



**University  
of Manitoba**

## **SAMPLE WILL CLAUSES**

This information has been prepared for the use of lawyers, estate planning or other financial professionals when acting for clients who wish to make gifts by will to the University of Manitoba. The suggested wording is provided in the form of examples and can be amended to suit an individual's circumstances. It is strongly recommended that donors seek legal advice when incorporating a charitable bequest into their estate plans. This will ensure the clause chosen is properly placed in overall structure of the will, thus ensuring that the gift will be valid.

### **UNRESTRICTED BEQUESTS**

...are bequests that allow the University to use the donors bequest where it is felt to be needed most.

#### **Unrestricted Specific Bequest**

**(An Unrestricted Bequest for specific dollar amount or stated fraction of the Estate)**

I direct my Executor or Trustee to pay to The University of Manitoba at Winnipeg, Manitoba, Canada (\_\_\_\_ percentage (%) of my Estate; or the sum of \$\_\_\_\_) for the general use and purposes of The University of Manitoba in its absolute discretion. The Receipt of the Comptroller or other designated officer of The University of Manitoba shall be a good and sufficient discharge to my Executor or Trustee.

#### **Unrestricted Residual Bequest**

**(An Unrestricted Bequest for all or a percentage of the remainder of the donor's Estate after other specific debts, testamentary expenses or other specific legacies have been paid)**

I direct my Executor or Trustee to pay or transfer the residue of my Estate to The University of Manitoba at Winnipeg, Manitoba, Canada for the general use and purpose of The University of Manitoba in its absolute discretion. The Receipt of the Comptroller or other designated officer of The University of Manitoba shall be a good and sufficient discharge to my Executor or Trustee.

**Unrestricted Endowed Request  
(For a specific or residual amount)**

I direct my Executor or Trustee to pay or transfer to The University of Manitoba at Winnipeg, Manitoba, Canada (the whole of my Estate; the residue of my Estate; \_\_\_\_ percentage (%) of my Estate; or the sum of \$\_\_\_\_) to be held as part of The University of Manitoba's Endowment Funds. The income and capital are to be used by The University of Manitoba for whatever purposes it deems necessary from time to time. The capital and the income therefrom is to be administered in accordance with the University of Manitoba's Investment policies as they exist from time to time. The Receipt of the Comptroller or other designated officer of The University of Manitoba shall be a good and sufficient discharge to my Executor or Trustee, who shall not be bound to see to the application thereof.

**RESTRICTED BEQUESTS**

...are bequests with a specific purpose. The donor may, for instance, specify the bequest be used for a particular area of interest in a specific faculty, for example, scholarships, bursaries, endowments, research, etc.).

**Restricted Bequest**

I direct my Executor or Trustee to pay or transfer (the whole of my Estate; the residue of my Estate; \_\_\_\_ percentage (%) of my Estate; or the sum of \$\_\_\_\_) to The University of Manitoba at Winnipeg, Manitoba, Canada for the general use and purpose of in its absolute discretion. The Receipt of the Comptroller or other designated officer of The University of Manitoba shall be a good and sufficient discharge to my Executor or Trustee.

**Restricted Bequest for Scholarship or Bursary Fund**

I direct my Executor or Trustee to pay or transfer to The University of Manitoba at Winnipeg, Manitoba, Canada (the whole of my Estate; the residue of my Estate; \_\_\_\_ percentage (%) of my Estate; or the sum of \$\_\_\_\_) to be used for the following purpose (identify the particular faculty, program, fund or purpose, such as scholarships to which the gift is directed). The conditions and recipients of such (scholarship or bursary) are to be determined from time to time in such a manner as The University of Manitoba may direct, provided that in the event that circumstances make this specific use or purpose of this bequest no longer practicable or desirable, The University of Manitoba is authorized to make changes in its use in keeping as far as possible with the spirit and general intent of the bequest. The Receipt of the Comptroller or other designated officer of The University of Manitoba shall be a good and sufficient discharge of my Executor or Trustee, who shall not be bound to see to the application thereof.

### **Restricted Bequest for Endowment Fund**

I direct my Executor or Trustee to pay or transfer to The University of Manitoba at Winnipeg, Manitoba, Canada (the whole of my Estate; the residue of my Estate; \_\_\_\_\_ percentage (%) of my Estate; or the sum of \$\_\_\_\_\_) to be used for the following purpose: (provide specifics of the name of the fund, its purpose and the terms of reference under which income is to be disbursed). The capital and the income therefrom is to be administered in accordance with the University of Manitoba's Investment policies as they exist from time to time. In the event that circumstances make this specified use or purpose of this bequest no longer practicable or desirable, The University of Manitoba is authorized to make changes in its use in keeping as far as possible with the spirit and general intent of the bequest. The Receipt of the Comptroller or other designated officer of The University of Manitoba shall be a good and sufficient discharge to my Executor or Trustee, who shall not be bound to see the application thereof.

### **CONTINGENT BEQUESTS**

...are bequests by which the University would receive all or a share of the donor's Estate only in the event of the prior death of other named beneficiaries. If any of the beneficiaries named in this Will should die before becoming entitled to receive their distributive share of my Estate, I direct my Executor or Trustee to pay or transfer the share to which such beneficiary would otherwise be entitled, to The University of Manitoba at Winnipeg, Manitoba, Canada, to be for the general use and purposes of The University of Manitoba in its absolute discretion (or for a purpose defined by the donor; see "designated bequests" or "restricted bequests" for suggested wording.)

### **REVERSIONARY BEQUEST**

In the event any bequest or residuary gift contained in this Will to any charitable organization or institution, or to any person or persons in trust for such organization or institution, cannot take effect in whole or in part because of any legal prohibition or because of the inability of any such organization or institution or person or persons to take for any reasons whatsoever, I direct my Executor or Trustee to pay or transfer the whole of the bequest or residuary gift or the portion thereof affected by such prohibition or inability to take to The University of Manitoba at Winnipeg, Manitoba, Canada, for the general purposes of The University of Manitoba in its absolute discretion (or for a purpose defined by the donor; see "designated bequests" or "restricted bequests" for suggested wording.)

#### **For more information contact:**

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*The purpose of this publication is to provide general information, not to render legal advice. In addition any changes in the tax structure may affect the examples listed in this information. You should consult your own lawyer or other professional advisor about the applicability to your situation.*