

## **LEAVING A GIFT IN YOUR WILL TO DEFEND THE RIGHT TO PROTEST**

*This leaflet is intended for donors based in England and Wales*

It means so much to know that you are thinking of leaving a gift in your Will to support work to defend and advance the right to protest. The Article 11 Trust is entirely independent and gets no money from governments or corporations. Without the kind support of members like you, we literally would not exist.

The Article 11 Trust is registered charity no 1185631

### **Ways to leave a legacy to The Article 11 Trust in your Will**

It is very simple to leave a legacy in your Will to The Article 11 Trust and your legacy can make a huge difference to our work.

There are a number of types of legacies which you can leave to The Article 11 Trust which you may wish to consider, depending on your personal circumstances:

- **Pecuniary Legacy** – A gift of a sum of money decided by you. For example you may choose to leave a gift of the sum of £100 to The Article 11 Trust. Any gift is gratefully received, big or small.
- **Specific Legacy** – A gift of an item or asset. For example, you may choose to leave The Article 11 Trust a shareholding, jewellery or real estate.
- **Residuary Legacy** – Your residuary estate is what is left over after your debts, funeral expenses, inheritance tax and so on have been paid and after any specific or pecuniary gifts have been made. You can leave a gift of all or part/a share/percentage of the residue (also called the remainder) of your estate. For example, you can choose to leave The Article 11 Trust 10%, 50% or even the whole of your residuary estate.
- **Reversionary Legacy** – You can leave assets, such as a property, to be used by a named beneficiary, such as your spouse or child, during their lifetime only, with the asset passing to another beneficiary such as The Article 11 Trust on their death. For example, you can leave your home to your spouse to live in for the rest of their lifetime, with the house going to The Article 11 Trust on their death.

**We always recommend that you visit a solicitor to have your Will drawn up or to change an existing Will. Your solicitor will be best placed to guide you in relation to your own particular circumstances and to make sure that your Will is properly drawn up and executed.**

**Your solicitor can also give you guidance about any inheritance tax that may be payable on your estate including on any gift you make to The Article 11 Trust.**

**If you are writing your Will for the first time, you can use the following wording to**

**leave a gift. When visiting your solicitor to have your Will drawn up or to amend an existing Will, you may want to take the following wording with you which sets out wording that can be used to leave a legacy to The Article 11 Trust:**

**For a Pecuniary Legacy:**

“I give to Article 11 Trust, 162A Southwark Bridge Road, London, SE1 0DG the sum of (*amount in figures*) free of inheritance tax. This gift may be used for the general purposes of The Article 11 Trust and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust shall be sufficient discharge to my executors for the payment of this legacy.”

**For a Specific Legacy:**

“I give to The Article 11 Trust of 162A Southwark Bridge Road, London, SE1 0DG my (*details of item or asset*) free of inheritance tax. This gift may be used for the general purposes of The Article 11 Trust and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust shall be sufficient discharge to my executors for the payment of this legacy.”

**For a Residuary Legacy:share of your estate:**

“I give [the whole of]/[a share of (*please state fraction/percentage*)] my residuary estate all/a share of (*please state fraction/percentage*) of the residue of my estate absolutely to The Article 11 Trust of 162A Southwark Bridge Road, London, SE1 0DG. This gift may be used for the general purposes of The Article 11 Trust and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust for the time being shall be sufficient discharge to my executors for the payment of this legacy.”

**[Change of The Article 11 Trust’ Circumstances:**

Should The Article 11 Trust change its name or merge or amalgamate in the time between your making your Will and your death, your gift to The Article 11 Trust may become ineffective. To ensure your intentions are fulfilled and your legacy to The Article 11 Trust is protected, we would suggest including a clause for such an eventuality. You may wish to consider using the following wording (subject to review by your solicitor):

*"If at my death any organisation 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 organisation 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."*

**For a specific sum:**

I give to The Article 11 Trust of 162A Southwark Bridge Road, London, SE1 0DG, absolutely, the sum (*amount in figures, amount in words*), and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust for the time being shall be sufficient discharge to my executors.

For a specific item:

I give to The Article 11 Trust of 162A Southwark Bridge Road, London, SE1 0DG, absolutely, (*write in here whatever you wish to give*), and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust for the time being shall be sufficient discharge to my executors.

### **Adding a Codicil to a Will**

If you already have a Will, it is easy to change it to add a legacy to The Article 11 Trust. You can also help the work of The Article 11 Trust by changing your existing Will. Minor alterations may be made through the use of a Codicil which is a legal document which makes a formal addition change to your existing Will. However, extensive changes may necessitate an entirely new Will. It is important that you do not attempt to change your existing Will by deleting or adding words. Nor should any attachments be made to your existing Will. Steps such as these are likely to invalidate your existing Will. Your solicitor can guide you in relation to how to make a valid Codicil.

It is important that the following clause is included in your Will, whichever wording you need to use:

**"If at my death any organisation 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 organisation 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."**

If you wish to change your existing Will in order to leave a bequest legacy to The Article 11 Trust through the use of a Codicil, you may wish to take the following wording is recommended to take to your solicitor:

Example Codicil

*I [ Full Name ] of [ Address ]*

*DECLARE this*

*to be a First/Second/Third Codicil to my Will dated: \_\_\_/\_\_\_/\_\_\_*

*I declare that my Will (as amended by any existing Codicils) shall be read and construed as if it contained the following [legacy]/[legacies];*

1. **NOW I hereby add to my said Will the following Clause**

### **Residuary bequest (a proportion of your estate)**

*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 Article 11 Trust, 162A Southwark Bridge Road, London, SE1 0DG and the receipt of the Treasurer or any proper officer for the time being of The Article 11 Trust shall be a complete discharge to my executors.*

***Pecuniary Legacy bequest (a set sum)***

*I give to The Article 11 Trust of 162A Southwark Bridge Road, London, SE1 0DG, USA the sum of ..... (amount in figures). This gift may be used for the general purposes of The Article 11 Trust and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust shall be sufficient discharge to my executors for the payment of this legacy.*

*I give the sum of ..... pounds to The Article 11 Trust, 162A Southwark Bridge Road, London, SE1 0DG and the receipt of the Treasurer or other proper officer for the time being of The Article 11 Trust shall be a complete discharge to my executors.*

**Specific legacy Legacy bequest (a named item)**

*I give to The Article 11 Trust of 162A Southwark Bridge Road, London, SE1 0DG, USA my..... (details of item or asset). This gift may be used for the general purposes of The Article 11 Trust and I further direct that the receipt of the Treasurer or any other proper officer of The Article 11 Trust shall be sufficient discharge to my executors for the payment of this legacy.*

*I, give to The Article 11 Trust absolutely, my (name and description of item).*

**Reversionary legacies / Life interest trusts**

The Article 11 Trust, 162A Southwark Bridge Road, London, SE1 0DG and the receipt of the Treasurer or other proper officer for the time being of The Article 11 Trust shall be a complete discharge to my trustees

*In all other respects I confirm my said Will [and any existing Codicils thereto].*

*Signed by me :.....(signature)..... on this ....(full date).....*

*Signed by the [testator]/[testatrix] in the presence of us both together present at the same time who at the request and in the presence of the signatory to this Codicil hereunto subscribe our names as witnesses.*

**Witness 1:**

Full name:.....

Address:.....

Occupation:.....

Date:.....

**Witness 2**

Full name:.....

Address:.....

Occupation:.....

Date:.....

2. **IN all other respects I confirm my said Will**

3. **IN WITNESS whereof I have to this the First/Second/Third Codicil of my Will dated hereunto set my hand this day of (insert date)**

***SIGNED by the said as a First/Second/Third Codicil to his/her Will dated in our joint presence and then by us in his/her presence and in the presence of each other:-***

You should always visit a solicitor to have your Will drawn up or to change an existing Will and should seek tax advice in relation to your circumstances. Please ensure any Will or codicil entered into is properly executed. The contents of this leaflet are based on the laws of England and Wales. All wording here is suggested only and does not constitute formal legal advice. Nothing in this leaflet is intended to constitute legal or tax advice and you should not rely upon it as the basis for making any legal, tax or other decisions. Any reliance you place on it is at your own risk. It is always best to seek the advice of a solicitor.

Tom at The Article 11 Trust is also on hand to help with any general questions about the organisation and our work at any time on [contactus@article11trust.org.uk](mailto:contactus@article11trust.org.uk)