

A Gift *for* Life

Viva!'s Guide to Making a Will



Viva!

“When *Viva!* launched 10 years ago, we promised to be a new, noisy and effective champion for the animals. And we are! We have grown rapidly since then but have never lost sight of our original aim – to save animals from pain and suffering.



By remembering *Viva!* in your Will, your involvement with us will continue long after your death, helping us to save animals and promote a kinder, saner, healthier diet. You will remain a part of our campaigns and successes. Although still young and still reaching for the stars, *Viva!* has had some great victories. We have taken on the giants and beaten them!

But there is so much more to do and we need your help so we can continue the fight to save animals and to end the rape of this beautiful world. A nation's greatness can be judged by the way it treats its animals was Mahatma Gandhi's belief - and it's a belief we share.

So, when a tottering calf is prodded and dragged into the killing pen, wide-eyed and terrified, with the stench of blood and death in his nostrils, we are all demeaned. When the captive bolt pistol shatters his forehead, it tears to shreds any concept of compassion – and without its civilising influence, there is little hope for any of us. Thankfully, *Viva!*'s campaigns are changing people's hearts and minds and their eating habits – the only sure way to save animals. Our call is crystal clear: 'Change your diet, change the world!'

We have almost ended the sale in Britain of meat from the world's wildlife such as kangaroo, ostrich, emu and crocodile. In Poland, we exposed the dreadful trade in live horses sent by road to Italy for meat, and slashed it by two thirds. *Viva!* destroyed the myth that slaughter is humane by covertly filming both mainstream and ritual religious killing and helping to end 'home' slaughter. We showed the sickening conditions inside intensive pig farms across Britain and launched a campaign to end the practice of confining

breeding sows in cruel, metal farrowing crates. Our undercover teams showed that most ducks are factory farmed in squalid sheds and are denied all water except to drink. This ended the barbaric practice of 'debeaking' and brought about welfare improvements. These teams also turned a spotlight on the appalling conditions inside windowless turkey sheds owned by Britain's leading producers and gained major TV and press coverage.

We have done as much as is humanly possible in such a short space of time with the resources at our disposal. Imagine how much more we could do if we were truly empowered. A legacy will help to ensure our continuing success in saving animals and promoting vegetarian and vegan diets to safeguard the future of our planet. Thank you so much for thinking of including *Viva!* in your Will."

Yours for the animals

Juliet Gellatley
Founder and Director

Thank you for requesting information on leaving a legacy to *Viva!*. As a relatively new organisation, we are entirely dependent on the generosity of you, our supporters, to fund our vital work to stop cruelty to farmed animals and promote an animal-free diet. We are indebted to the many *Viva!* supporters who have already included us in their Wills, as a legacy to *Viva!* ensures we will be able to continue our vital work for animals.

Leaving a legacy or bequest is easy but we do recommend that you make an appointment to



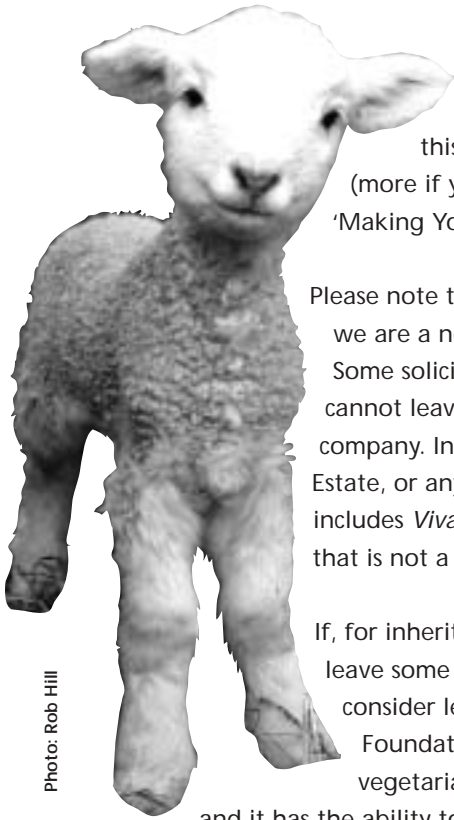


Photo: Rob Hill

see a solicitor, who will do the work for you and ensure that it is legally sound - this should cost you between £60 and £90 (more if your Will is complex). Please see page 13 'Making Your Will'.

Please note that *Viva!* Campaigns Ltd is not a charity - we are a non-profit company limited by Guarantee. Some solicitors wrongly advise their clients that they cannot leave money or other gifts to a limited company. In fact you are perfectly entitled to leave your Estate, or any part of it, to whoever you wish - and that includes *Viva!* or any other campaigning organisation that is not a charity!

If, for inheritance tax purposes (see page 8), you want to leave some or all of your Estate to a charity, you could consider leaving a gift to the Vegetarian & Vegan Foundation. This charity actively works to promote vegetarian and vegan diets as the healthiest choice and it has the ability to make grants to *Viva!* and other likeminded groups. Its founder is Juliet Gellatley, who also founded *Viva!*. Both organisations live at the same Bristol address. The Vegetarian & Vegan Foundation registered charity number is 1037486 and its address is Top Suite, 8 York Court, Wilder Street, Bristol BS2 8QH. Tel 0117 970 5190 (Mon-Fri).

For more information on leaving a gift to the Vegetarian & Vegan Foundation, please contact:

Juliet Gellatley, Director, or Graeme Wotherspoon, Fundraising Manager, *Viva!* & VVF, 8 York Court, Wilder Street, Bristol BS2 8QH or call 0117 944 1000 (Mon-Fri), or email juliet@viva.org.uk or graeme@viva.org.uk

You are, of course, entitled to leave part of your Estate to both *Viva!* and the *Vegetarian & Vegan Foundation* if that is your wish.

Why make a Will?

Leaving a Will means that your wishes will be carried out and that your Estate will be distributed as you wish. If you do not make a Will, the law will decide where your money goes, which may not be as you wish. A Will is a legal document and failing to leave one can mean a lengthy and possibly expensive process for your relatives. Merely writing down your wishes may not be legally enforceable.

Even if you are married, without a Will your spouse may be entitled to all your assets only if you have no other living relatives. It could mean having to sell the family house to give other relatives their share. Unmarried couples fare even worse - if there is no Will, the surviving partner is often not entitled to anything, even the house they have been living in.

If you have no relatives or partner, the Government will keep everything if you die 'intestate' (not having a Will).

None of this need happen if a Will is drawn up. You decide who gets what from your Estate, leaving no room for doubt or the possibility of costly legal fees in the case of arguments.

Wills are also the best way to ensure that friends and groups such as *Viva!* are remembered and receive the gifts you intended.



What a Will covers

Your Will covers how your entire Estate is to be distributed and you can include instructions about such things as your funeral arrangements and the care of companion animals.

Is it time to change or amend your Will?

If you get married, remarried, divorced or separated it is important to review your Will and make amendments as necessary.

It is important to remember to include your children (if you wish) in any Will.

Simple amends can be made by adding what's called a Codicil (see page 7), which, like your main Will, must be witnessed by two people. Keep any Codicils with your Will.

If you intend to make major changes, it may be best to have a new Will written.



Adding Viva! to your existing Will

If you already have a Will, you can choose to support Viva!'s work by adding a Codicil to it. Viva! can help you with the wording (and send you a Codicil form or see our web site www.viva.org.uk/legacy) and then all you need do is send it to your solicitor. Call Juliet Gellatley, Director, or Graeme Wotherspoon, Fundraising Manager, on 0117 944 1000. Alternatively, ask your solicitor for help – amending a Will in this way is surprisingly easy and inexpensive.

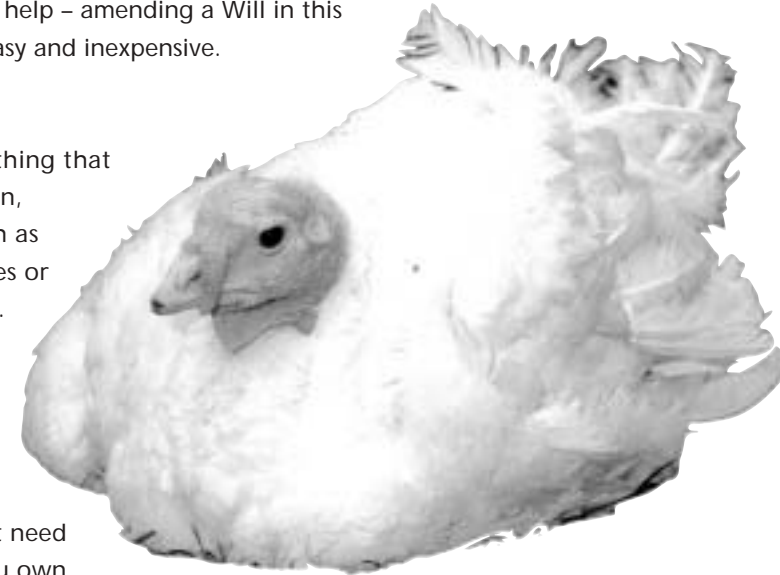
Your Estate

Your Estate is everything that you own or part-own, including assets such as property, cash, shares or income from a trust.

It is useful to draw up a list of your assets before going to a solicitor – however, you do not need to list everything you own, merely the main items, anything that is of special value or items you wish to leave to a named individual. Remember to include: your house; car and other vehicles; furniture; art or collections such as stamps and coins, or other items of value.

List your bank accounts and any investments you have - include all your bank and building society accounts, premium bonds, stocks and shares, insurance policies, pension benefits and any money owed to you.

You will also need to list what you owe - your liabilities. These include mortgages and outstanding loans, credit cards, household bills and overdrafts. These liabilities will be the first things paid from your Estate.



Inheritance Tax

If your total Estate is worth more than £263,000*, everything above this figure will be liable for inheritance tax, payable to the Government at a rate of 40 per cent.

(*The figure of £263,000 is correct at the time of printing this booklet. However it will change, so please consult your solicitor about the current value.)

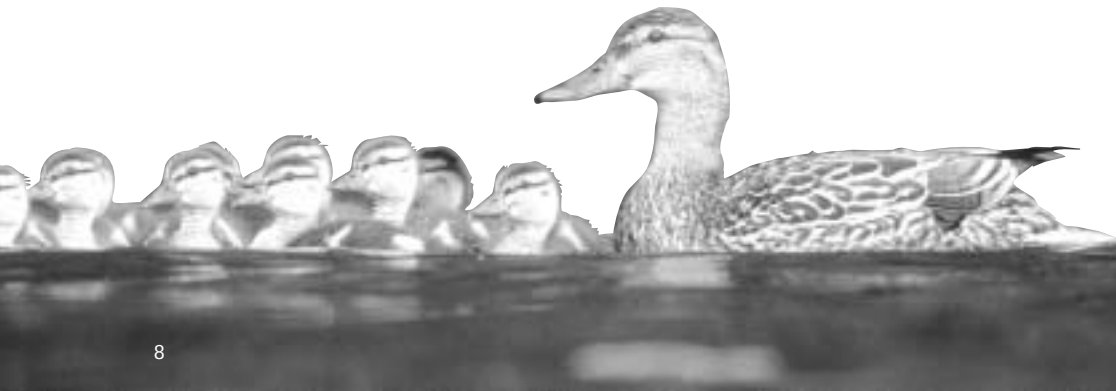
There are a number of gifts that can be made which will reduce the value of your Estate and therefore the amount of inheritance tax you have to pay. These include, for example, gifts to your spouse or to UK registered Charities, both of which are 'exempt' and free of inheritance tax.

Example:

Your Estate is worth £300,000. The inheritance tax payable is £14,800 (arrived at by deducting the tax free allowance of £263,000, leaving £37,000 subject to tax. At 40 per cent this amounts to £14,800).

However, if you leave £30,000 to your spouse and £30,000 to a charity, there would be no inheritance tax payable on your Estate (£300,000 - £60,000 = £240,000, which is below the current threshold for inheritance tax).

Please note that *Viva!* is not a charity, however its sister group, the Vegetarian & Vegan Foundation is a charity (see page 4).



Your Executor

This person will oversee your wishes and will be named in your Will. They will be granted Probate, which gives them the legal right to distribute your Estate, sell property, investments and other assets if necessary. Often, a solicitor is named as Executor, but they do charge for this service. You are fully entitled to ask whoever you wish to be an Executor. However, it is a complicated process so do ensure they are willing to undertake this task. You can appoint up to four Executors in your Will and an Executor can also be a beneficiary in your Will.

Viva! as Your Executor

Some people who decide to leave *Viva!* a gift in their Will, choose the Founder & Director of *Viva!*, Juliet Gellatley, (and sometimes other senior staff) to act as their executor(s). If you do this, it will give you the reassurance that your Estate – for example your house and its contents - will be sold for the right price. *Viva!* will take the time and trouble to ensure that this is the case, ensure that your wishes are carried out and make no charges for the service. If you would like us to act for you as Executor, please contact either Juliet Gellatley, Director, or Graeme Wotherspoon, Fundraising Manager, on 0117 944 1000 (Mon-Fri) or email juliet@viva.org.uk or graeme@viva.org.uk. You can write to either at *Viva!*, 8 York Court, Wilder Street, Bristol BS2 8QH.



The Beneficiaries of Your Will

Decide how you want to divide up your Estate - you may wish to leave everything to one person or organisation or give specific items or stipulated amounts of money to different people or groups such as *Viva!*. All of these are your beneficiaries.

Specific gifts are items such as artwork, books, jewellery or a set amount of money. Remember that the value of these can change over time, so it is worth reviewing your Will every few years.

After these specific gifts have been dispensed and all outstanding expenses have been paid (funeral costs, unpaid bills, legal fees etc), what is left is the balance of your Estate, which is called the Residue. You can give this to one or more beneficiaries, split any way you wish. For instance, you could leave 50 per cent of the Residue to your partner and then one third of the remaining 50 per cent to each of three organisations.



A Gift for Life

By leaving a legacy to *Viva!*, you know you will be making a lasting gift which will continue to have an impact long after your death. If you would like to include a legacy to *Viva!*, there are four main ways of doing it.

1. A Residual Bequest.

This is when you leave the Residue from your Estate after all other bequests and costs have been deducted.

2. Pecuniary Gift.

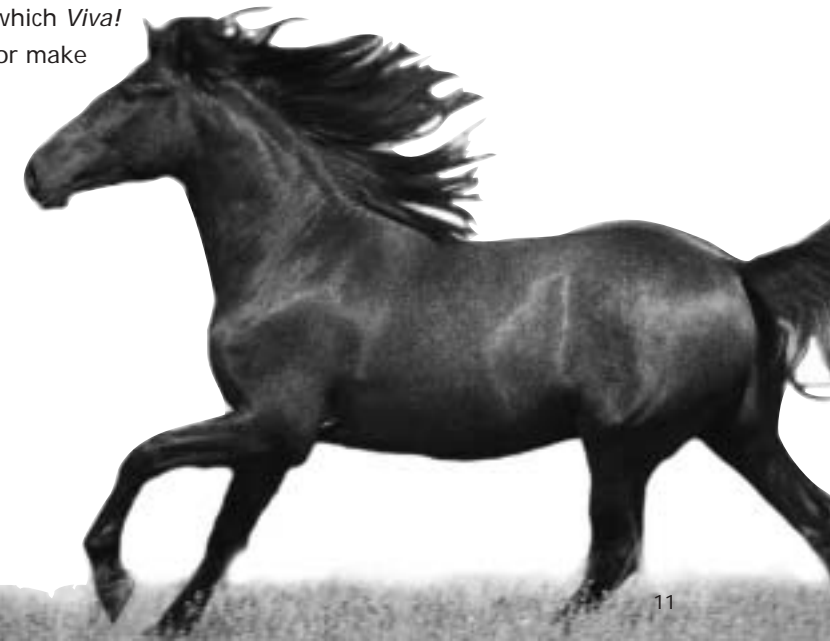
This is when you want to leave *Viva!* a specific sum of money - remember that inflation can often erode the value of such a gift and perhaps you should review it every few years. Another option is to leave *Viva!* a specific proportion of your Estate.

3. A Percentage of Your Estate.

For example, you could specify a gift to *Viva!* of 10 per cent of the value of your Estate. If your Estate was worth £50,000, this 10 per cent Bequest would mean a gift of £5,000 to *Viva!*

4. A Non-Money Specific Gift.

This could be a house, car, jewellery, etc., which *Viva!* could then sell or make use of.



Wording of your Will

Should you decide to include *Viva!* in your Will, you'll need to use legal wording and to include our full name and address.

For a Residual Bequest

"I give the Residue of my Estate to *Viva! Campaigns Ltd* (company reg. no. 4161147) of 8 York Court, Wilder Street, Bristol BS2 8QH, for its general purposes and I direct that the receipt of the Treasurer or duly authorised officer shall be a valid and appropriate form of discharge."

For a Pecuniary Gift

"I give the sum of £ ____ to *Viva! Campaigns Ltd* (company reg. no. 4161147) of 8 York Court, Wilder Street, Bristol BS2 8QH, for its general purposes and I direct that the receipt of the Treasurer or duly authorised officer shall be a valid and appropriate form of discharge."

For a Percentage Gift

"I give ____ % of my Estate to *Viva! Campaigns Ltd* (company reg. no. 4161147) of 8 York Court, Wilder Street, Bristol BS2 8QH, for its general purposes and I direct that the receipt of the Treasurer or duly authorised officer shall be a valid and appropriate form of discharge."

For a Non-Money Specific Gift eg a house/flat

"I give to *Viva! Campaigns Ltd* (company reg. no. 4161147) of 8 York Court, Wilder Street, Bristol BS2 8QH, for its general purposes all my share and interest in my house (or flat) known as (full address) absolutely and I direct that the receipt of the Treasurer or duly authorised officer shall be a valid and appropriate form of discharge."



Making Your Will

The safest way of drawing up a Will is to take all this information along to a solicitor and have him or her write it for you. This should cost from £60 but will be more if your Will is complex. Probably the best place to start is by asking friends if they can recommend a good firm of solicitors. The Yellow Pages are also useful - phone a few solicitors and get some quotes. Alternatively, you can ask the Law Society (Tel: 0207 242 1222) for the names of people who specialise in this type of work in your area. They cannot recommend a specific solicitor but will give you a list of firms for you to contact.

Keeping Your Will Safe

It is very important to keep your Will in a safe place and send a copy to your Executors, telling them where the original is kept. You may also wish to send a copy to your main beneficiaries. Don't forget to keep a copy yourself so you can check the details should circumstances change. It is possible to deposit the original with your solicitor.

A Legacy to Viva!

Leaving a legacy to *Viva!* will ensure that our important work continues. Although only 10 years old, *Viva!* has achieved much in this time and needs funds if we are to carry on with our campaigns to saved farmed animals from cruelty and suffering and help people go vegetarian and vegan. A legacy from you will help us with this work. It will save animals.



Legal Language in Plain English!

Beneficiary or Legatee

Any group/organisation/company/charity/individual that is left a gift in your Will.

Bequest

A gift made in your Will to a specific group/organisation/company/charity/individual.

Codicil

An addition to your existing Will, making small changes.

Chattels and Moveables

Your personal possessions such as car, jewellery, paintings, furniture.

Crown or Treasury

The taxman. If you leave no Will and have no relatives, the government will receive everything.

Estate

Your Estate is everything that you own or part-own, including assets such as property, cash, savings, shares, car, investments, life assurance or income from a trust at the time of your death.

Executor(s)

The person or people named in your Will who are responsible for ensuring your wishes are carried out.

Intestate and Intestacy

Without leaving a Will, or leaving one that is invalid or incomplete.

Legacy

The same as bequest.

Liabilities

Any debts to be paid from the Estate, such as household bills and funeral expenses.

Pecuniary Legacy

A gift of a specified amount of money from your Estate.

Probate

The legal procedure to establish that your Will is valid and authorising the executor(s) to perform their duties.

Residue

The amount that is left from your Estate when all debts, taxes, legacies and fees have been deducted.

Residual Bequest/Residual Legacy

A gift to any group/organisation/company/charity/individual from the residue of your Estate.

Spouse

The person you're married to.

Testator/Testatrix

You - the person making the Will!

Confidential Pledge

If you would like to leave a legacy to *Viva!*, it will be of enormous help to us in planning for the future if you would let us know the nature of your gift. This pledge is only a declaration of your current intentions and is in no way binding! Many thanks.

My gift to *Viva!* is in the form of:

- the entire residue of my Estate
- part of the residue of my Estate
- a percentage of my Estate
- a cash gift (pecuniary legacy) of £ _____
- a non-money specific gift of the following asset(s) _____

- I have now included *Viva!* in my Will
- I have not yet included *Viva!* in my Will, or made a Will, but intend to do so

Title ____ First Name _____ Surname _____

Address _____

_____ Postcode _____

Tel _____

Signature _____ Date _____

Email _____

Please return this pledge to Juliet Gellatley, Founder & Director, *Viva!*, 8 York Court, Wilder Street, Bristol BS2 8QH.



Photo: Damian Bird

Viva! has the will to win and save animals from suffering. You can help by remembering *Viva!* in your will. Thank you so much.

For further information on legacies, please contact:

Graeme Wotherspoon
Fundraising Manager

Viva!
8 York Court
Wilder Street
Bristol
BS2 8QH

Tel: 0117 944 1000 (Mon-Fri)
E: graeme@viva.org.uk
W: www.viva.org.uk/legacies

Viva!