

Gifts in Wills

Frequently Asked Questions

Why is it important to have a Will?

By making a Will you can be certain that your wishes are understood and carried out in the way you would like after your death, like leaving gifts to the people and charities that are important to you.

What happens if I don't have a Will?

If you have not made a Will, your surviving family and friends may experience complications with your estate being divided according to the law, not your wishes. If you have no surviving family, your entire estate will go to the state.

Do I need a solicitor to write a Will?

No. You do not need to use a solicitor or lawyer to make a Will, however SUDEP Action recommends you seek professional advice from a solicitor or lawyer if you are writing or changing your Will to minimise the risk of complications and arguments after your death. Your Will is less likely to be challenged or disputed if you have had legal advice.

Are there tax benefits to leaving a gift to charity in my Will?

Any gift left to a charity is free of Inheritance Tax. It is possible to benefit from a lower inheritance tax rate for your whole estate, but the rules for this are complex, so you will need to speak to a solicitor or lawyer to find out more.

Do I need to tell SUDEP Action that I have left them a gift in my Will?

No. Your Will is private and you do not need to tell SUDEP Action that you have left a gift. However, if you are happy to share this information with the charity we enjoy having the opportunity to say thank you and to keep you up to date with our work, if you would like us to.

How often do I need to update a Will?

If your circumstances change for any reason you may need to update your Will to reflect these changes. It is a good idea to review your Will regularly and at least every three years.

How has COVID-19 affected writing a Will in the UK?

More people have realised the importance of leaving an up to date will and there has been a huge increase in will writing. New temporary rules have been introduced to make it possible for a will to be completed without 2 witnesses, but this should only be done in extreme emergencies. It is usually possible to arrange 2 witnesses to ensure the will is valid, and during the pandemic, witnesses have been present by watching through car or house windows. Take specific advice on how this is done to avoid your will being invalid.

Can I make SUDEP Action one of my executors?

Executors are people you trust to carry out your wishes as they are recorded within your Will. People usually choose two executors, but you can have up to four. While SUDEP Action would not normally recommend choosing the charity as one of your executors, if you are thinking of asking SUDEP Action to be one of your executors, we are happy to speak with you more about this by phone on 01235 772850 or by email to fundraising@sudep.org and we will be happy to speak with you more about this.

Pecuniary, Residue or Chattels? What are the different types of gifts I can leave in my Will?

SUDEP Action prefer to receive either pecuniary or residue gifts. A pecuniary gift is a fixed amount of money itemised in your Will. It can be any size but cannot exceed the total value of the estate. A residue gift is the remaining value of the estate after the payment of funeral and testamentary expenses, taxes and other gifts in the will. If you wish to leave a percentage of the residue of your estate to SUDEP Action you will need to take legal advice as this will ensure the SUDEP Action receives the maximum amount, if your estate is subject to inheritance tax liability. A chattel is a physical object of any size, excluding property and leaseholds. As SUDEP Action is a small charity and the management of chattel gifts require time and attention if they need to be sold, the charity prefers to receive residue or pecuniary gifts, as these are easiest for our small team to manage and the funds gifted can be put to use to support our beneficiaries as soon as they are received.

If I leave a gift to SUDEP Action can I choose what my gift is spent on?

SUDEP Action has three primary areas of work which directly help people: supporting those who have been bereaved by epilepsy, providing free information and tools with the potential to save lives, conducting and supporting research to help save lives. While you could choose to donate to any of these areas of our work, SUDEP Action most welcomes gifts which can be spent wherever the need is greatest.

Who can I speak with at SUDEP Action if I want to find out more about leaving a gift in my Will?

If you would like to speak with someone from SUDEP Action to find out more about leaving a gift in your Will to the charity you can do this by phone on **01235 772850** or by email to [**fundraising@sudep.org**](mailto:fundraising@sudep.org).

A gift in your Will to SUDEP Action helps change lives and can make a lasting difference.