

## Gift by will to Parochial Church Council

I give the sum of £..... [or the remainder of my estate]<sup>1</sup> to be used [as to both capital and income]<sup>2</sup> to the Parochial Church Council ('the Parochial Church Council') of the Parish of (*name*) ('the Parish') for its general charitable purposes and I declare that the receipt of the treasurer of the Parochial Church Council shall be a sufficient discharge to my trustees for this gift<sup>3</sup> and if at the date of my death the Parish has been united with another parish or divided between two or more other parishes or has been dissolved then the gift contained in this clause shall go to such other Parochial Church Council(s) and parishes<sup>4</sup> as my trustees shall in their absolute discretion select.<sup>5</sup>

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<sup>1</sup> Use the words in brackets if it is intended to give the remainder of a person's estate, as opposed to a sum of money

<sup>2</sup> If you wish to create a permanent endowment (i.e. for the PCC to be able to use only the income and not the capital of the gift) then the words '(as to both the capital and income) to be used' should be removed and instead insert after 'the sum £....' the words 'the income of which is to be used'. On receipt of the money in this case, permanent endowment funds received by the PCC are to be paid to Diocesan Trustees (Oxford) Limited in accordance with the Parochial Church Councils (Powers) Measure 1956 and invested in accordance with the Trustee Act 2000.

<sup>3</sup> The draft includes a reference to the treasurer's receipt being a sufficient discharge for the gift. This wording should be used in all cases where the trustees of the will do not wish to be under a continuing duty to supervise the use of the funds by the PCC.

<sup>4</sup> This draft may be used to give funds by will to a particular PCC, but with power to the trustees of the will to redirect it in the event that the PCC or parish has been amalgamated into a different parochial unit.

<sup>5</sup> You could, if preferred, make this gift to the incumbent and churchwardens of the parish, substituting them for the PCC; and referring to 'their' charitable purposes. The same issues about permanent endowment would apply if it is desired to designate a particular purpose (e.g. fabric repair or youth work). That is best done by expressing it as a request rather than a binding obligation, in order to maintain flexibility in the longer term. In such a case, add the words 'and I express the wish, but without imposing any binding trust or obligation on my trustees that the funds be used for [maintaining the fabric of the church/encouraging youth work in the parish etc']