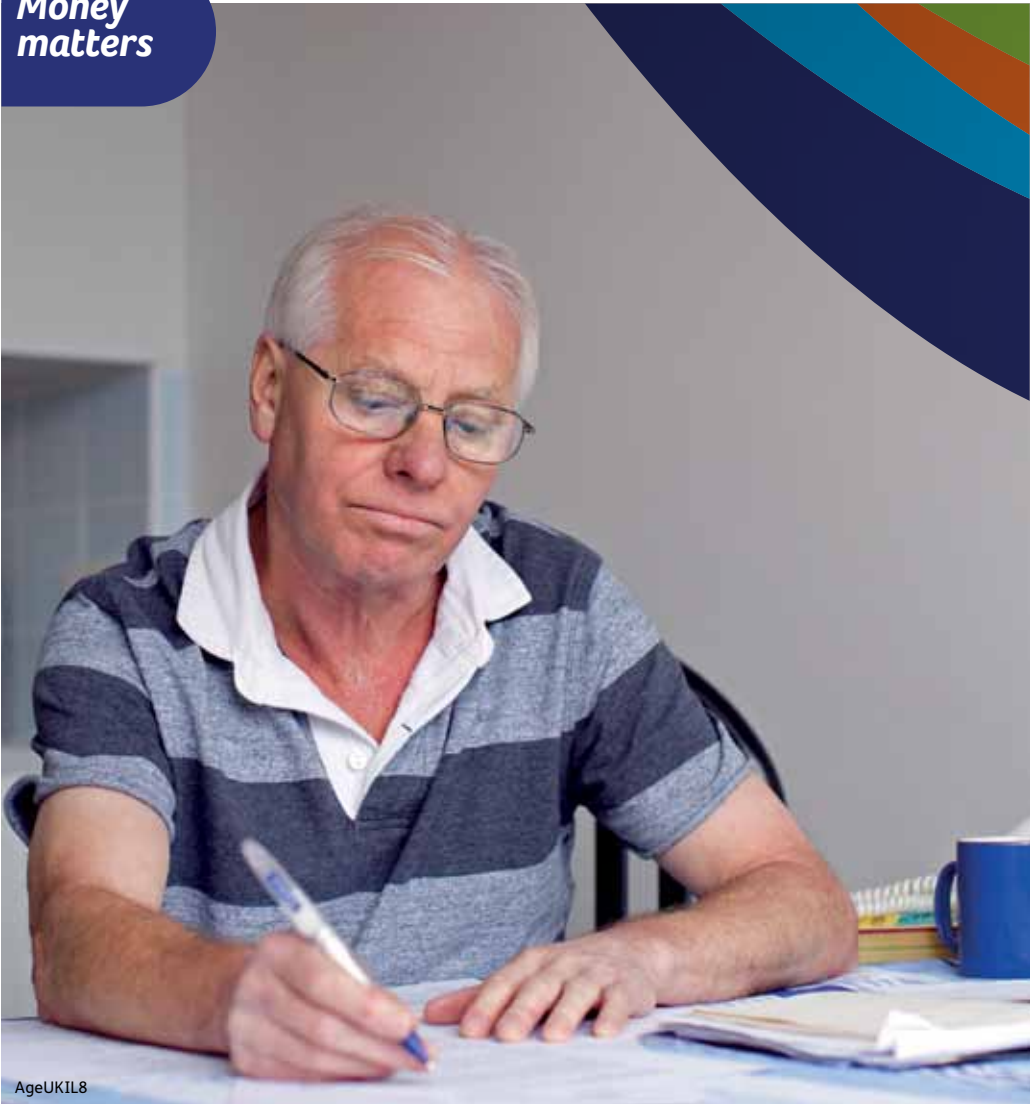


# How to be an executor

What to expect and  
key responsibilities

**Money  
matters**



***Age UK is the new force combining  
Age Concern and Help the Aged.***

***With almost 120 years of combined  
history to draw on, we are bringing  
together our talents, services  
and solutions to do more to enrich  
the lives of people in later life.***

***The Age UK family includes Age Cymru,  
Age NI and Age Scotland. There are  
also more than 160 local Age UKs.***

This information guide has been prepared by Age UK and contains general advice only, which we hope will be of use to you. Nothing in this guide should be construed as the giving of specific advice and it should not be relied on as a basis for any decision or action. Neither Age UK nor any of its subsidiary companies or charities accepts any liability arising from its use. We aim to ensure that the information is as up to date and accurate as possible, but please be warned that certain areas are subject to change from time to time. Please note that the inclusion of named agencies, websites, companies, products, services or publications in this information guide does not constitute a recommendation or endorsement by Age UK or any of its subsidiary companies or charities.

Every effort has been made to ensure that the information contained in this leaflet is correct. However, things do change, so it is always a good idea to seek expert advice on your personal situation.

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Age UK is the new force combining  
**AGE** and **HELP THE AGED** **WE WILL**  
*Concern*




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# Introduction

 If someone has appointed you as an executor (or ‘executor-nominate’ in Scotland) for their will, you may be flattered but also wondering what you will have to do, or even if you have to act. It can involve a lot of work and responsibility, which may go on for months or even years. You should think carefully about whether you want to act, or indeed if you are able to.

The information in this leaflet is applicable across the UK. For more detailed information on the topics covered in this guide, see our factsheet *Dealing with an estate*.

 If you live in Scotland, see Age Scotland’s factsheet *Dealing with someone’s estate*.

Throughout this guide you will find suggestions for organisations that can give further information and advice about your options. Their contact details can be found in the ‘Useful organisations’ section (see pages 12 to 14). Contact details for local organisations can usually be found in your local phone book. If you have difficulty finding them, your local Age UK/Age Concern\* should be able to help (see page 12).

As far as possible, the information given in this guide is applicable across the UK.

## Key

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This symbol indicates where information differs for Scotland, Wales and Northern Ireland.



This symbol indicates who to contact for the next steps you need to take.

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\*Many of our local partners will remain Age Concern for a while yet.

# Who can be an executor?

You can act as an executor even if you stand to inherit something from the will. The person making the will can appoint up to four executors (the standard is two), so you may be sharing the responsibility with others.

# What do executors do?

Executors need to:

- collect all assets and money due to the deceased person's estate (including property)
- pay any outstanding taxes and debts
- distribute the estate to the people who are entitled to it under the terms of the will.


You can claim reasonable expenses for this work.

**what  
next?**


For more information about being an executor, see our factsheet *Dealing with an estate*.

## *What if I change my mind?*

Being an executor is a role for life – if any claims come up in the future, you will have to deal with them. If you have any difficulties with legal or financial issues, contact your local Citizens Advice Bureau (find them in your phone book or see page 13) or a local solicitor or financial adviser.

-  If you can no longer be an executor, you must write to the Probate Registry to let them know. In Scotland, you can step down as long as you're not the only executor, in which case you have to appoint someone to take your place before you can resign. However, if you live in Northern Ireland, you can only appoint someone to act in your place if you are incapable of dealing with your own affairs. Think very carefully before you agree to take on the role.

# Checklist of an executor's key duties

- If necessary, register the death. Consider how many copies of the death certificate to order, as they cost less if you ask for them when registering the death. You will need one for each asset holder.
- Find out where the last will is held and get the original.
-  In Scotland, the will needs to be registered in the Books of Council and Session's Register of Deeds before you can obtain an official copy, which is known as an Extract. You may need to provide a death certificate and proof of your identity. Any other executors must confirm they are happy for you to have the original will.
- Make copies of the will for co-executors, financial institutions and beneficiaries and then put them away in a safe place. Don't tamper with them in any way. (This includes adding staples or paper clips.)
- If necessary, arrange the funeral. Check the will for any funeral wishes. See our guide *When someone dies* for more information.
- Inform family, friends, and work colleagues of the death. This can include putting a notice in the local/national newspapers with funeral details so people can attend.

- If there is an unoccupied property, secure it and inform the insurers immediately. Make sure the mains services (gas, electricity and water) comply with insurance terms. The property must be kept in a decent state of repair, since the insurance policy may have minimum requirements as to maintenance or occupation. Also check what coverage the insurance provides after the death, as the estate may have to replace the deceased person as the policy-holder after a certain amount of time. Stop any deliveries and redirect the post.
- When you receive an invoice for the funeral, you can take it to the deceased person's bank or building society along with a death certificate, the will and your identification. You will be issued with a cheque for the amount due, made payable to the funeral director.
- Send an original death certificate to any asset holders, such as banks, building societies and insurance companies. Ask for direct debits to be cancelled, and find out all account balances and investment values.
- Stop the payment of salary, pensions and state benefits. Advise the issuers of credit cards, passport, driver's licence, TV licence and act on their instructions. Request information on any debts the deceased person had, and any overpayments made to them.






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*Being an executor is a role for life – if any claims come up in the future, you will have to deal with them.*

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-  Check whether a grant of probate (grant of confirmation in Scotland) is needed. Sometimes there is no need to apply for one because, for example, the value of the estate is very small (usually less than £5,000). In this case you need to write to the bank, building society, or whoever is holding the money, and ask whether they will make a payment to you without receiving a grant of probate.
- The grant of probate is a legal document which confirms that the will is valid and allows you to deal with the estate. It is issued by the local Probate Registry in England and Wales (Probate Office in Northern Ireland or local sheriff court in Scotland). Get several copies as you will need them for asset holders. Call the Probate and Inheritance Tax helpline on 0845 30 20 900 for more information.
-  If the will states a specific item of personal property is to be given to someone ('bequeathed'), you can do this before probate is granted. If the estate is likely to be taxable, you should get a valuation of the item to include in your inheritance tax return.
-  Work out the value of any assets and debts. In Scotland, you need to make a full written inventory of the estate on form C1, available from HMRC or your local Sheriff Court. If you are going to apply for probate yourself, complete the PA1 application form and the relevant Inheritance Tax Form, even if no Inheritance Tax (IHT) is payable. Arrange for an interview at the Probate Registry (local Sheriff Court in Scotland).
- Contact the deceased person's tax office to find out whether any other tax, such as Income Tax, is owed.

- It may help to open a separate executor account into which you can transfer any money paid into the estate. This will stop estate money getting confused with your personal finances.
- When you receive a grant of probate, send an office copy with instructions to asset-holders. When the assets are released, pay them into the special estate account (except anything that has been specifically bequeathed to someone).
- Pay any outstanding tax and bills. It is advisable to put up a 'statutory notice for creditors' in the press, allowing two months for claims to be made. If you don't, you will be responsible for any claims that arise. Putting up the notice means any future claims will be made against the beneficiaries instead.
- Get clearance from the Inland Revenue for any Inheritance Tax, Administration Income Tax (tax on income that has accumulated since the date of death) or Capital Gains Tax liability.
- Distribute the estate in accordance with the terms of the will, making sure at least two trustees have been named for any gifts left to children under 18. In Scotland, it is legally advised that you wait six months after the date of death before distributing the estate.
- Draw up estate accounts for each beneficiary, accounting for all the assets collected, income accrued, and any liabilities paid.
- Give each beneficiary an R185 tax form (ask the Probate and Inheritance Tax helpline for more information) for their share of estate income.



# Inheritance Tax

Inheritance Tax (IHT) may have to be paid on the estate if it is worth over a certain amount. Most estates do not have to pay IHT as they are below the threshold, which is £325,000. Even if the deceased person's estate is over the IHT threshold, tax may not be due if gifts are passing to a spouse, civil partner or charity. Also, if the deceased person was a widow, widower or surviving civil partner, the estate may be able to use the tax allowance of the deceased's spouse or civil partner. See our free *Tax guide* for more information.

If there could be IHT to pay, get a professional valuation on high-value items, such as a house or stock market investments. List any major gifts made by the deceased person in the last seven years, as these may be liable for IHT.

Ask the Probate and Inheritance Tax helpline (see page 13) about how to get an Inheritance Tax form, or download one from [www.hmrc.gov.uk/inheritancetax](http://www.hmrc.gov.uk/inheritancetax). IHT will have to be paid before probate is granted. If necessary, arrange an executor's loan account with a bank to pay IHT. Sometimes the deceased person's bank or building society may release money to pay IHT without requiring a loan arrangement.

# *Dealing with different assets*

## **Joint accounts**

Normally, the surviving joint owner automatically owns the money. You will need to send a death certificate to the bank or financial institution so it can update its records. The value of the deceased person's share is included when calculating the value of the estate for Inheritance Tax.

## **Jointly owned property**

If the deceased person owned property with another person as 'beneficial joint tenants', their share automatically passes to the surviving joint owner. The property doesn't form part of the estate, but the value of the deceased person's share is included when calculating the value of the estate for Inheritance Tax.

## **Pension schemes**

Contact the scheme and provide a death certificate. Ask whether death benefits are payable and whether there is a pension for a spouse, civil partner or children. Confirm whether any money will be paid directly to someone, rather than forming part of the estate. If this does form part of the estate, check that the amount does not need to be included in any Inheritance Tax return.

## **Life insurance policies**

Contact the insurance company as soon as possible to find out what to do before it can pay out. Again, confirm whether any money is payable directly to someone, rather than forming part of the estate. If it does form part of the estate, check that the amount does not need to be included in any Inheritance Tax return.

## **Collect any debts owed to the deceased person.**

# Useful organisations

## Age UK

Age UK is the new force combining Age Concern and Help the Aged. We provide advice and information for people in later life through our Age UK Advice line, publications and online.

Age UK Advice: 0800 169 65 65  
[www.ageuk.org.uk](http://www.ageuk.org.uk)

In Wales, contact

**Age Cymru:** 0800 169 65 65  
[www.agecymru.org.uk](http://www.agecymru.org.uk)

In Northern Ireland, contact

**Age NI:** 0808 808 7575  
[www.ageni.org](http://www.ageni.org)

In Scotland, contact

**Age Scotland:** 0845 125 9732  
[www.agescotland.org.uk](http://www.agescotland.org.uk)

## The Age UK Executorship Service\*

In certain circumstances, Age UK is able to act as your executor. As part of our service, our Regional Legacy Officers can make sure that your home and valuables are safe, make funeral arrangements and provide practical and sympathetic support to those left behind. Our experienced in-house legal team will then deal with the administration of your estate and deal with the distribution of your assets in accordance with your wishes.

To find out more, contact the Regional Legacy Officer team on 020 3033 1421 or email [legacies@ageuk.org.uk](mailto:legacies@ageuk.org.uk)

\*Please note that the Regional Legacy Officer team and Executorship Service operate in England only.

## **Citizens Advice Bureau (CAB)**

A national network of advice centres offering free, confidential and independent advice face-to-face. Your local CAB may also be able to give advice by email or telephone. To find details of your nearest CAB in:

England or Wales, go to [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Northern Ireland, go to [www.citizensadvice.co.uk](http://www.citizensadvice.co.uk)

Scotland, go to [www.cas.org.uk](http://www.cas.org.uk)

CAB provides information on the law and your rights at [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

## **HM Revenue and Customs (HMRC)**

For information about taxes, including Income Tax and Inheritance Tax, contact your nearest HMRC enquiry centre – you should be able to find contact details in your local phone book or on their website.

[www.hmrc.gov.uk](http://www.hmrc.gov.uk)

## **Probate and Inheritance Tax helpline**

Tel: 0845 30 20 900 (lo-call rate)

## **Principal Probate Registry**

Information and advice on dealing with an estate and contact details for local probate registries.

First Avenue House  
42–49 High Holborn  
London WC1V 6NP

Tel: 0845 30 20 900 (lo-call rate)

[www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

## **Principal Probate Registry (continued)**

In Northern Ireland, contact:

Probate Office  
Royal Courts of Justice  
PO Box 410  
Chichester Street  
Belfast BT1 3JF

Tel: 028 9023 5111

If the deceased person lived in County Fermanagh, Londonderry or Tyrone, applications can either be made in Belfast, or at:

District Probate Registry  
The Courthouse  
Bishop Street  
Londonderry BT48 6PY

Tel: 028 9072 4678

In Scotland, contact the local Sheriff Court in the area where the deceased person used to live. If you're not sure which one to contact, or the deceased person lived outside the UK, contact:

HM Commissary Office  
27 Chambers Street  
Edinburgh EH1 1LB

Tel: 0131 225 2525



# Can you help Age UK?

Please complete the donation form below with a gift of whatever you can afford and return to: Age UK, FREEPOST LON13041, PO Box 203, London N1 9BR. Alternatively, you can phone 0800 169 87 87 or visit [www.ageuk.org.uk/donate](http://www.ageuk.org.uk/donate). If you prefer, you can donate directly to one of our national or local partners. Thank you.

## Personal details

Title:	Initials:	Surname:
Address:		
Postcode:		
Tel:	Email:	

By providing your email address and/or mobile number you are agreeing to us contacting you in these ways. You may contact us at any time to unsubscribe from our communications.

## Your gift

I would like to make a gift of: £

I enclose a cheque/postal order made payable to Age UK

## Card payment

I wish to pay by (please tick)  MasterCard  Visa  CAF CharityCard  
 Maestro  American Express

(Maestro only)

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Signature <b>X</b>
Expiry date	<input type="text"/>	/	<input type="text"/>	Issue no. (Maestro only)	<input type="text"/>	

## Gift Aid declaration

(please tick) Yes, I want Age UK and its partner organisations\* to treat all donations I have made for the four years prior to this year, and all donations I make from the date of this declaration until I notify you otherwise, as gift aid donations. I confirm I pay an amount of income tax and/or capital gains tax at least equal to the tax that the charity will reclaim on my donations in the tax year. Date: \_\_\_/\_\_\_/\_\_\_ (please complete). \*Age Cymru, Age Scotland and Age NI



We will use the information you have supplied to communicate with you in line with Data Protection guidelines. Age UK (registered charity no 1128267) comprises the Charity, its group of companies and national partners (Age Cymru, Age Scotland and Age NI). If you would prefer not to hear from them or carefully selected third parties, let us know by phoning 0800 107 8977.



## **You may be interested in other guides in this range**

- *Avoiding scams*
- *Can I afford to retire?*
- *Claiming benefits: a guide for people of working age*
- *Equity release*
- *Help with legal advice*
- *Lesbian, gay or bisexual*
- *Looking after someone else's affairs*
- *Managing your money*
- *Money matters*
- *More money in your pocket: a guide to claiming benefits for people over pension age*
- *Powers of attorney*
- *Save energy, pay less*
- *Tax guide*
- *Tracing lost money*
- *When someone dies*
- *Wills and estate planning*
- *Your consumer rights*



To order any of our **free** publications please call Age UK Advice, free on:

**0800 169 65 65**

**[www.ageuk.org.uk/moneymatters](http://www.ageuk.org.uk/moneymatters)**

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# What should I do now?

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For more information on the issues covered in this guide, or to order any of our publications, please call Age UK Advice free on **0800 169 65 65** or visit **[www.ageuk.org.uk/moneymatters](http://www.ageuk.org.uk/moneymatters)**

Our publications are also available in large print and audio formats.

The following Age UK information guides may be useful:

- *Wills and estate planning*
- *Help with legal advice*
- *Powers of attorney*

The Age UK group offers a wide range of products and services specially designed for people in later life. For more information, please call **0800 169 18 19**.

If contact details for your local Age UK/Age Concern\* are not in the box below, call Age UK Advice free on **0800 169 65 65**.



\*Many of our local partners will remain Age Concern for a while yet.

Age UK is a charitable company limited by guarantee and registered in England (registered charity number 1128267 and registered company number 6825798). The registered address is 207-221 Pentonville Road, London N1 9UZ. Age Concern England (registered charity number 261794) and Help the Aged (registered charity number 272786), and their trading and other associated companies merged on 1 April 2009. Together they have formed the Age UK Group, dedicated to improving the lives of people in later life. The three national Age Concerns in Scotland, Northern Ireland and Wales have also merged with Help the Aged in these nations to form three registered charities: Age Scotland, Age NI and Age Cymru. ID8823 07/11