



executor education programme

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Introducing Close Brothers Group



Banking



Asset Management



Securities

Close Brothers Group (CBG)

- Founded in 1878
- A FTSE 250 company
- Strong balance sheet
- Did not cut its dividend, request government assistance nor raise capital from shareholders in 2008

Close Brothers Asset Management

- Our focus is on managing the wealth of private clients, charities, trusts and family offices
- £11.8bn (unaudited) AUM (as at 31 January 2018)
- UK focus, onshore and offshore

The case for Executor education

Research

27% of all Executors surveyed found the role stressful, 20% found it upsetting, 7% had to take time off work
(Co-op legal services 2017)

Only 4% of executors realise they are exposed to unlimited personal liability.
(Executors insurance 2015)

Only 38% of people in England and Wales have a will
(Legal service consumer panel)

One in five of all Executors do not know that they have been appointed
(Co-op legal services 2015)

Latest Insights

“ I have put my plan in place but I know it’s already out of date. The laws change so frequently that you need to update your will every few years. ”

PW, CBAM client

“ As an Executor of my late husband’s estate I went through a lot of pain. I don’t want my son to have the same experience and I would want to direct him to CBAM for guidance and support. ”

AM, CBAM client

The Telegraph

People left to manage the estates of friends and family could find themselves facing hefty inheritance tax bills after a court ruled against a man who mistakenly left himself to pay off £340,000 in death duties.

Glyne Harris ended up owing the taxman hundreds of thousands of pounds after discharging the assets of an estate...

THE TIMES

If you are one of the millions of people named as an Executor in the will of a relative or close friend, you could be in for a complex and potentially demanding job. Do you know what your responsibilities are?

Testator's questions you should consider

Step 1

Is your will up to date?

Step 2

Have you communicated your intentions to your Executor?

Step 3

Have you prepared an assets and liabilities schedule, and said where they can be found?

Executor education programme – as a client have you asked yourselves these questions?

Questions you may have?

What do I need to do?
When do I need to do it?
What costs are involved?

What are the risks
to the family; I don't
want to let people
down?

What does it mean
to me personally?

How I can ensure
I am best prepared?

Being an Executor

- The role of an Executor, responsibilities and duties
- Process, applying for probate, calculation and settling taxes
- Your legal obligations and liabilities
- Potential pitfalls, do's and don'ts



Role of an Executor, responsibilities and duties

Accepting an Executorship

Collecting/Collating all testator assets

Paying expenses and liabilities

Calculating and paying IHT

Distributing remaining proceeds to beneficiaries

Communication and information –
Testator - Executor



- Potential errors:
 - Incorrect taxes calculated / paid
 - Late payment of taxes
 - Distributing assets to the wrong beneficiary
 - Failure to identify a creditor
 - Delegating a decision relating to the estate to someone with no legal authority
- Unlimited personal liability - landlord / employer
- Limitation
 - Claims by creditors – 6 years
 - Claims by beneficiaries – 12 years
- Executor liability insurance



- Estimating timescales
- Conflicts of interest, being a beneficiary/Executor
- Complexity of business assets and transfer
- Assets abroad, foreign jurisdictions and local property laws
- Premature settlement of bequests
- Contested wills and legal rights
- Occupied property
- DIY
- Not being well informed of testator affairs



Additional considerations for testators and Executors

- Power of Attorney – incapacity
- The costs and how they can be reduced
- The hard costs of intestacy
- Useful websites – Age Concern ageuk.org.uk
and gov.uk/inheritance tax



“To ensure the right people inherit your wealth, as per your wishes and to minimise the amount lost to inheritance tax”

