



DHOOGELAW

Attorneys • Notaries • Conveyancers

DECEASED ESTATES AND WHO IS THE MASTER?

This is an area which requires a wide range of skills as there is a great deal of red tape involved, most of which has been designed for the protection of the creditors and the beneficiaries.

It is a difficult time for families and I aim to minimise the stress associated with winding up and distributing a deceased estate by offering a professional, personal and attentive service.

WHAT IS A DECEASED ESTATE?

An estate arises on a person's death. It is the sum of a person's assets less all liabilities. The Administration of Estates Act 66 of 1965 sets out the procedure that is to be followed to administer and distribute the estate. If the deceased did not leave a valid will, the estate will be administered and distributed in terms of the Intestate Succession Act 81 of 1987.

A SHORT SUMMARY OF THE PROCESS OF ADMINISTERING AND DISTRIBUTING A DECEASED ESTATE

1. Obtain all the required documents
2. Report the estate to the Master of the High Court
3. Obtain Letters of Executorship/Authority
4. Publish Notice to Creditors

5. Prepare Liquidation and Distribution Account
6. Inspection period for Liquidation and Distribution Account
7. Payment of Masters Fees and submission of estate duty return
8. Distribution to heirs and payments to creditors
9. Obtain filing slip.

WHO IS THE MASTER OF THE SUPREME COURT?

The Master of the High Court's office supervises the administration of deceased estates. The purpose is to ensure an orderly winding up of the financial affairs of the deceased and the protection of the financial interests of the heirs.

WHEN AND BY WHOM MUST ESTATES BE REPORTED?

The estate of a deceased person must be reported to the Master in whose area of jurisdiction the deceased was resident at the time of his/ her death, within 14 days from date of death.

The death is to be reported by the surviving spouse or nearest relative or connection residing in the district where the death occurred. The death is reported by lodging a completed Death Notice with the Master.