



Legal terms made simple

Making a will is your only guarantee that the proceeds of your estate will go to the people and causes that you care about.

There are a few different types of gift you can leave in your will. These are the most common:

Residuary legacy

This is what is left of your estate once all other monies have been paid out. *Unless you specify how you would like the residue to be disposed of, the Government will decide where it is to be paid out.*

Specific legacy

This is a particular item or specific property that you can leave to an individual or charity.

Pecuniary legacy

This is a set sum of money which you can leave either to individuals or charities. *Pecuniary legacies can be index linked so that the value of the gift increases with inflation. Otherwise, the value of the bequest will decrease over time, as the cost of living increases.*

There are other terms you may encounter when considering a legacy and making a will.

Administrators

Those appointed to administer an estate where there is no will or executor, often solicitors.

Bequest

Another name for a legacy.

Beneficiary

The named individual or organisation/charity that benefits from your will.

Codicil

A document allowing additional changes to your will. This must be signed and witnessed in the same manner as your will.

Crown

HM Treasury. This is where the proceeds of your estate will go if you do not have a next of kin and did not make a will (intestate).

Estate

All assets and debts owned by you at the time of your death.

Executors

These are the people that you appoint to deal with the affairs of your estate after your death, they are known as 'Trustees' in your will.

Guardians

Guardians are the people that are appointed to look after any minors up to the age of 18.



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Inheritance Tax (IHT)

May be payable on an estate when someone dies. Transfers made to a charity are exempt from tax. Find out more about IHT by visiting the HM Revenue and Customs website.

Intestacy

If you die without making a valid will then you are referred to as 'intestate'.

Probate

Required under law in most cases to formally establish whether you left a legally valid will and who your executors will be.

Residue

The remains of your estate after payment of all debts, expenses, tax and distribution of any legacies be it specific or pecuniary.

Specific Legacy

An item that is tangible, for example, a piece of jewellery or furniture.

Testator

As the person making the will, you are the Testator.