



What is a will?

Your will is a legal document that states your final wishes and instructs how the assets that you have accumulated during your lifetime should be distributed after your death. It describes your last wishes, information regarding the management of your estate and, above all it provides financial peace of mind to those you leave behind.

In the absence of a will, or if the will is invalid, the estate will be administered in terms of the Intestate Succession Act (No 81 of 1987). The Act prescribes how the assets will be divided and this may not be according to your wishes, therefore, you are encouraged to have a valid will.

There are no rules regarding how often you should review or update your will. However, it is a good practice to review all your financial and contractual documents at least once a year and whenever your circumstances change, e.g. marriage, child birth, death disability, etc.

My assets are less than R250,000. Do I still need a will?

Yes. A will ensures that your last wishes are carried out.

Who should draft my will?

A professional person or institution should assist you in drafting your will. It is a legal document and failing to meet the strict requirements may mean that your will is invalid.

Who will be the Executors of my estate?

An executor is a person or institution who is nominated by you and legally appointed by the court to ensure that your wishes are carried out. It is often the institution who assisted you in drafting your will.

When the sum of your estate (all your assets like your house and savings) amounts to less than R850,000 the Executor will normally renounce their appointment. The financial institutions do this because it becomes too expensive to finalise such a small estate. The estate will then have to be finalised by the beneficiaries or the next-of-kin (Section 18(3) of the Administration of the Estates Act).

May I have my will drafted with a family member/ next-of-kin appointed as the Executor?

Yes, but it is very important that you keep the following in mind when choosing an Executor:

- It should be a wise and responsible individual(s).
- Such a person must be patient and diligent as estates are difficult and takes a long time to finalise.
- Choose someone with a professional qualification to deal with the legal and accounting requirements.

Summary according to the value of your estate

(In all instances it is better to have your will drafted by a Professional / institution like your Financial Advisor, bank, insurance company, etcetera and to appoint a professional as the Executor.)

Estate Value R850,000 and above

Appoint a Professional or institution as the Executor because the higher value estates are normally complex to administer.

Estate Value R250,000 – R850,000

The Executor may renounce their appointment and refer the estate to a third party.

Estate Value less than R250,000

The Executor may renounce their appointment and refer the estate to a third party.

Notes:

- Fees are payable when an estate is renounced: from about R850.
- A professionally drafted Will could cost from about to R500.
- It is always better to appoint a third-party professional like an attorney as executor.



This document does not constitute financial advice and is provided as a general guideline to retirement fund members. Please consult your financial advisor before you make any decisions that could affect your financial affairs.