

Writing a Will can be daunting for many reasons. Some of the terminology can seem complicated as the vocabulary may be unfamiliar. Here is a glossary of the most common terms used in Will writing.

Assets: Everything that you own, and includes your personal possessions, property, investments and money.

Beneficiary: Any person, organisation or charity that receives something in your Will.

Bequest: Another term for legacy or gift in your Will

Codicil: A simple legal document used as an addendum where only a minor addition or change is to be made to a Will already written.

Estate: The total sum of your assets minus any liabilities.

Executor(s): People you appoint to administer your estate after your death. They can be legal professionals, friends, family members or institutions such as banks. An executor can also be a beneficiary.

Guardian: Someone who is appointed under the terms of a Will to be responsible for children until they become 18 years old.

Inheritance Tax: This tax is paid on the proportion of your estate above the current tax threshold (in 2017, this is £325,000). Gifts in your Will to charities are free of inheritance tax.

Intestate: The word used to describe someone who has died without a Will. The Rules of Intestacy set out who will benefit from your estate, regardless of your wishes. For more information go to www.gov.uk/inherits-someone-dies-without-will.

Legacy: A gift or bequest left in your Will.

Liabilities: These are your debts, including your mortgage and other money that you may owe, such as loans, leases or finance agreements.

Probate: This is a legal document, issued from the Courts after your death, the receipt of which allows the Executors to distribute the estate in accordance with your Will.

Residue: This is what is left of your estate after any outstanding debts, costs and gifts of items or fixed sums to beneficiaries have been paid.

Testator: This is the name given to the person making the Will.

Types of legacies

Contingent or conditional: a gift conditional upon a certain event taking place.

Discretionary: where you allow your Executors or Trustees to choose who will benefit under your Will.

Pecuniary: a fixed sum of money. It is possible to index link a sum to ensure that it will retain its value over time despite inflation.

Reversionary: a gift to someone for their lifetime and after their death to someone else or a charity.

Residuary: a proportion of what is left of your estate after all other gifts have been handed out and debts paid off.

Specific: A particular named item left as a gift in your Will. For example, a piece of jewellery, furniture or a painting.

Wording for your Will

To leave a specific sum: (a pecuniary legacy)

I give the sum of £_____ to the charity known as HEADWAY - THE BRAIN INJURY ASSOCIATION (charity number 1025852) absolutely for its general purposes and I direct that the receipt of the treasurer or other proper officer shall be a full and sufficient discharge to my executors.

To leave a proportion of your estate: (a residuary legacy)

I give _____% share of the residue of my estate to the charity known as HEADWAY - THE BRAIN INJURY ASSOCIATION (charity number 1025852) absolutely for its general purposes and I direct that the receipt of the treasurer or other proper officer shall be a full and sufficient discharge to my executors.