

## IHT and the family home

Most homes in England and Wales are held under a joint tenancy - so that if one partner dies, the property passes directly to the survivor. However, where a discretionary Will trust has been established to avoid inheritance tax, a joint tenancy can be changed to a tenancy in common where each partner owns half of the property. This allows both partners to leave the value of their half of the family home to the discretionary Will trust.

## Your business

In general, a business you control will attract business property relief of 100%. Your business can be passed on with no IHT payable. Assets owned by you but used by a partnership in which you are a partner, or a company you control, attract business property relief of only 50%. Similar reliefs apply to agricultural property.

## Your Will

Careful Will planning is essential for everybody. A well-drafted Will can ensure that the wealth you have built up during your lifetime benefits the right people on your death - and it can also be structured to save tax. A discretionary Will trust could allow your executors to transfer some of your estate to your children (making use of your nil-rate band) if your spouse does not have need of the assets. This creates an opportunity to save up to £110,000 of tax.

## Charitable giving

Generally, all gifts to charity are exempt from IHT. This includes outright gifts and transfers into charitable trusts, although foreign charities are excluded. It is worth noting that it is more tax-efficient to make a tax-free gift from your estate than for a gift to come from a beneficiary's share of the after-tax estate.

**We are living in an age of IHT planning opportunity. What you do is your decision, but the sooner you decide to plan, the better — contact us now.**

### Business Planning

- Business start-up planning and advice
- Strategic and business planning
- Financial management
- Financial information systems
- Computer systems advice

### Taxation Advice

- Self assessment
- Personal tax
- Business tax
- Company tax
- Capital gains tax
- Inheritance tax
- HM Revenue and Customs investigations
- Value Added Tax
- PAYE and national insurance compliance

### Accounting

- Preparation of annual accounts
- Preparation of periodic management accounts
- Book-keeping services
- Maintaining PAYE and VAT records and associated returns

### Company Secretarial

- Preparation and filing of statutory returns
- Preparation of minutes and resolutions
- Company formation
- Company searches

### Auditing

- Statutory audit

**Please contact us for further information**

4-6 Grimshaw Street  
Burnley  
Lancashire BB11 2AZ

Tel: 01282 426331  
Fax: 01282 424236  
[www.kmaccountants.co.uk](http://www.kmaccountants.co.uk)



**K M**  
Chartered Accountants

**Inheritance tax (IHT) has been described as 'voluntary' for the very wealthy (because they can afford to give wealth away during their lifetimes), but a serious problem for the merely comfortable (because they need to keep personal wealth to fund their retirement). Large numbers of 'comfortable' people are finding that increased property values mean that their estates will be liable for inheritance tax when they die.**

**Inheritance tax (IHT) is currently payable where a person's taxable estate is in excess of £275,000. Therefore, if you own your own house and have some savings, life assurance policies or other assets, your estate could be liable.**

## What does it mean for you - and your family?

When you die, tax will be payable on the combined value of your death estate and any gifts made in the preceding seven years which have not qualified for one or other of the lifetime gifts reliefs.

The tax is payable from your estate, so if you want to make sure that the taxman's slice is kept to the minimum, you need to start planning now.

## How we can help

We can help you put together a personal plan for minimising the inheritance tax on your estate, using one or more of the key strategies:

- gifts in your lifetime, including trusts
- a tax-efficient Will, including a nil-rate discretionary trust
- life assurance.

**This guide provides information and tips on reducing your liability to IHT. For one-to-one advice, you need to contact us – we will be pleased to help.**

It could be said that the art of IHT planning is to give away as much as possible during your lifetime, while still keeping enough to ensure that you and your spouse can live a comfortable and fulfilling retirement.

The full rate of tax is 40% on the value in excess of £275,000. Taxable gifts made up to seven years before death are added back into your estate and tax is calculated on the inclusive value. But to the extent that such lifetime gifts made between three and seven years before death exceed the tax threshold, the associated tax is discounted by up to 80%.

To enable long-term objectives to be met, it is necessary to start making decisions about your finances and your family now. The earlier you start planning, the better.

## What you need to consider

### ● Your assets and your estate

Your 'estate' means everything you own. This will include: your home and land; your business; shares and securities; cash; savings accounts; antiques; jewellery; and anything else with any value. Any liabilities you have will be deducted, such as: mortgages; overdrafts; loans; outstanding bills and even funeral costs.

We can help you to calculate the value of your assets now, and estimate how this value may change over the coming years.

### ● Your financial security

You need to make sure that you and your spouse are properly provided for, particularly in retirement. It would not make sense to give assets to your children only to find that in later life you need to ask for some or all of them back.

### ● Your family's future needs

You need to think about what degree of control you would want your children to have over any assets you may transfer to them. You also need to work out how much your spouse would need if you die first. This would, of course, have to be reflected in your Will. In addition, you need to find out the intentions of parents or elderly relatives about their own assets.

## The nil-rate band

Perhaps the most important IHT exemption is the nil-rate band. This means that an IHT rate of nil is applied to the first part of your taxable estate, which falls within the £275,000 band. The band is planned to be £285,000 in 2006/07, and £300,000 in 2007/08.

## Four IHT planning pointers

### Transfers between spouses

Transfers of assets between spouses are exempt from IHT. This includes both lifetime transfers and transfers made on death. However, other lifetime gifts may be more tax-efficient - and there are restrictions if one spouse is non-UK domiciled (contact us for more details).

### Lifetime gifts

Many smaller or regular lifetime gifts are exempt from IHT, and larger gifts may become exempt after seven years (talk to us about the rules) so a strategy of making gifts in your lifetime can substantially reduce your taxable estate on death. You can also take out life insurance to cover any IHT which might be due following your death within seven years of making larger gifts.

### Trusts

Trusts allow you to make gifts without giving the recipient complete control over the asset and/or the income it generates. That control can be vested in the hands of the trustees (who might include you). The gift may be a 'chargeable transfer', so potentially liable to IHT at 20%, but only to the extent that the value of the gift, plus the value of any other chargeable transfers in the preceding seven years, exceeds £275,000. You can also use a nil-rate discretionary trust in your Will to create an opportunity, on your death, for your executors to by-pass your spouse and give assets worth up to £275,000 to other beneficiaries, tax-free, if your spouse does not need them.

### Life assurance policies

Life assurance policies could be written into trust so that the proceeds do not form part of your estate on death. The most common assignees are spouses, family members, and trusts.

One

Two

Three

Four