

## SCARBOROUGH LAW SOCIETY

*Delighted to be supporting Dial A Ride*

We have over 70 local solicitor members covering Scarborough, Whitby, Filey, Bridlington, Pickering and Helmsley

We as solicitors understand the importance of making a will and keeping it up to date

We have many solicitors who specialise in this area and who can be relied upon to provide expert advice and assistance

Home visits can normally be arranged

If you would like to know more then contact your own solicitor or alternatively phone the offices of Dial A Ride on 01723 354434 who have a list of solicitors in your area

Don't delay – make an appointment today!

# Dial A Ride

(Scarborough & District)

# LEAVING A LEGACY



**Serving Scarborough since 1983**

Unit 4, Londesborough Business Park

64—66 Londesborough Road

Scarborough, North Yorkshire, YO12 5AF

Tel: 01723 354434 [www.scarboroughdialaride.com](http://www.scarboroughdialaride.com)

Registered Charity No: 1106494, Co. Ltd by Guarantee: No 5233119

Registered in England and Wales

**Dial A Ride** is a local, independent charity offering door-to-door, fully accessible transport in and around the Scarborough and Filey area. We offer transport to anyone over retirement age, has some form of disability or mobility problem, or who simply has difficulty using public transport.

The majority of our passengers are aged over 76 and many have a wide range of mobility problems or suffer from memory impairment and physical frailty. Without the service Dial A Ride provides, they would have difficulty in leaving the confinement of their own homes and enjoying the independence and freedom most of us take for granted.

Dial A Ride is not part of the local authority, Social Services or health authority. Although we do receive around 10% of our income annually from grants, the rest of the money needed to keep our service running comes from fundraising or the reasonable fares we charge our passengers.

Although we do employ some drivers, we also rely on the hard work and goodwill of a small army of volunteer drivers and passenger escorts.

Each of our minibuses covers around 20,000 miles annually. They undergo regular safety checks and are maintained to a high standard, but each one needs to be replaced every 6—7 years.

Depending on the style and specification of the minibus, this can cost around £35,000 per vehicle.

Your legacy can help provide:

- Additional and replacement minibuses
- Maintenance and servicing
- Fuel
- Insurance
- Office rent and associated costs

At Dial A Ride we do not have paid fundraisers, so every penny donated is spent directly on buying minibuses and the costs involved in keeping our much needed service going

Thank you very much for considering Dial A Ride when making your Will.

## Is making a Will expensive?

Most Wills are relatively straightforward and not costly. If your circumstances are complicated then the cost will be more but your Solicitor will give you an estimate of what is involved and the cost is likely to be more than compensated by potential tax savings, security and peace of mind.

## Gift Aid

Changing a Will or making it for the first time is an ideal opportunity to remember a charity with a gift.

As a charity Dial-A-Ride is exempt from paying Inheritance Tax, Capital Gains Tax and Income Tax, so our work benefits from the full value of the gift.

If a gift is made during your lifetime and given under the Gift Aid procedure then as a registered charity we can recover the tax referable to the Gift provided you are a tax payer.

Any gift made will or indeed made during your lifetime is exempt from the payment of Inheritance Tax and Dial-A-Ride instead of the state would benefit from your generosity.

Gift Aid forms are available from us and whilst there is no obligation upon you to notify us of any Gift made by Will, notification is helpful and assists in planning our future (budgetary requirements).

All Gifts no matter what their size are much appreciated and is a means of supporting a worthwhile and local cause.



*'We'll get you where you want to be, when you want to be there'*

## Changing your Will

You may change your Will as often as you wish.

If the change is only a minor one, then it can be effected by means of a “codicil”.

However, if the change is a major one, then it may be necessary for a new Will to be prepared, revoking or taking the place of the earlier Will.

It must be noted that under no circumstances should you attempt to change your Will by crossing out a section or simply writing in a new provision. You may find that the effect of such an alteration was not what you wished and it could cause severe legal complications.

## Updating your Will

Whether or not major changes have occurred in your life, you may find that your Will needs to be updated from time to time.

Generally, you should review your Will at least every three years and ensure that its provisions accurately reflect your circumstances.

There are however, certain circumstances in which you must update your Will. These are:

- Marriage (or re-marriage) – which usually cancels out s previous Will.
- Divorce – where a former spouse will usually be treated as if omitted from your Will.
- Separation – which does affect a Will or entitlement on intestacy so that gifts may be made which you would rather had not been made.

You should also ensure that your Will is up to date following the birth of children, family deaths, inheritances and other major changes in your circumstances or in your family.

## Making a Will – Providing for the future

### Why make a Will?

When you die your property and affairs must be dealt with. Making a Will ensures that any specific intentions you have for the division or disposal of your property, money and possessions after your death can be effectively carried out.

A Will is particularly important when you need to:

- Provide for your children – especially if you are separated or unmarried.
- Provide for an elderly relative.
- Make provision for a friend.
- Make a gift to charity.
- Minimize administration costs.
- Minimize tax liabilities.

Prevent added stress and worry to your family at a time of bereavement.

### What if I do not make a Will?

If you die without making a valid Will you are deemed to have died “intestate”. Should this occur, then the general laws of intestacy will apply to your estate and this could result in your affairs being handled in a way in which you would not otherwise have wished. This could lead, for example, to:

- Your spouse receiving only a fraction of your assets.
- Only blood relatives benefiting – to the exclusion of friends and in-laws.
- Co-habitees being excluded from a distribution of the Statutory trusts being set up for children and grandchildren on terms you may not like.
- Increased tax liabilities.

Increased costs of administering your estate.

You will see that fewer problems arise when you make a Will than when you do not.

## Why use a solicitor?

Whilst it is possible for someone to make their own Will without a solicitor, it is not recommended as it can lead to complications. Many words and phrases have different meanings in law from their everyday use and therefore, a Will made independently of legal advice, may not mean what its author intended. Difficulties may then arise in interpreting the Will which could add to the cost of administering the estate. Furthermore, if a Will is not properly executed, it may be invalid.

## Do I need an Executor?

Your executor is the person who will be in charge of looking after (administering) your estate after death. You should choose carefully whom this is to be and specify this in your will.

## What Gifts can I make?

- Personal belongings – you may wish to leave specific items to a particular person or persons.
  - Money – you may wish to leave a specific sum or sums to a particular person or charity.
  - Residue – you may wish to provide for the remainder of your property to be divided.
  - Charity – it is worth noting that bequests to charity are free of tax and can reduce a tax liability.
- Children – advice on the best way of making gifts to children is increasingly important.

## Providing for Children

- Guardians – you will be able in your Will to suggest guardians to care for your children in the event that they are left without parents.
- Disabled children – you will be advised as to the best way of making provisions for them, both immediately and in the long-term.

## Marriage and Separation

- Marriage – this usually invalidates an earlier Will entirely.
  - Divorce – can make part of a Will ineffective.
  - Separation – will not prevent a spouse from benefiting from a prior Will or under the rules relating to intestacy.
- Living together – even long-term relationships outside marriage do not give entitlement under the intestacy rule.

## Taxation

You can avoid burdening your Estate with unnecessary tax liabilities by incorporating the correct provision into your Will. You may be able to pay less and hence leave more money to your beneficiaries by taking advice on the following:

- Tax exemption.
  - Lifetime gifts.
  - Gifts to children and grandchildren.
- Gifts to Charity.

## Trusts

Trustees may be appointed to hold money or assets in trust for young children or others. It is important that Trustees are given special powers to avoid any statutory restrictions, for example:

- To buy a house.
  - To advance capital.
- For investment.

## What shall I do next?

If you wish to make a when please contact your solicitor or contact us and we can make a recommendation.