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IF I WERE A RICH MAN SHOULD I HAVE A WILL?

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The importance of having a valid will cannot be emphasised enough. Whether you have many assets or not, by having a valid will you will enable your family to distribute your assets according to your wishes and protect your legacy.

If you die without a valid will, your estate will be distributed according to the laws of intestate succession, which can possibly exclude people you want to inherit, take longer to finalise and most likely result in disputes.

If you own property, have savings, investments or policies, have children, are married or in a long-term relationship or run a business, you ought to have a will.

By having a valid will, you can decide who inherits what, protect minor children, choose your executor, protect unmarried or customary partners and most likely avoid family conflict.

To assist your family and executor with the administration and winding up of your estate, you should maintain a current estate file containing the documentation they will need to report and finalise your estate.

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By having at least some of the following information and documentation in one file readily available, you will enable your family and executor to wind up your estate without dealing with the unnecessary stress of trying to locate your paperwork when you are longer there to assist.

Documents and information to include in your current estate file:

- Your funeral wishes
- Full particulars of funeral undertaker
- Last Will and Testament
- Identity Document and/or passport
- Marriage Certificate (if married)
- Ante-nuptial Contract (if married out of community)
- Copy of divorce order and settlement agreement (if divorced)
- Copies (preferably certified) of first page of the Identity Document or Birth Certificate of each heir (and beneficiary - specific bequests)
- Copies (preferably certified) of the marriage certificate of each heir (if married)
- Telephone numbers, postal addresses, e-mail addresses of each heir
- Estate particulars of each pre-deceased spouse (full name, dated of death, place of death, Master of High Court Office and Estate Number)
- Original Title- and Transport Deeds, Sectional Tile-, Timeshare Certificates (if applicable)
- Mortgage Bond Registration Documents
- Original motor vehicle registration certificates
- Original licenses for firearms
- Copies of municipal services accounts
- Original shares- and investment certificates
- Original life policies, endowments and retirement annuity policies payable to beneficiaries
- Original policy contracts (if payable to the estate – including funeral policies)
- Pension fund documents
- Copy of salary advice
- Copy of short term insurance contracts
- Copies of hire purchases / lease documents, outstanding accounts, loans or debts
- Details of surety obligations
- Full particulars of savings-, cheque-, transmission- and deposit accounts at banks as well as credit- and other cards
- Copies of latest bank statements
- Complete list of all liabilities as well as statements reflecting outstanding amounts (including loans to other people)
- Income tax (reference number, last assessment and office submitted to)
- Details of companies / partnerships / trusts / close corporations / sole proprietorships
- VAT registration number (where applicable)
- Business contracts / agreements (shareholder agreements / share certificates / annual financial statements)
- Trade licenses
- Copies of rental/lease agreements

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- Full particulars of medical aid
- Full particulars of pension fund / provident fund / particulars of employer (address and employee number)
- Copy of telephone account
- Copy of tv license
- Information with regards to sold assets (capital assets sold/disposed of / alienated/estranged from during the last 2 years)
- Name, address and telephone numbers of General Practitioner
- Details of bookkeeper / auditor
- All your online account details (including passwords, e-mails etc.)

By Malandi Pieterse (Director) | Litigation Department

Disclaimer:

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