet, you would like to discuss anything else concerning legacies, please call the Legacy Officer, Vicky Furnival on 020 7339 8500. She will be happy to talk to you and answer your questions.

Thank you very much for considering a legacy to the Ramblers' Association.