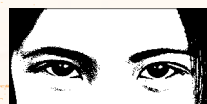


Make a difference for children



Guide to wills



Terre des hommes

Helping children worldwide.

Writing and production

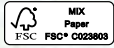
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«As long as one child remains hungry, sick, abandoned, in misery or in pain, whoever and wherever he/she may be, the Terre des hommes movement, created for this purpose, will pledge itself to the child's immediate and complete rescue.»

Edmond Kaiser, Excerpt from the Terre des hommes Charter, 1966



Are you wondering how you can leave a lasting gift that will have a powerful impact?

Your legacy could give hope to future generations.

The future is in the hands of children. They will be the ones to safeguard it and perpetuate our values.

Yet their living conditions continue to worsen. All around the world, children's rights are being violated.

For future generations to meet the challenges we are leaving behind, we must maintain the conditions that will allow children to flourish and build a sustainable future.

For more than 60 years, the Terre des hommes Foundation has been working tirelessly to restore dignity and hope to the most deprived children and their communities. Legacies and bequests play an increasingly important role. They provide long-term support for the Foundation's projects around the world and enable us to deploy innovative and promising initiatives.

Beyond the financial support itself, you will be leaving a token of love, generosity and a glimmer of hope for children here and elsewhere, today, tomorrow and in years to come.

Make a difference for children. When planning what to do with your estate you can become part of Terre des hommes' story. Rest assured that we will do as much as we can to be worthy of your trust.

Thank you for your support.



Barbara Hintermann

Barbara Hintermann
Director General

This brochure will explain how to leave a legacy for the Terre des hommes Foundation in your will. We answer the main questions you might have and guide you step-by-step through the process.

Why should I draw up a will?

Sooner or later, we all feel the need to take stock and reflect on the purpose of our own existence.

Thinking about our estate means thinking about what we will leave to our loved ones and the causes that are dear to us. A will allows us to formalise our final wishes and clearly set out how we would like to distribute our assets. It is a way of perpetuating our wishes and passing on our values.

If you would like to ensure that some of your assets go to people who are not your legal heirs but who are dear to you, or to a humanitarian organisation that is close to your heart, you must make a “disposition of property upon death”. This will greatly simplify how your property is distributed.

How do I set out my final wishes?

There are two main ways to express your final wishes.

An inheritance agreement

This is a contract between you and one or more people in which you agree on certain inheritance rights. The contract can only be cancelled or amended if all of the signatories agree to it.

You might wish to draw up such an agreement in order to waive or amend inheritance rights such as the right to a reserved portion of your estate^[1], or if you want to guarantee a particular inheritance right. This is the only way to set out in a contract how, beyond the reserved portion^[2], you would like your estate to be distributed. It is also the way to legally oblige your descendants, spouse, father or mother to renounce their reserved portion.

In all cantons, an inheritance agreement must be drawn up as a formal will, i.e. by a **notary** or another **public officer** and in the presence of two witnesses.

^[1] Right to a reserved portion of the estate: certain legal heirs are recognised by law as having minimum inheritance rights.

^[2] Reserved portion: shares of the inheritance to which certain heirs are legally entitled.



A will

By making a will, you and you alone decide what happens to the assets in your estate. A will is therefore a unilateral legal document which you can modify or cancel at any time, unlike an inheritance agreement which binds more than one person.

A will can either be written in your own hand or drawn up by a notarial public authenticated deed in the presence of a public officer.

A holographic will

A holographic will must be entirely handwritten. A will typed on a typewriter or on a **computer is not valid**. We recommend that you include the words “will”, “last will and testament” or “last provisions” in the title.

In addition to **your last wishes, the place, date, your signature, your surname and first name** must also be handwritten.

A handwritten will has the advantage that you can write it yourself at any time, without any formalities and at no cost.

However, it is not without risk; the content may not be clear, or it may not comply fully with the legal forms governing handwriting, signatures and details of when and where it was signed, and this may invalidate the will.

A notarial public will (authentic will)

If you do not wish to or are unable to write your last wishes by hand, you can ask a notary to do so for you.

This may be more convenient if your family situation is complicated or if you simply wish to ensure that your will complies with the legal requirements, both in form and content. If you proceed with a **notarial public deed** you will need **two witnesses**.

The choice between an inheritance agreement or a will depends largely on your family situation and your wishes. If your family situation or the status of your assets are complicated – for example, cohabitation, children from different marriages – we recommend that you seek a lawyer’s advice. They will also be able to verify if a holographic will that has already been drawn up is valid and clear. Consulting a professional can save your heirs a lot of inconvenience.





«To me, the Terre des hommes Foundation provides hope for future generations. By making it the legatee of my assets, I hope that children who have faced so much misfortune may feel optimistic about the future.»

Annie Dafflon, legator of the Terre des hommes Foundation

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Who can inherit?

The protected heirs

The legislature protects the descendants, the surviving spouse and the parents if there are no descendants. These are the protected heirs. The law provides for a minimum share, the reserve, which must go to them.

Brothers and sisters, nephews and nieces and more distant relatives are not entitled to a reserved portion. After deducting the reserved portion of the estate, the remainder is called the available portion. You are free to choose your heirs for this remaining share by drawing up a will.

You can therefore leave all or part of the available portion to one or more people or institutions of your choice. If there are no protected heirs, you may freely dispose of the entirety of your assets.

The legal heirs

The first in line to inherit are the descendants, the surviving spouse, and the father and mother. If these people are deceased, then brothers and sisters and their descendants or even more distant relatives such as grandparents, aunts and uncles, cousins and their descendants will be in line to inherit. If there are no distant relatives, the canton and commune where you last lived will inherit your property.



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What can I bequeath?

Your estate includes everything you leave behind after you die. This includes all your property, in other words all your assets, such as your savings, securities, valuables, furniture, property funds and even your life insurance. Your estate will also include your liabilities; in other words, your mortgages, taxes and other debts, as well as your final expenses.

How do I assign my assets to the Terre des hommes Foundation?

You can appoint a person or an organisation to be your **heir** or **beneficiary**.

An heir acquires a right to a share, called a quota, of the estate. This includes both assets and liabilities, i.e. your heir will receive a share of your property (assets), but also of your obligations and possible debts (liabilities). Several heirs together form a hereditary community known as a “community of heirs” or “heirs”.

Joint heirs

If, for example, you appoint the Terre des hommes Foundation as joint heir, it will become a member of the community of heirs.

You can thus leave a percentage of your estate to the Terre des hommes Foundation as well as to other heirs. You can also allocate certain assets in kind, setting out the rules for sharing them.

Sole heir

If you have no surviving children, spouse, father or mother, you can leave your inheritance to one person, or for example to an institution such as a foundation recognised as being of public interest, or to an organisation such as the Terre des hommes Foundation.

Legacies

You can also donate a specific amount to the Terre des hommes Foundation in the form of a legacy. In this instance, the Foundation will be your legatee alongside your heir(s). The amount of the legacy must also respect any legal reserves.

The Terre des hommes Foundation benefits from a **tax exemption** on inheritance.

By bequeathing a legacy to the Terre des hommes Foundation, you choose to leave a lasting gift for millions of children around the world and thus sustainably support the future of the most vulnerable children and generations to come.

You have three options

1. Name the Terre des hommes Foundation as the **sole** or **joint heir**.
2. **Leave a legacy** to the Terre des hommes Foundation.
3. Designate the Terre des hommes Foundation as the **beneficiary of a life insurance policy**.



A short online assessment of your inheritance situation

Would you like to assess your personal situation? Terre des hommes has a simple and quick assessment tool that you can use.

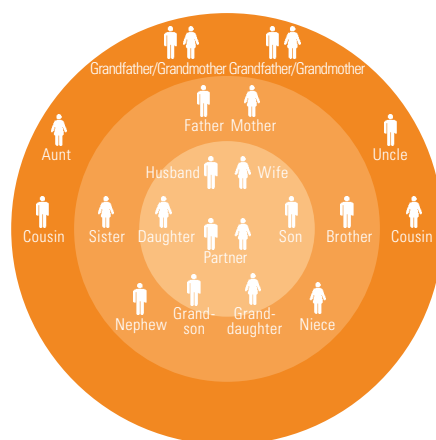
Our calculator will give you an immediate assessment of your estate. It will only take a few minutes to find out about your inheritance situation, with or without a will, and about the disposable portion of your estate. Please visit our website at www.tdh.ch/legacies where you can assess your inheritance situation in just a few clicks.


Situation details

Please define your current/actual personal family situation. Which groups of people are present in your family environment?

- Spouse or registered life partner
- Partner
- Children/grandchildren and their offspring
- Mother
- Father
- Brothers/sisters/nephews/nieces and their offspring
- Other relatives (grandparents, uncles, aunts, cousins and their offspring)
- None of the above relatives are still living

Please note: The following calculations exclude any contractually arranged agreements (marriage contract, inheritance contract etc.).



 = Existing heirs

Examples of wills

Please find some fictitious examples of wills below. I register the Terre des hommes Foundation as:

Sole heir

My Will

I, the undersigned, Pascaline Sprunger, born on 31 December 1941, from Nyon, residing at St. Jakob Strasse 2, Basel, have the following final wishes:

I appoint the Terre des hommes Foundation, children's aid, avenue de Montchoisi 15, Lausanne, as my sole heir.

Basel, 14 September 2018

Pascaline Sprunger

Legatee

"My final will and testament"

I, the undersigned, Francois Muster, born on 22 April 1962, originally from Thun, currently residing in Fribourg, rue des Condémines 12, take the following steps to settle my estate:

- 1) I hereby revoke any provisions in previous wills. My descendants will be my heirs in equal parts.*
- 2) A legacy of CHF 50,000 will be paid to the Terre des hommes Foundation, children's aid, avenue de Montchoisi 15, 1006 Lausanne.*
- 3) I appoint the notary Marc Poyot, rue du Couvent 14, Fribourg as executor.*

Fribourg, 20 December 2019

Francois Muster

Where should I keep my will?

You can keep your will at home if you are sure that it will be safe and easy to find after your death. The best and most secure option is to lodge it with the executor or with a notary, a trustee, a bank – in a safe deposit box if someone has post-mortem power of attorney – or with a competent authority such as a local authority or a justice of the peace. In most cantons, wills deposited with a notary are registered in the Central Register of Wills in Bern making it easier to find them.

Who will carry out my final wishes?

Your heirs will normally take care of this. You can also appoint an executor to distribute your assets according to your final wishes. This may be a person you trust or a professional, such as a notary or a trustee.

The executor is entitled to an indemnity, which will vary depending on how long or complicated it is to settle the estate. This indemnity will be taken from your assets before they are distributed.



A positive and lasting change in children's lives

All over the world, children are the primary victims of wars, natural disasters and poverty. The Terre des hommes Foundation is appalled by this and has been coming to the aid of children since 1960.

Our projects focus on children and consider a child's personal situation, their environment and the local players on the ground. Terre des hommes listens to the child and assesses hygienic living conditions, their health and nutritional needs, and their need to be protected from exploitation, ensures their right to receive psychosocial support and access to education.

Terre des hommes' action draws on the child's family and their community, but also on close collaboration with the representatives of the health, judicial and education systems in the countries involved in order to identify any changes that take place. We lobby for children at the local, national and international levels and defend their rights.

Terre des hommes favours the most innovative and effective approaches in terms of long-term impact. The organisation makes a difference thanks to its expertise, its local presence and its extensive experience working in child relief.

Guided by our values, day after day, we pursue our goals of protection, health, education and the fight against exploitation to safeguard children around the world.

Terre des hommes is Switzerland's largest children's aid organisation. Our health, protection and emergency programmes support more than four million children and their families in almost 40 countries.

Sound principles





Acting in the **child's best interests**.



Promoting and strengthening the participation and empowerment of children, young people, families and communities.



Fostering the ownership of projects and action by local partnerships and strengthening local systems.



Trusting in the capacity of individuals and communities as the primary agents of change.



Working in the **humanitarian field, on development and on peace**.



Continuously **learning** and improvement as well as collaboration and **knowledge sharing**.



Seeking **innovation** and **sustainability** in all our actions and programmes.



Being **accountable** and **transparent** to beneficiaries, donors and ourselves.



Advocating for the rights of children and young people in close collaboration with other organisations.

Make a difference

To make a difference, we place particular emphasis on a programme-based approach in the areas of mother and child health, access to justice, and migrant children and young people. We encourage children and young people to participate with a view to empowering them. We advocate respect of children's rights and help them to express their needs and interests. We work in conflict situations and in environments that are both stable and fragile.



Your lasting gift to children

We promise you that by including Terre des hommes in your will or by leaving a legacy to our organisation, **you will help to protect, support and give a voice to the world's most deprived children.**

«We young people are the bright future of the planet. For our future to be positive, stable and happy, we must consider the views of every member of society, regardless of age and gender.»

Margarita, 14 years old, from Ukraine



Would you like to leave a legacy or allocate a share of your estate to the children supported by Terre des hommes projects? We will be happy to advise you on the best way to proceed.



«At some point we ask ourselves what traces our life leaves behind. A legacy is a form of donation that offers Terre des hommes valuable support. It is like a seed sown in someone's life; it will germinate, grow and bear fruit.»

Laurent Zbinden, Partnerships Manager
T +41 (0)58 611 06 81, laurent.zbinden@tdh.ch

Like you, it is very important to us that legacies and bequests are used appropriately, which is why we keep our administrative costs to a minimum and thus ensure that 85% of your contributions are allocated directly to those with the greatest need.

We thank you for your interest and we are available to answer any questions about legacies and bequests to Terre des hommes in complete confidence. If you prefer, we can arrange a meeting at your convenience, in the presence of a notary.



For more information:
www.tdh.ch/legacies









The future is in the hands of children.



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Helping children worldwide.