

A GUIDE TO WRITING YOUR WILL

**AMNESTY
INTERNATIONAL**



**LET PROTECTING HUMAN RIGHTS
BE YOUR LEGACY TO THE WORLD**

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This booklet is provided
by: Amnesty International -
Canadian Section (English
Speaking)

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Charitable Registration No.
11878 5914 RR0001

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is provided for general information
purposes only. It is not intended as
a substitute for professional advice
and assistance from your lawyer,
financial advisor, or tax consultant.

We strongly recommend that you
discuss your plans with your lawyer
and/or financial advisor before
proceeding with a legacy gift.

**AMNESTY
INTERNATIONAL**





“There is something very satisfying about being in a position to make a final statement that has real meaning for me.”

**Michael Wilkshire,
Amnesty International
supporter since 1981**

A GUIDE TO WRITING YOUR WILL

Making a will is an important part of life. It gives you the opportunity to leave instructions on how your estate will provide for your loved ones. It also gives you the opportunity to support the causes that are important to you and in so doing, have a lasting impact on the type of world you would like to pass on to future generations. It ensures your compassion for others can live on.

Writing your will is not the daunting task you think it may be. Making a will is a responsible step that everyone should take. It provides you with a sense of security knowing that your affairs are in order and the people and things you value have been taken care of.

For your peace of mind today and your family's peace of mind tomorrow, making a will is an easy, inexpensive solution.

What is a will?

A will is a legal document that leaves instructions about what you want done with everything you own after your death. What you own when you die is called your 'estate'. If you own anything at all, you have an estate.

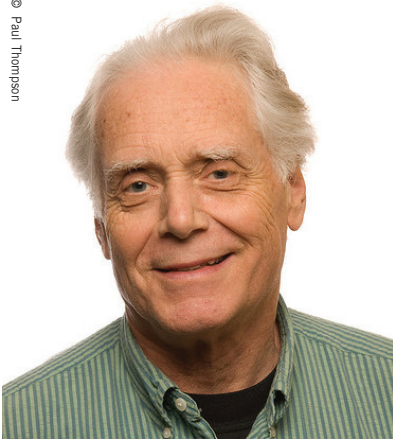
A will names an executor, the individual or institution that will act on your behalf and carry out your wishes.

In your will you can name guardians for your minor children and leave instructions for your funeral and burial.

To be valid, a will must be in writing – typed or handwritten – signed, dated and witnessed properly by two people.

What are the requirements for making a will?

- You need to be an adult. (Age of majority varies by province.)
- You need to be mentally capable of managing your own affairs.
- You need to agree with the contents of the will at the time you make it.



“We’ve considered carefully what is most important to us, besides our children’s future, and have wanted to honour a community of caring people, an organization that represents our values, and the kind of work it does to enrich and secure the citizens of our shared world. By including Amnesty in our wills, we get to continue our commitment to Amnesty International’s important work on human rights and help to secure its legacy.”

Bill Gilsdorf, active Amnesty International supporter since the 1980’s

Do I need a will if my estate is small?

Yes. You may not consider yourself to be wealthy, but when you add everything up, you may find that you have more than you realize, particularly if you own your own home. All your possessions count towards the value of your estate, including your pension, jewelry, furniture, shares, etc. And, if your estate is small, it is even more important that it be settled in a straightforward manner, as delays and complications usually mean increased expenses which will reduce the size of your estate.

What happens if I die without a will?

A high percentage of Canadians die intestate (without a will). In these cases, the courts determine who will become the legal administrator of your estate and your assets are usually distributed among family members in accordance with provincial legislation. No matter what you may have verbally indicated, if you have no will, or if your will is invalid, your estate is unlikely to be distributed according to your exact wishes.

Can my will be contested?

A will can be contested. That’s why it’s always best to talk with your family about your plans. Simply having an open discussion and expressing your wishes to your loved ones ahead of time can help. It is a good opportunity to speak to them about your values, and, if you decide to leave significant bequests to charity, it is a chance to explain why you are passionate about supporting it.

If you are in a situation where you want to give to a charity and avoid legal challenges from family members, then you may want to consider a gift of life insurance or making the charity a direct beneficiary of an RRSP or RIF.



“The world more than ever now needs a ‘fourth estate’ of independent voices to raise the alarm about the state of the world and to effect change. For me, Amnesty is a critical part of this. And I truly appreciate Amnesty’s integrity.”

Lee Seymour, Amnesty supporter, at an Amnesty International event

FINDING A LEGAL PROFESSIONAL

Although you can draft your own will, we strongly recommend that you use the services of a legal professional. Mistakes in writing or witnessing a will can invalidate the document.

A simple will does not cost a lot. In general, you can expect to pay between \$250 and \$600 for a straightforward will, and \$750-\$2,500 for a complex will. Prices vary by region.

Determining the type of legal professional you need is an important decision. In some provinces, you may choose either a Lawyer or a Notary. Notaries can give legal advice in the limited areas of law that they are entitled to practice. Which option you choose will depend on your own situation and the advisor relationships you already have.

As this is one of the most important documents you will ever create, be sure to ask questions of any legal professional you are considering to have assist you. You may want to ask:

- Do you specialize in wills & estate planning?
- How many years of experience in estate planning have you had?
- Do you have experience with specific situations similar to mine?
- Do you charge a flat fee or an hourly rate? Are there any potential additional fees?

If you already know you have a more complex estate, you should enlist the help of a lawyer as well as a tax planning professional, from the beginning.

A lawyer has more training and expertise in the law and can assist with a wider variety of issues; and tax planning is often vital in managing a complex situation.

You can find a legal professional near you through the Canadian Bar Association by calling 1-800-267-8860 or by visiting:

www.cba.org/Contact-Us.

If seeking the help of a lawyer or notary is not within your budget, there are programs that provide free legal advice and representation to clients who would otherwise be unable to afford legal assistance and have clinics in regions across Canada. Check the listings of Public Service in Law Schools for one in your area to see if they offer wills and estate planning assistance:

www.probonostudents.ca.



“Amnesty International is our big sister... When I’m in prison, if I knew that someone, my big sister, is shouting for me, telling people about me, then I feel less distressed, less frightened and less alone.”

Jenni Williams, founding member of WOZA (Women of Zimbabwe Arise) a movement of 80,000 courageous human rights activists who are peacefully protesting against the worsening economic conditions and human rights crisis in Zimbabwe.

WHAT IS AN EXECUTOR?

An executor is named in a person’s will and is responsible for settling the person’s affairs after their death. All of the estate passes temporarily to the executor.

The executor locates all the assets, pays the debts, taxes and funeral costs, and then (according to the terms of the will) pays out the specific bequests (gifts of specific amounts of money or a piece of property) and distributes the remainder to the residual beneficiaries (gifts of all or portion/percentage of your estate after all debts, costs, taxes, etc, and specific bequests have been paid). The executor is accountable to the beneficiaries. He/she must keep records of all transactions and provide the beneficiaries with, and seek their approval for, a statement of accounts.

Acting as an executor can be very challenging, and you should think carefully who you consider for this responsibility knowing that the task will be time-consuming and stressful. As such, instead of appointing a friend or family member, some people hire a trust company or a lawyer to act as their executor. Ask them how their fees will be calculated, i.e. whether as a percentage of the estate or on an hourly basis.

What factors should I consider when choosing an executor?

- An executor should be someone you trust.
- It should be someone who is able to carry out the instructions in your will.
- Get the person’s approval before you name them in the will as an executor.
- An executor can be a beneficiary.
- An executor can be a company or professional (i.e. a trust company, law firm or lawyer).
- Appoint an alternate executor in case your first choice is unable or unwilling to fulfil the function.



“I recognize how effective Amnesty’s work is, and want it to continue. I can think of no better way of ensuring justice and dignity for future generations.”

Margaret John, Amnesty supporter for more than 40 years.

REGISTERING, UPDATING AND STORING YOUR WILL

How do I register my will?

You, or your legal professional, can register your will with the provincial government Wills Registry service. The law does not require that you do this, but it’s a good idea and highly encouraged because it indicates the secure location where you have put your current will.

Can I change my will after I’ve made it?

You can change an existing will by signing a codicil, an amending document; however it is recommended you simply draft a new will. A new will voids the old will, whereas just adding a codicil can lead to inconsistency and confusion. You can make a new will at any time.

It’s always best to talk to a legal professional about changing a will or creating a new will. For simplicity, you will likely wish to use the same lawyer or notary who helped to draft the initial document as they will be familiar with your situation.

Where should I keep my will?

Keep your will in a safe place that is fireproof, waterproof, and tamper-proof. Your executor needs to know where it is, so that he or she can easily find it after your death. A safety deposit box at your bank is a good idea, and you should also keep copies of all your bank account information, investments, deeds and so on, that your executor will need within it. Be sure to tell your executor the details of which bank you have your box with, the box number and where the key is kept.

GETTING YOUR WILL TOGETHER – HOW TO START

STEP 1

Personal information

(Your personal information should be given to your executor on a separate piece of paper for them to store.)

Full name: _____

Marital status: _____

Social Insurance Number: _____

Date of birth: _____

Contact information: _____

Spouse *(including common-law)*

Full name: _____

Marital status: _____

Social Insurance Number: _____

Date of birth: _____

Contact information: _____

Marital information

Date and place of marriage: _____

Date and place of divorce *(if applicable)*: _____

Maintenance payments to spouse and children *(if applicable)*:

GETTING YOUR WILL TOGETHER

STEP 2

Location of important documents

You should keep all your important documents (i.e. banking information, insurance policies and plans, pension plans, birth certificate, passports, will, stocks, bonds, mutual funds, mortgages, title deeds, automobile ownership, income tax returns, safety deposit box number, key to safety deposit box) in a secure, clearly designated location that is known only to your executor. With the move to electronic filing of many documents, it is important that you provide your executor with passwords to your computer and on-line banking, etc. You may also wish to provide passwords for your social media accounts (Facebook, Twitter, LinkedIn, and others) so your executor can close out any online accounts.

STEP 3

List all your property

REAL ESTATE: all your houses, land, cottages, and other buildings.

It's important to describe how you own any property (for example, whether you own it alone or together with someone else).

PERSONAL EFFECTS: car, jewelry, antiques, furnishings, clothing, stamp/coin collections, etc.

OTHER PROPERTY: cash, bonds, securities, bank accounts, businesses.

GETTING YOUR WILL TOGETHER

STEP 4

Debts

Though the details and amounts will change over time, if you have specific banks you deal with or personal loans, having a list of creditors and account numbers will be useful to get started.

When significant changes occur you should update your records to reflect your new situation.

- **DEBTS OUTSTANDING** (list all the amounts and the creditors)
- **DEBTS OWING TO YOU** (list amounts and from whom)

STEP 5

Family members

- List your family members: spouse, children and grandchildren.
- If any of your family suffers from disabilities, please give details.
- Dependents: their name and age
- In what ways can you help your family?
- What are the special needs of your family members?
- What things do you have that mean a great deal to family or friends?
- Do you have pets to make arrangements for?

STEP 6

What is important to you?

- What are your values? What are your wishes for future generations? What causes are important to you?
- Do you want to continue to support those causes that share your values, so that your ideals live on after your lifetime?
- If yes, which organizations would you like to support in your will?

GETTING YOUR WILL TOGETHER

STEP 7

Bequests – dividing up your estate

First and foremost, you should take care of your family and loved ones. After that, you can also remember the causes that are important to you with charitable bequests. You want to find a balance between “family” and “non-family” that reflects your values and beliefs.

We encourage you to tell your family members what charities you are including in your will. It is important that they know the causes that are special to you.

List all the specific bequests first. Specific bequests identify an exact amount of money, or a specific asset or property. It is a good idea to list things first (such as family heirlooms that you wish to leave to a specific family member) as this is something that can be easily overlooked when drafting a will.

Then list the remainder bequests (these are gifts specified as a percentage of the remainder of your estate after the debts, taxes, and specific bequests have been paid). You will have to determine what percentage each residual beneficiary receives.

STEP 8

Funeral and special wishes

Directions for your executor about your funeral.

STEP 9

A regular review

Your will should be reviewed every three years. Changes in your personal situation such as marriage or divorce can have an impact on an existing will.

After you have remembered your loved ones, please consider including Amnesty International in your will.

If you are considering a bequest to Amnesty International please see the following pages for more information or fill out the contact form on page 15.

We invite you to become a Human Rights Guardian.....	12
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**Alex Neve,
Human Rights Guardian**

“I joined Amnesty International in 1984 when I was a first year law student at Dalhousie University.

I was attracted to an organization that had the ambitious goal of tackling human rights violations around the world and was able to offer ordinary people a meaningful opportunity to make a difference in that struggle.

I carry on because there is so much more to do; because we have proven that together we can make progress; and because the Amnesty members and frontline activists I have worked with across Canada and around the world continuously inspire me with their courage and determination.

Including Amnesty International in my will means my voice will endure as part of the global chorus defending human rights.”

WE INVITE YOU TO BECOME A HUMAN RIGHTS GUARDIAN

At Amnesty International, we take injustice personally and believe everyone has the right to be treated equally and with dignity.

We are a global movement of more than 7 million people who are campaigning for a world where human rights are enjoyed by all.

That’s why we hope you’ll consider joining us as a Human Rights Guardian by leaving a gift in your will to Amnesty International. By doing so, your commitment to protecting the vulnerable and speaking up for the silenced will live on. You will also be part of a very special group of caring and passionate individuals – just like you – who believe in human rights for all. Forever.

Let protecting human rights be your legacy to the world.

Be an enduring voice for freedom and justice.

If you leave a bequest to Amnesty International in your will, please use the following legal information:

Amnesty International - Canadian Section (English Speaking)

312 Laurier Ave E, Ottawa ON K1N 1H9

Charitable Registration No. 11878 5914 RR0001



“You [Amnesty supporters] are a part of a very special group of people. A group who helped me and gave me the strength to keep going. When I was in prison I became very sick, but the authorities didn’t care. Only when Amnesty International got involved did they take me to see a doctor. Because of Amnesty International, because of supporters like you, I am alive.”

Rebiya Kadeer is greeted with flowers as she is reunited with her family in the USA after her release from prison in China. She had been sentenced to eight years for speaking out against the persecution of Uighurs, an ethnic minority group in China.

BEQUEST WORDING SAMPLES

These are two examples of wording for a residual and a specific bequest:

For a **residual bequest** (a percentage, or all, of the remainder of your estate after other specific legacies have been fulfilled):

“I give to Amnesty International - Canadian Section (English Speaking) currently of 312 Laurier Ave East, Ottawa, Ontario, K1N 1H9, all (or _____ %) of the residue of my estate, to be used at the discretion of the organization.”

For a **specific bequest** (a specified dollar amount):

“I give to Amnesty International - Canadian Section (English Speaking) currently of 312 Laurier Ave East, Ottawa, Ontario, K1N 1H9, the sum of \$ _____ to be used at the discretion of the organization.”

Thank you for caring.



“There are significant tax advantages in donating your shares in stocks, including eliminating capital gains tax while also receiving a full market value tax receipt for your gift! This type of donation allows you to maximize your charitable giving.”

For more information on giving a gift of stocks or mutual fund units, please visit [amnesty.ca/stocks](https://www.amnesty.ca/stocks)

OTHER TYPES OF LEGACY GIFTS

While making a gift of cash in your will is the most common way to leave an everlasting legacy of hope for vulnerable people in our communities, there are other types of gifts that might suit your needs and financial situation. These are often great ways to minimize the taxes on your estate as well.

Gift of securities

You may want to consider donating publicly listed securities either during your life time or in your will (shares, bonds or units of a mutual fund trust). Securities are exempt from any capital gains taxes when you transfer them directly to a registered charity, like Amnesty International. Your estate will also receive a tax receipt for the full market value of the securities you transfer.

Gifts of life insurance

Gifts of life insurance – three options:

- An existing policy with cash value (i.e. a permanent policy) can be signed over to Amnesty International.
- A new policy (whole/universal life) can be taken out by individuals or couples on their lives, or the life of a loved one, and gifted to Amnesty.
- You can make Amnesty International the beneficiary of a life policy (including a policy).

CONTACT US!

If you have decided to leave a lasting gift for human rights through Amnesty International, we would love to hear from you. The information you supply will be treated with the strictest confidence.

- I have already remembered Amnesty International with a gift in my will
- I have already made Amnesty International a beneficiary of my RRIFs/RRSPs
- I have already made provision for Amnesty International as a beneficiary of a life insurance policy
- I would consider leaving a gift in my will to Amnesty International
- Please send me an information package on how to leave a gift in my will
- Please contact me to discuss how I can leave a lasting gift for human rights

Preferred salutation

Mr. Ms. Mrs. Miss Rev. Dr. None

Other (please specify) _____

Name: _____

Address: _____

City: _____

Province: _____ Postal Code: _____

Email address: _____

Phone number: _____

Please detach this page and, using the business reply envelope provided, return to:

Hala Al-Madi
Amnesty International, Legacy Giving,
312 Laurier Ave E. Ottawa ON K1N 1H9

A GUIDE TO WRITING YOUR WILL

Legacy gifts are vital to the work of Amnesty International. A gift in your will means that together we can continue to offer programs like the ones shown in the chart below.

YOUR SUPPORT IN ACTION

Your donations and legacy gifts are used to fund:

RESEARCH MISSIONS

Investigate and expose the truth

CRISIS RESPONSE

Quick actions to protect human rights

GLOBAL CAMPAIGNS

Focus attention on pressing human rights issues

INCREASED AWARENESS

Through communications & media

PRESSURE ON GOVERNMENTS

And others to stop abuses

HUMAN RIGHTS REPORTS

Respected and trusted internationally

EDUCATION AND TRAINING

Build human rights

All this helps to:

Protect the rights of children

Free prisoners of conscience

Strengthen women's human rights

Call for an end to poverty-related human rights violations

Prevent political killings & disappearances

Save people from torture

Demand dignity for everyone

Support rights for Indigenous Peoples

Bring human rights abusers to justice

Support human rights defenders

Protect refugees' human rights

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