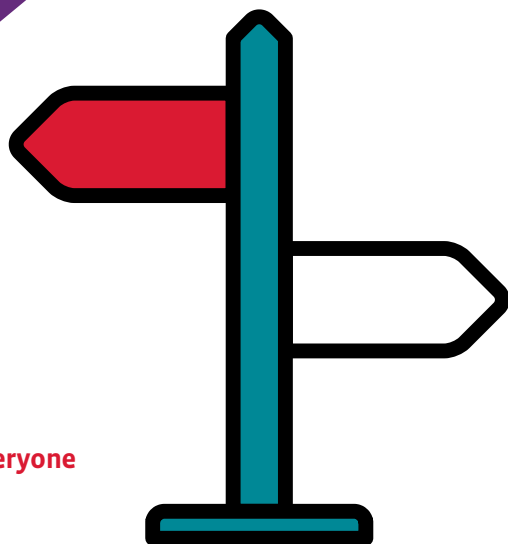




**Masonic**  
Charitable Foundation

GUIDE

# The Making a Will Guide



**For Freemasons, for families, for everyone**

[www.mcf.org.uk](http://www.mcf.org.uk)

August 2018



# Have you thought about **your legacy**?

For many people, it is important that upon their death, their estate is distributed to family, close friends and the charitable causes they care about most.  
**Having a will can ensure your wishes are fulfilled.**

This guide is designed to help you through the process of writing a new will, or adding to or amending your existing will.

We will also explain how to leave a gift for family, friends or a charity in your will, the different types of legacy gift and how leaving a

legacy gift can potentially reduce the amount of inheritance tax payable against your estate.

The information in this booklet is for guidance only and we would always recommend that you seek the advice of a solicitor before making or amending your will.

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**We offer a free will-writing service**

Turn to page 8 to find out more

For further guidance on will-making or to find out more about leaving a gift to the Masonic Charitable Foundation in your will, contact us:



**legacy@mcf.org.uk**



**020 3146 3332**



# Why it's important to leave a will

## › What is a will?

A will is a legal document containing instructions as to what should be done with your money and property after your death. With this in mind, it is very important that you seriously consider writing a will to express how you would like your estate to be distributed and to whom.

## › Why do I need one?

If you die before making a will, any wishes about how you would like your estate to be shared may not be followed – this is known as becoming 'intestate' and a series of rules known as the 'intestacy rules' will be used to determine how your estate is to be distributed. To find out more about intestacy rules, visit:

 [www.gov.uk/inherits-someone-dies-without-will](https://www.gov.uk/inherits-someone-dies-without-will)

## A written will:

### › Can help your spouse receive their inheritance without a lengthy process.

According to the intestacy rules, if you are married or in a civil partnership with no children, your spouse should receive your entire estate. However, without a will, your spouse will be required to apply for a 'grant of letters of administration' – a lengthy process involving an interview with the probate registry and a great deal of bureaucratic form filling.

### › Allows unmarried partners to provide for and protect each other.

Under intestacy rules, if you are in a long-term relationship but are not married, your partner will not be entitled to anything from your estate. That includes any of your possessions that might hold sentimental or special memories for you both.

### › Offers the opportunity for a stepparent to provide for their stepchildren.

Under intestacy rules, your stepchildren have no entitlement to your estate, no matter how close a relationship you may have with them.

### › Can provide protection to any children less than 18 years of age by appointing a guardian legally responsible for their care if there is no second parent to do so.

### › Can potentially provide tax benefits to your estate depending on who you leave your estate to.

### › Gives you the opportunity to leave charitable gifts should you wish to do so.



It is never a pleasant experience contemplating your own death, but leaving a will is a very sensible way of planning for the future and protecting your loved ones.



## Where to start

The first step in considering your will is to make a list of all your assets such as property, cash, investments, vehicles and any other valuable possessions.

There is a useful checklist on pages 18-19 to help you do this.


### > Property

For many people, the most expensive possession they will ever own is their home. If you own your home jointly with your spouse, civil partner or partner, it is very important that you understand before making your will whether you own your home as joint tenants or tenants in common.

**A joint tenancy** is a special form of ownership by two or more persons of the same property. The individuals, who are called joint tenants, share equal ownership of the property with equal rights. Joint tenancy creates a Right of Survivorship, meaning the surviving owner automatically receives the deceased owner's share of the property.

As **tenants in common** you can own different shares of the property. If you die, unlike joint tenancy, property doesn't automatically go to the other owners. You can pass on your share of the property in your will as there is no Right of Survivorship.

If you are unsure, for a small fee the Land Registry is able to provide documentation to show whether you own your home as a joint tenant or a tenant in common. To obtain this information you will need to complete an "Official Copies of Documents" application on the Land Registry website:

 [www.landregistry.gov.uk](http://www.landregistry.gov.uk) for an "Official Copies of Documents" application form.

## Choosing your beneficiaries

You can choose anyone you wish to benefit from your will. It may seem obvious, but it is important to choose your beneficiaries with care and name them in your will as explicitly as possible.


If you leave a gift for an individual, use their full name and full last known address.

If you leave a gift for a charity, give the full name and address of that charity and its registered charity number. This information can be found on the Charity Commission website:

 [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)

If you have any dependants, you should be aware that the Inheritance (Provision for Family and Dependants) Act 1975 requires that, wherever

possible, you should leave your dependants sufficient funds. If you do not do so, your dependants could attempt to make a claim on your estate via the act.

 **If you have a particular reason as to why you would not want to leave your dependants anything, it is advisable to create a "letter of wishes" in which you can explain your reasoning. A solicitor can help you to do so.**





## Choosing your executor(s)

An executor is the person or persons named in your will who is responsible for handling your estate and making sure that your wishes are carried out after you die.

An executor's duties include ensuring that all debts, bills, funeral expenses and taxes are paid from your estate and that all your beneficiaries receive what you intended them to inherit.

It's important to choose your executor(s) carefully. You might want

to choose a friend, a family member, or a professional such as your solicitor or accountant. Or you could choose a combination of two or more of these.

### the Goodwill Partnership

We are working with the Goodwill Partnership to offer a **free** will-writing service.

If you choose to use the service, you will be visited by a trained professional in the comfort of your own home at a time and date to suit you. Your instructions will then be passed to a Law Society approved panel solicitor to turn into a legally binding will (once signed and witnessed).

The cost of a Goodwill Partnership will is usually £150, but we are offering this service free of charge.

Call **0844 669 6148** or book an appointment online at:

 [thegoodwillpartnership.co.uk/mcf](https://thegoodwillpartnership.co.uk/mcf)

Please use the code **MCF001** when contacting the Goodwill Partnership.

You don't have to leave a gift in your will to the MCF to use our free service, but any gift you do leave will be gratefully received.

## Preparing your will

There is no obligation in law to hire a professional to write your will or to use a will-writing service, but the legal and financial consequences of any error or oversight in the process can be quite serious so you might see the cost of the legal fees as a wise investment.

For some people, the idea of visiting a solicitor to discuss issues such as their personal wealth and eventual death is a daunting prospect, and can be enough to find excuses to put off making a will until another day.

To make the process of leaving a will as easy as possible, we are collaborating with the Goodwill Partnership to offer a free home visit or over the phone will-writing service.

## Signing your will

It is crucial to follow the correct procedures when signing your will – otherwise your will may be declared invalid.

We suggest that you follow this procedure to be confident that your will is valid:

- The testator (the person whose will it is) and two witnesses must be in the same room at the same time for the whole process of signing and witnessing the will.
- The first person to sign must be the testator and they should sign in the sight of both witnesses.
- Each witness should then sign in the sight of the testator and the other witness.

## Storing your will

Once your will is correctly signed and witnessed, it is a legal document. It is important to store your will safely and inform your executor (or executors) where it can be found. If your will was prepared by your solicitor, it is usually possible to ask them to store the original safely and give you a copy, free of charge.

## Making changes to your will

After you have made your will, you may change it at any time. People often consider updating their will after a change of circumstances, such as:

- a marriage or divorce
- the birth of a child
- a major change in financial circumstances
- the death of a partner or other beneficiary
- a change of mind
- by making a codicil – for small changes
- by making a new will and revoking the old one – for major changes

Your solicitor will be able to offer you guidance on the best way of making changes that meet your new requirements.



**Please be aware that the law in Scotland, the Isle of Man, and the Channel Isles operates differently. If this is relevant to you, we can provide limited guidance but strongly recommend you consult a solicitor who specialises in this area.**

## The MCF: Your charity

The Masonic Charitable Foundation (MCF) is one of the largest grant-making charities in the country and is dedicated to building better lives for freemasons, their families and the wider community.

Through grants and practical support, we encourage opportunity, promote independence and improve wellbeing.

**EACH YEAR** WE SUPPORT **5,000**

FREEMASONS  
AND THEIR FAMILY  
MEMBERS



**IN ADDITION, WE AWARD  
GRANTS TO CHARITIES...**

...THAT SUPPORT THE  
MOST VULNERABLE  
PEOPLE IN YOUR  
COMMUNITIES  
TOTTALING



**As we look to the  
future, we hope to  
expand our support  
even further.**

We want to help the most vulnerable, disadvantaged people in society access the support they need to live happy, fulfilling lives.

By leaving a gift in your will, you can help to ensure that the MCF continues to have a positive and life-changing impact for many years to come.

## Why I left a legacy: an open letter

**Dear all,**

**I wanted to write a letter following my recent decision to leave a gift to the Masonic Charitable Foundation in my will.**

The MCF has been a comforting support for me and my children during my recent divorce. They have helped me to remain strong for my children, for which I am eternally grateful.

I owe a lot to my brethren too for their guidance and endless support during this period. I have only been a Freemason for two years, but the life-changing impact that both Freemasonry and the MCF have had on my life meant I wanted to give back in any way I could.

I decided to leave a legacy to show my children that there are more important things in life than our own unnecessary wants and needs. Helping to provide stability for disadvantaged or vulnerable members of society is one of them.

My advice to those considering leaving a legacy to the MCF is to make sure your family will be provided for first, then think of how you could benefit the lives of those less fortunate than yourselves, both now and in the future.

Best wishes,

**Mark**



If you're considering leaving a gift in your will to the MCF, here are just a few examples of how your legacy could help to change lives.

## Your legacy could...

### Help



families make ends meet when times get tough.

### Give



independence to people with disabilities by providing vital mobility equipment.

### Assist



young people through school and university, on to their chosen career paths.

### Provide



high-quality care for older, disabled or seriously ill people.

### Fund



the salaries of medical and support staff who care for sick or disabled members of society.

### Support



educational projects and opportunities for disadvantaged pupils across England and Wales.

### Tackle



isolation and loneliness by funding social activities and groups.

### Advance



ground-breaking medical research into illnesses and conditions.

### Enable



life-saving and life-changing operations for those facing a lengthy wait.

### Create



educational opportunities for children and young people.

### Reassure



Freemasons that the MCF will be there for their loved ones if they need support.

### Establish



support groups and helplines to protect the wellbeing of families affected by health issues or disability.

## Consider Inheritance Tax issues

By remembering the MCF in your will you may be able to reduce the taxable value of your assets and lower the amount of inheritance tax due on your estate.

The inheritance tax (IHT) threshold changes from time to time so to make sure you know the most recent threshold, visit:

 [www.gov.uk/inheritance-tax](https://www.gov.uk/inheritance-tax)

If the total value of your estate is above this threshold, the amount over the threshold could be subject to IHT. Married couples and civil partners can combine their tax allowances which allow the surviving spouse or civil partner to benefit from any unused portion of their spouse's or civil partner's allowance as well as their own.

If you leave your main residence to your son, daughter or grandchildren, your IHT threshold will increase. For the most up-to-date threshold amount, visit:

 [www.gov.uk/inheritance-tax](https://www.gov.uk/inheritance-tax)

As the MCF is a registered charity, a gift to us, or any registered charity in your will, would be exempt from IHT. The gift will be deducted from your estate before IHT is calculated, and so reduce the amount of IHT payable.

There is further incentive if you can leave the MCF 10 per cent or more of your taxable estate as the IHT rate charged against your estate will be reduced from 40 per cent to 36 per cent.

A solicitor, accountant or tax advisor will be able to give more detailed advice and guidance on tax efficient giving. You could also visit the government Money Advice service at:

 [www.moneyadviceservice.org.uk](https://www.moneyadviceservice.org.uk)

For further information please go to:

 [www.gov.uk/inheritance-tax](https://www.gov.uk/inheritance-tax)

## Useful information for your solicitor

If you choose to leave a gift to the MCF, please make sure that you use the full name, address and charity registration number:

**Name:** Masonic Charitable Foundation

**Address:** 60 Great Queen Street,  
London, WC2B 5AZ

**Charity Registration number:** 1164703

Simple wording errors in a will can cause confusion and delay in carrying out your wishes.


For the convenience of a solicitor who may be helping you draw up your will, here are some examples of useful and accurate wording covering the types of legacy gift you can make to our charity.

## Types of legacy gift

### › A pecuniary gift is a gift of a fixed amount of money

If you are considering making a pecuniary gift to the MCF, we would suggest the following wording in your will:

'I give to the  
Masonic Charitable  
Foundation,  
Registered Charity  
Number 1164703,  
of 60 Great  
Queen Street,

London, WC2B 5AZ, (hereinafter called the MCF) the sum of  and I direct that (i) the proceeds may be used for the general purposes of the MCF and (ii) a receipt signed by a person for the time being authorised by the Trustees of the MCF shall be a good and sufficient discharge to my Executor'.



### › A residual gift is a gift of all or part of your net estate.

**Net estate:** Calculated by taking the value of your estate and deducting any of your debts, funeral and testamentary expenses.

If you are considering making a residual gift to the MCF, we would suggest the following wording in your will:

‘I give to the Masonic Charitable Foundation, Registered Charity Number 1164703, of 60 Great

Queen Street, London, WC2B 5AZ, (hereinafter called the MCF)

**%** of the residue of my net estate absolutely and I direct that (i) the proceeds may be used for the general purposes of the MCF and (ii) a receipt signed by a person for the time being authorised by the Trustees of the MCF shall be a good and sufficient discharge to my Executor.’

### › A reversionary gift (otherwise known as a will Trust) is in effect a postponed gift.

By making a reversionary legacy, you are leaving your estate, or part of it, in trust for the benefit of a particular person (the life tenant) during their lifetime. They benefit from using the assets, or receiving the income from them, during their life. On their death, the trust is usually wound up and the remaining capital is distributed to the chosen beneficiaries (called remaindermen beneficiaries) such as the MCF.

- A contingent gift depends upon the occurrence of an event which may or may not happen.

An example is a bequest to a charity which applies only if other beneficiaries named in the will die before the testator (the person who made the will).

- A specific gift is a gift that need not be in the form of money.

It enables you to leave specific assets such as property, stocks and shares or other valuables if you so wish.

## Gifts in memoriam

Gifts in memoriam can be requested in your will if you would prefer mourners to make a donation to the MCF rather than sending flowers.

The following wording will make sure that your wishes are met:

‘I request my Executor to ensure that instead of flowers at my funeral, donations are made to the Masonic Charitable Foundation, Registered Charity Number 1164703, of 60 Great Queen Street, London, WC2B 5AZ.’

## Thank you Sheila Cox

When Freemason Jeffery Cox died in 1975, he left behind his wife, Sheila and their young daughter, Alyson.

After Jeffery’s death, Sheila was faced with financial hardship but members of her husband’s Lodge and the MCF stepped in to offer support. Alyson was offered a place at the Royal Masonic School for Girls and received funding to cover costs related to her education, including uniforms and trips. Later, when Sheila required medical treatment, she was provided with the treatment and care she needed.

Sadly Sheila died in 2017, but she left a discretionary legacy gift from her estate. Alyson acted as executor of her mother’s estate and chose to leave her mother’s gift to the MCF as a thank you to Freemasonry for all the support it provided to her mother and herself over the years.

Alyson says: “I would like to thank the Freemasons and the MCF for the support and education I received which allowed me to become a strong and independent lady at a young age. St Botolph’s Lodge, the Royal Masonic School for Girls, and the MCF were a huge support at a difficult time for our family and that’s why I chose the MCF to receive my mother’s legacy gift. We were both proud to give something back and allow the MCF to help others in the manner we were supported many years ago. Freemasonry has touched my life very directly and this is something for which I will be eternally grateful”.

Alyson would like to acknowledge the following for the support given to her family; Alan Berriman, Frank Hoy, Brian Pearcy, St Botolph’s Lodge, and the Masonic Charitable Foundation.



If you have left a gift to the MCF in your will and would like to share your story, please email: [legacy@mcf.org.uk](mailto:legacy@mcf.org.uk)



If you leave a gift to charity in your will, there is no legal obligation to inform the charity of the details of the gift, but we are always interested in the story behind your gift. If you have left a gift to the MCF and wish to inform us that you have done so, you can contact us at the following:

MCF, 60 Great Queen Street, London, WC2B 5AZ

✉ [legacy@mcf.org.uk](mailto:legacy@mcf.org.uk)

☎ 020 3146 3332

## Checklist of assets

You may wish to complete this form and take it with you when you discuss making or changing your will with your solicitor.

### > What you own (your assets)

**You should include your share of any property, money or possessions owned jointly with any person, including with your husband or wife.**

• Home (main residence)	£
• Other property	£
• Household contents (insurance value)	£
• Valuables (insurance value)	£
• Furniture/antiques (insurance value)	£
• Jewellery (insurance value)	£
• Vehicles (resale value)	£
• Savings and cash (incl. bank and building society accounts)	£
• Stocks and shares (market value)	£
• <b>Total</b>	£

### > Other investments

• Pension benefits* (check with your pension provider)	£
• Any other investments	£
• Life insurance* (check with your insurance provider)	£
• Any other assets	£
• <b>Total</b>	£

\*If made 'in trust', may not be included in your estate.

### > What you owe (your liabilities)

**You should not include anything that will be paid off after your death.**

• Mortgage	£
• Bank loans	£
• Hire purchase agreements	£
• Bank overdrafts	£
• Credit cards	£
• Tax owed	£
• Any other bills	£
• <b>Total</b>	£

### > The value of your estate (total assets minus total liabilities)

£



You may also be interested in our Power of Attorney Factsheet. To find out more, visit: [www.mcf.org.uk/power-of-attorney](http://www.mcf.org.uk/power-of-attorney)

To find out more about leaving a gift to  
the Masonic Charitable Foundation in  
your will, contact us today:

 [legacy@mcf.org.uk](mailto:legacy@mcf.org.uk)  020 3146 3332

**For freemasons, for families, for everyone**  
[www.mcf.org.uk](http://www.mcf.org.uk)