

- 1. Where an estate is partially exempt from Inheritance Tax, it is necessary to gross up any legacies that are free of tax. Depending on the circumstances of an estate, there are number of different calculations that might be performed. This one form will calculate the chargeable estate in most circumstances. However, it should not be used where
 - there is successive charges relief, or
 - the Will gives specific direction about the shares of residue to be borne by exempt and chargeable beneficiaries (as the Will in the case of *Re Benham*).

You can find guidance about the calculations required in these circumstances in Dymond's Capital Taxes at chapter 12.600.

2. If

- neither of the above circumstances applies, and
- the estate is partially exempt from Inheritance Tax, and
- there are legacies that are free of tax

this form will calculate the chargeable estate for you.

 If there are assets that qualify for agricultural or business relief, the calculations can become very complicated. Our website contains an example of the steps to go through at <u>https://www.gov.uk/work-out-what-part-of-your-estate-pays-inheritance-tax</u>. You can still use this form to gross up the estate, but only after agricultural or business relief has been deducted.

Grossing up calculator

Enter the figures rounded to the nearest pound. When you have entered all the figures click on the "calculate" button. The notes below explain what should go into each box.

Name	Date of death	
Value of estate at title	£	
Total of chargeable lifetime gifts	£	
Gifts bearing their own tax	£	
Gifts free of tax	£	
Exempt gifts	£	
Exempt share of residue	£	
IHT nil rate band	£	
Residence nil rate band	£	
Rate of Inheritance Tax	Choose an item.	

Notes

- 1. Value of estate at title when grossing up, it is only the value of property passing under the same title that is taken into account. So, if it is the Free Estate that needs to be grossed up, joint property passing by survivorship and settled property etc., should not be included.
- 2. Total of chargeable lifetime gifts this is the total value of any gifts made within seven years of the death after deducting exemptions and relief.
- 3. Gifts bearing their own tax this is total value of gifts passing under the Will where the tax will be borne by the beneficiary.
- 4. Gifts free of tax this is the total value of gifts passing under the Will that will be paid free of tax.
- 5. Exempt gifts this is the total value of gifts passing under the Will to exempt beneficiaries such as the spouse or civil partner or a charity.
- 6. Exempt share of residue enter the share of the residue passing to exempt beneficiaries as a percentage to 4 decimal places; so one third should be entered as 33.3333.
- 7. Enter the nil rate band that applies at the date of death. Where the personal representatives have made a claim to transfer unused nil rate band from the estate of the deceased's spouse or civil partner, increase the nil rate band applicable on the deceased's death by the appropriate percentage and enter that increased amount here.
- 8. Enter the residence nil rate band (RNRB) that applies on this estate. Where the personal representatives have made a claim to transfer unused RNRB from the estate of the deceased's spouse or civil partner, or to obtain a downsizing addition to increase the total RNRB available, include the total value here.
- 9. Select the rate of inheritance tax that applies. The rate will normally be 40% but a reduced rate of 36% may apply if at least 10% of the estate is left to charity

Date of death

Chargeable estate after grossing up

	Value of estate at title	
	Total of chargeable lifetime gifts	
	Gifts bearing their own tax	
	Gifts free of tax	
	Exempt gifts	
	Exempt share of residue	
	IHT nil rate band	
	IHT nil rate band to set against estate on death	
	Residence nil rate band	
	Rate of IHT	
1	Gross up gifts free of tax	
	Grossed up value of gifts free of tax	
2	Determine initial value of the chargeable esta	te
	Total of all chargeable gifts	
	Add exempt gifts	
	Calculate residue	
	Calculate chargeable residue	
	Initial chargeable estate	
3	Gross up gifts free of tax at initial rate	
	Tax on initial chargeable estate	
	Re-grossed value of gifts free of tax	
4	Determine final value of chargeable estate	
	Total of all chargeable gifts	
	Add exempt gifts	
	Calculate residue	
	Calculate residue Calculate chargeable residue	