

---

# Looking after your Pets in your Will: What are the options?

To many people, a pet is not just an animal, it is a companion, friend and even a member of the family. So, what will happen to your pet when you die? Is there anything you can do in your Will to ensure they are provided for? The simple answer is yes, but there are limits.

---

## Can I leave money to my pets?

The short answer to this is no. Gifts of money or property in your Will must be to human individuals or legal individuals, such as companies or charities.

As far as the law is concerned, your pet is an asset of your estate and so cannot be a beneficiary.

If you put a clause in your Will leaving money or property to your pet, then this gift will fail, and the money or property will usually pass into the residue of your estate to be distributed between your residuary human beneficiaries.

## Is there anything I can do?

Instead of leaving money or property to your pet directly, you could instead leave money to a Trust to be used for the care of your pet.

If you wish to do this, you will need to appoint a specific person (or more than one person) to look after the money in the Trust. This person will be able to use the money however they see fit to care for your pet in line with your wishes.

To help them understand your wishes, you could also leave a Letter of Wishes with your Will, setting out how you would like your pet to be taken care of and how the money should be spent for their benefit.

## How much can I leave?

There is no fixed amount or limit to what you can leave. However, you must ensure

---

that whatever amount you put in the Trust is 'appropriate'. For instance, it might not be appropriate to leave a legacy £100,000 for the benefit of an elderly cat, because this may be viewed as an unreasonably large amount, considering the cat's life expectancy and needs. That said, on the other hand, the same amount to care for a young horse may be reasonable.

To ensure that the entire gift to the Trust does not fail because it is not an appropriate sum, you can put a clause in your Will to say where any left over money should go if it's not all spent before your pet dies. You could leave this money to an individual or individuals or to an animal charity, which might be a fitting tribute.

## Who will care for your pets?

If you are concerned about what would happen to your pets after you've gone, we can provide you with some sound, practical advice.

You could nominate someone to take care of your pet and, if you wish, provide that person with a gift of money for the care and maintenance of your pet. This is often a family member or a friend who you know will love and care for your pet as you do.

Alternatively, you could request that your pet be given to a specific charity. If you have a West Highland Terrier for example, you may wish to nominate the Westie ReHoming charity to take and re-home your dog, so that he or she is cared for by a charity who are aware of the specific needs of the Westie breed.

There are also some more general animal charities, such as The Dogs Trust or Cats Protection, who have schemes in place to care for your pet until he or she is rehomed. You may also wish to financially benefit any charity as a thank you for rehoming your pet.

## What to do next

If you would like to discuss any of the above, please contact us to speak with one of our reassuring experts about how we can help.

If you'd like more information call [01904 866139](tel:01904866139)  
or email [hello@rochelegal.co.uk](mailto:hello@rochelegal.co.uk)



Roche Legal is a trading name of Roche Legal Limited - Company No. 09667485.

Roche Legal Limited is authorised and regulated by the Solicitors' Regulation Authority - SRA No. 624200.

Roche Legal Limited is registered with the Information Commissioner's Office - Registration No. ZA144874.

Rachel Roche LL.M TEP is a Full Member of the Society of Trust and Estate Practitioners and a Full Accredited Member of Solicitors for the Elderly.

This factsheet has been prepared by Roche Legal and contains general advice only which we hope will be of use to you. Nothing in this factsheet should be relied upon as a basis for any decision or action without the appropriate legal advice, tailed to your individual circumstances. Roche Legal © 2016.