

**Legacies
Guidance on Making a
Legacy to St Mary's**

To be used in conjunction
with the leaflet

**“Your Legacy to St Mary's - For a
Thriving Church in the 21st
Century”**

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Possible draft legacy wording for a Will or Codicil to benefit St Mary's Church Ely

The wording of a codicil (an amendment or addition to your will) requires reference to the date of the Will and any previous codicils to be included. A codicil is a proper testamentary document and its effect cannot be carried out by a letter or memo attached to a Will, which in itself would create problems for those left behind. Thus, it is imperative that any donors wishing to follow this route must take their Will (and any codicils) with them to see their solicitor.

A possible straight legacy for a **Will or a Codicil** could be:

"I GIVE the sum of pounds (£) to the Parochial Church Council of St Mary's Church Ely for the general purposes of the said Council and I declare that the receipt of the person professing to be the Treasurer of the said council shall be a good and sufficient discharge for the same."

N.B. Any gift to the church is inheritance tax free.

Because Wills are drawn in a variety of ways and refer to residue in different ways, it is virtually impossible to produce a set of words to provide a percentage gift of residue which will suit every circumstance. However, a possible percentage legacy could be:

"I GIVE XX percent (%) of my residuary estate [or as otherwise described in the Will prior to the same being divided in accordance with the terms [Clause XX] of my Will to the Parochial Church Council of St Mary's Church Ely for the general purposes of the said Council and I declare that the receipt of the person professing to be the Treasurer of the said council shall be a good and sufficient discharge for the same."

N.B. There is an absolute necessity of getting the wording right, not only for the benefit of the church; but if it is wrong, the family and other beneficiaries are likely to blame the church.

All codicils must have the words *"In all other respects I confirm my said will [and codicils- if appropriate]"* added at the end and be completed otherwise in accordance with all legal requirements, on which your solicitor should be able to advise you.

It will help your solicitor and therefore keep the cost down if you take this with you when you see him/her. At the same time, whether you are making a Will for the first time or not, you need to have thought clearly about who you want to deal with your affairs after you have died and whom you wish to benefit taking all names and addresses with you.