

COMPLETING ESTATE DOCUMENTS

1. INTRODUCTION

When an estate is reported for administration, the following forms must be completed:

- 1.1 Death notice
- 1.2 Inventory
- 1.3 Estate reporting form
- 1.4 Beneficiary questionnaire
- 1.5 Marriage declaration
- 1.6 If there is no Will

It is of utmost importance that the forms are completed in full and correctly to prevent any delays in the administration of the estate.

1.1 DEATH NOTICE

The Death Notice (not be confused with a Death Certificate issued by the Department of Home Affairs) must be completed as follows:

- Items 1-5: Self-explanatory.
- Item 6: Residential address, not a post box number.
- Item 7-10: Self-explanatory. Place of death must correspond with the Death Certificate.
- Item 11: Answer either "Yes" or "No".
- Item 12: Answer "Married"/"Divorced"/"Widow"/"Widower"/"Unmarried".
- Item 13: Complete place of marriage as well as date of marriage.
- Item 14: NB. This is a two-part question – answer both questions.
- Item 15: Answer "in", "out" or "N/A" if not married. If married out of community of property indicate whether it is with or without the accrual system.
- Item 16(a): If the spouse of the deceased predeceased him or the deceased was divorced at any time, complete the name of the spouse and either "predeceased" or "divorced".
- Item 16(b): Complete the date of death of the predeceased spouse.
- Item 17: Complete the office of the Master of the High Court and the estate reference number where the estate of the predeceased spouse was reported.
- Item 18: Give the full names of all the children the deceased ever had (including legally adopted and illegitimate children) and next to the name and surname of the child, indicate whether "major" or "minor" (if minor also complete the date of birth) or if that child is predeceased. If a child has predeceased and left children of his own, give the names of those children (they would be the grandchildren of the deceased) and state if they are majors or minors. If the heirs are not mentioned by name in the Will, you will need to complete a "next-of-kin" affidavit.
- Item 19: Self-explanatory. If the parents are predeceased and their names are not known, the words "predeceased" will be sufficient information
- Item 20: Give the name of the person reporting the estate and signing **this document**. Do not complete the name of the doctor who signed the Death Certificate
- Item 21(a): Answer either "Yes" or "No"
- Item 21(b): Answer either "Yes" or "No"

Complete the date and place where completed and give the capacity as "surviving spouse" or "son of deceased", etc.

NOTE: The completed Death Notice must be signed.

1.2 INVENTORY

NB. If the deceased was married in community of property, the same information relating to assets as specified below must also be obtained in respect of assets of the surviving spouse.

Please note that for Section 18(3) estates (value less than R250 000.00), the values of all assets have to be correct as at time of death and supported by documentation, because the values are typed on the Letters of Authority that have to be issued.

The Inventory, which consists of four pages, must be completed as follows and signed:

Page 1:

- State the full name and surname of the deceased
- The name and address of the spouse should only be completed if the couple were married in community of property
- Complete the question "massed estate of" as N/A
- Give the name of the person signing the Inventory, his address and capacity, i.e "son of the deceased"
- The question "Which heirs were present when the inventory was made" can be left blank

Page 2: *Immovable Property*

Complete all the fixed properties of the deceased and mention the number and date of the title deed if known. Regarding the value of the assets, obtain a realistic market value from the person reporting the estate or use the current municipal value as a starting point.

Page 3: *Movable Property*

Complete details of all the firearms, furniture and household items (total value – do not specify items), motor vehicles, shares etc. Once again, obtain a realistic market value – please refer to our "documents required information".

Page 4: *Claims in favour of the estate*

Complete those assets which represent cash, i.e. cheque accounts, savings accounts, fixed deposits, policies, salary, leave pay (shares are moveable property), etc. Make use of estimated values rounded off: it is not necessary to acquire a certificate of balance, except in the case of Section 18(3) estates.

NOTE: The completed Inventory must be signed.

1.3 ESTATE REPORTING FORM

This form is designed to accumulate all the relevant information needed by the executor to finalize the estate as soon as possible.

Section A specifies the documents and information required.

Section B specifies the documents required relating to the assets.

Section C specifies the information required relating to any outstanding account payable and claims against the estate.

Section D requires instructions pertaining to arrangements on behalf of the heirs.

Section E provides for any additional information/requests by the heirs which they wish to bring to the attention of the executor.

1.4 BENEFICIARY QUESTIONNAIRE

To be completed by each heir nominated in the Will and specified documents to accompany this form.

1.5 MARRIAGE DECLARATION

To be completed by someone who knew the deceased well i.e. a friend or family member. Please mark the applicable box and provide full particulars of all partners mentioned.

1.6 IF THERE IS NO WILL (INTESTATE)

If the deceased died without a valid Will, please contact the nearest office of Legatus Trust for guidelines and instructions how to deal with the matter.