

# FACTSHEET

## LEGACY ADMINISTRATION INFORMATION AND GUIDANCE SHEET

**WILL & ASSETS & LIABILITIES** - Where the bequest is a residuary share in the estate, we would be very grateful if you could forward to us a **copy of the Will and any Codicil(s)** to enable us to confirm our entitlement. Although we appreciate that it is not always possible to ascertain the size of an estate immediately but it does help considerably if you can let us have **details of the assets and liabilities**.

**INHERITANCE TAX (IHT)** – **All registered charities are exempt from IHT**. Where an estate is partially exempt and partially chargeable, there are complex rules for attributing the incidence of IHT. Experience has shown that this is the area in which difficulties are most often encountered. If you are in any doubt as to how the IHT is to be calculated or how it is to be reflected in the account, we would be happy to help. **Please note that where 10% or more of the estate is bequeathed to charity, the IHT reduces to 36%**. If IHT is payable, we should be grateful if the Personal Representatives would **please provide us with a copy of their IHT calculations and confirm whether a transferable nil rate band is being claimed**.

**ESTATE ACCOUNTS** - At the finalisation of the administration, **please forward to us a copy of the Estate Accounts for approval**, to satisfy the requirements of Section 25 of the Administration of Estates Act. Should you require any assistance with regards to preparation of the Accounts, please do not hesitate to contact us.

**SALE OF STOCK EXCHANGE INVESTMENTS** - We would be grateful if the Personal Representatives could appropriate RNIB's share of any such investments into our name in the executors' books and sell them on our behalf acting as bare trustee. This will avoid any possible liability to Capital Gains Tax on the disposal. We would prefer that our entitlement is sold through our stockbrokers, Charles Stanley & Co. Ltd, 25 Luke Street, London, EC2A 4AR (DX:123150 Broadgate 1). Please mark all correspondence for the attention of Nick Percy-Davis (direct line 020 71496338 or email npd@charles-stanley.co.uk) or Charlotte Benge (direct line: 020 7149 6684) or Joanna Mason (direct line: 020 7149 6239). Charles Stanley & Co offer a preferential charity share-dealing rate to charities. This rate can reduce the overall commission charges by up to 75%, thereby significantly increasing the value of our legacy. We are aware that the shares may be held either as certificates, or via a nominee name. Charles Stanley are equally happy to deal with either form of registration Please do not hesitate to contact them if you have any queries about the share sales.

**SALE OF PROPERTY/LAND** – We would be grateful if the Personal Representatives could obtain the recommendations of at least two reputable Estate Agents when determining a property's Probate value. When an agent is chosen, we would be very grateful if a copy of the sales particulars could be forwarded to us for our file. We would also be grateful if the Personal Representative could investigate whether the property/land has any development potential. This is to give the Executors time, if necessary, to appropriate the property into the name of the charitable beneficiaries

prior to sale, to utilise the charitable exemption from Capital Gains Tax. As and when a suitable offer is received, we should be grateful if the Personal Representatives could provide us with the Agents' written recommendation of acceptance for our records.

**CAPITAL GAINS TAX (CGT)** – In a rising market or where other factors have significantly increased the value of property/land over and above the Probate value, there is the potential for HMRC to raise an assessment for Capital Gains Tax. **We would be grateful if the personal representatives could advise us in good time if there is potential for a CGT liability** so that we can assist in avoiding the needless incursion of CGT, provide assistance with the Deed of Appropriation if required and organise a Section 119 Valuation if appropriate. **Please note the Executors only need the consent of the residuary beneficiaries to appropriate and the Deed of Appropriation only needs to be signed by the Executors as Bare Trustees.**

**INCOME TAX** - As a registered charity we are able to reclaim from the HMRC all income tax paid during the administration of the estate. This includes our share of tax paid on bank and building society interest. A tax deduction certificate on form R185 (Estate Income) should therefore be supplied to us at the end of the administration. It is also of great assistance to us to receive income tax calculations with the estate accounts. We are more than happy to provide assistance, if needed, in preparing the required certificates. Please note, we cannot claim back tax on dividend payments.

**SALE OF PERSONAL CHATTELS/PROPERTY CONTENTS** – The RNIB has negotiated a preferential commission rate of 5% with Bonhams, Fine Art Auctioneers (contact: Andrew Robb – Tel 020 7468 8340, Email [andrew.robb@bonhams.com](mailto:andrew.robb@bonhams.com)). Bonhams have salesrooms throughout the UK and their services can be utilised in the clearance and sale of personal chattels. We have also negotiated preferential commission rates with Dreweatt Neate, Fine Art Auctioneers (contact: Clive Stewart-Lockhart – Tel 01635 553553). These auctioneers are based in Newbury, Berkshire. We utilise their services on a regular basis, especially in the sale of jewellery, including costume jewellery. The Personal Representatives may find the above information useful should a suitable local auctioneer not be available.

**Please address any queries concerning the above to: Daniel Pepper, Senior Legacy Income Manager, RNIB Northminster House, Northminster, Peterborough PE1 1YN, tel: 01733 972800 or email [legacies@rnib.org.uk](mailto:legacies@rnib.org.uk)**