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, 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 – It would be appreciated if the Personal Representatives can appropriate RNIB's share of 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. Please do not hesitate to contact us if you have any queries about the share sales.

SALE OF PROPERTY/LAND – We should 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, a copy of the sales particulars would be appreciated for our file. Please could the Personal Representatives also 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, in order to utilise the charitable exemption from Capital Gains Tax. As and when a suitable offer is received, the Agents' written recommendation of acceptance is requested.

CAPITAL GAINS TAX (CGT) – In a rising market or where other factors have 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. **Please could the Personal Representatives advise us in good time if there is potential for a CGT liability.** We can assist in avoiding the needless incursion of CGT by providing assistance with a Memorandum of Appropriation and organising a Section 119 Valuations where appropriate. The Executors only need the consent of the residuary beneficiaries to appropriate and the Memorandum of Appropriation only needs to be signed by the Executors as Bare Trustees.

SALE BY AUCTION - Please note, in the case of a property being sold at auction, we would always request that the charitable share is appropriated prior to sale and a s119 report obtained where necessary. This is in view of the unpredictability of the final sale price. Please contact us should any assistance be required in this respect.

INCOME TAX - As a registered charity we can reclaim all income tax paid during the administration of the estate from HMRC. 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: Piers Watson – Tel 0207 6296602). 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:
RNIB Legacy Management, Northminster House, Northminster, Peterborough PE1 1YN Tel: 01733 972800