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WILLS NEWSLETTER

MAY 2019

This issue looks at the complications of cryptocurrency, the increased interest in leaving a digital legacy, what happens to your loyalty points when you die and lastly, Sir Ken Dodd's legacy avoiding Inheritance Tax.



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BUSINESSMAN DIES WITH NO ACCESS TO HIS CRYPTOCURRENCY WEALTH / £105MILLION WORTH OF CRYPTOCURRENCY LOST

ON THE 9TH DECEMBER 2018, GERALD COTTEN DIED UNEXPECTEDLY AT THE AGE OF 30.

Gerald was the Chief Executive Officer of QuadrigaCX; a Canadian cryptocurrency exchange platform which allowed the trading of Bitcoin, Litecoin and Ethereum. According to court documents, Gerald Cotten had sole access to the digital wallets containing more than 180million Canadian dollars (£105million) belonging to the company's 115,000 customers. This has resulted in QuadrigaCX being unable to pay their subscribers.

It has been reported that the company's operation was run from one main computer, owned by Gerald Cotton, and nobody else was aware of the computer password or recovery key. Gerald Cotton's widow, Jennifer Roberston, claims that she did not have any involvement in the business whilst her husband was alive.

On February 5th 2019, the Supreme Court of Nova Scotia issued the Order and appointed accountancy firm Ernst & Young Inc. to oversee the search for the missing funds. QuadrigaCX said: "The Court has appointed a monitor, Ernst & Young Inc., an independent third party to oversee these proceedings as we make every effort to address our customer obligations. Filing for creditor protection allows us to work diligently through the process, and to try ensure the viability of our company."

This case highlights the extreme consequences of not leaving suitable arrangements for the recovery of cryptocurrency. Writing a Will and keeping it updated can ensure that your estate, including any cryptocurrency, are distributed as per your wishes.

SIR KEN DODD'S LEGACY AVOIDS INHERITANCE TAX /

THE COMEDY KING OF ONE-LINERS, SIR KEN ARTHUR DODD OBE, LEFT BEHIND A TRULY REMARKABLE LEGACY AFTER HIS DEATH ON THE 11TH OF MARCH 2018, AT THE AGE OF 90.

Sir Ken Dodd's long and successful career spanned over 60 years and he was often described as "the last great music hall entertainer". One year after his death, further details of Sir Ken's estate have now come to light. It has been revealed that his estate was reportedly worth £27.5 million, rather than the originally estimated value of £7.2 million. It has also been confirmed that Ken's fortune will pass to his wife, which means that his estate will avoid a substantial Inheritance Tax bill.

Sir Ken's death came just two days after marrying his partner of 40 years, Anne Jones. As the late in life marriage took place so close

to Ken's passing, it is rumoured that the star did not update his Will, resulting in his entire estate passing to his wife by default. If Ken and Anne had not married before his death, the estate could have paid up to £11 million in Inheritance Tax.

Although Sir Ken reportedly did not have a valid Will at the time of his death, Lady Anne plans to honour her husband's wishes and give back to the local community. Lady Anne plans to support health charities, hospitals, animal charities and his local church. She'll also continue developing the Ken Dodd Charitable Foundation that he founded.

LEAVING A DIGITAL LEGACY /

THE WORLD'S BIGGEST VIRTUAL GRAVEYARD

A YOUNG GOV SURVEY, PUBLISHED IN EARLY NOVEMBER 2018, REVEALED THAT 26% OF PEOPLE WOULD LIKE THE CONTENT OF THEIR SOCIAL MEDIA ACCOUNTS TO PASS TO THEIR LOVED ONES ONCE THEY HAVE DIED.

The survey showed that 67% of respondents wanted their social media accounts taken offline after their death and only 7% wanted them to remain online.

Each social network has different rules regarding what happens to your account when you die. Facebook and Instagram will memorialise a person's page once the death has been reported or they will remove the account if an immediate family member makes a request. Facebook has also added settings which allow you to plan for what happens to your account after you die. You can set a legacy contact to manage aspects of your page once it's been memorialised. Twitter will delete any account if there is no activity or logins for six months. Google's Inactive Account Manager allows you to make plans for what happens to your account after you die. You can choose to grant loved one's access to your information or request that your account is automatically deleted.

Dead Social's goodbye and legacy builder tool permits its users to schedule posts after they have passed away. Users can choose text or video posts and assign a digital Executor to send the message once they have died. Other networks are looking to create different ways for us to live on virtually after we've died. 'Eternime' collects your thoughts, stories and memories and creates an avatar that looks and speaks in your manner. Before you die, you begin speaking to the avatar so that they learn about you and your personality.

Digital legacies can cause issues linked to privacy rules and data protection regulations, highlighting the question of who 'owns' your virtual life. Online assets are being viewed as an increasingly important subject and some people are even including clauses about them in their Wills. It is not clear what happens to data collected during a lifetime after someone passes away, which could potentially cause upset to family members if there is any uncertainty.



LOYALTY POINTS /

WHAT HAPPENS TO YOUR LOYALTY POINTS WHEN YOU DIE?

ACCORDING TO TOPCASHBACK.CO.UK, UK ADULTS BUILD UP £5.7BILLION THROUGH LOYALTY SCHEMES EACH YEAR.

This equates to around £122 per person from an average of five loyalty schemes. Additionally, TopCashback.co.uk's report revealed that 93% of people are unaware that you can pass on loyalty points after death, with only 5% of those aged over 55 mentioning them in their Wills.

Tesco Clubcard is one of the leading loyalty schemes in the UK and shoppers are awarded one point for every £1 spent in-store or online. Additionally, they award one point for every £2 spent on fuel. The points collected are then turned into vouchers which can be spent on groceries, days out, eating out, travel and more. 150 points are worth a £1.50 Tesco voucher or alternatively, you can get three times the value of your vouchers if you spend with Tesco Reward Partners. All that a relative of the deceased needs to do is write to Tesco's Customer Service Centre to close the account and request for the points to be transferred to their existing Clubcard or a new one. They need to include the member's name, address and Clubcard number.

The Nectar Card allows cardholders to collect points with 450 different retailers and redeem points with over 25 brands. Sainsbury's Collector Rules are very clear in that points are "personal to the Nectar account and cannot normally be transferred", however, they do allow points to be passed on death. Sainsbury's have said that they assess what processes will need to be followed on a case by case basis. This often involves providing a copy of the death certificate. The nominated beneficiary should get in touch with Nectar directly if they wish to transfer the loyalty points collected by a deceased relative.

The Boots Advantage Card is one of the longest-running loyalty schemes. It allows shoppers to collect 4 points for every £1 spent and each point is worth a penny. Points can then be used as payment in store and online. Boots also allows members to pass their points to a nominated beneficiary. All cardholders need to do is get in touch with the Boots Customer Care team by emailing boots.customercare_team@boots.co.uk or calling 0345 124 4545.

Contact us if you have any questions or need further information on planning ahead, what happens to property when someone dies, the responsibilities of an Executor or preparing a Will - we're always happy to provide advice and guidance to suit you.

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