

# Estate Planning ESSENTIALS



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## Important considerations on the death of a family member

The recent untimely death of a friend highlighted the need for an answer to the question - Joe's just died, what do we do now?

Death is not something we like to think about but we need to make sure that our affairs are in order, so that surviving family members are not caused further undue and totally unnecessary hardship.

Here are a few practical steps to assist you and your clients:

1. Finalise the funeral and obtain the death certificate. Without the death certificate the Executor cannot proceed. (Ideally everyone should have some form of funeral policy – otherwise family members are burdened with the costs).
2. Determine if the deceased had a Will. If so, make contact with the Executor of the Will and get the necessary documentation for completion as soon as possible as the administration of a deceased estate is a lengthy process. If the deceased did not have a Will then the next-of-kin will need to make contact with the Master of the High Court in their area.
3. If you were married in community of property or if the deceased was a co-signatory on the bank account ("joint bank account"), make sure that in the case of in community of property your own bank account is not frozen, and where you were both signatories on the bank account that you open your own account immediately, as the "joint account" will be frozen.
4. The bank account of the deceased is frozen which means that no money may be taken out of the account. Money can still be deposited into the account, e.g. pension fund payments. Funds in the form of monthly debit orders may still leave the account, however you will not be able to withdraw cash from the account once it is frozen. Once the Executor is in a position to close the bank account the beneficiaries will be informed and given the necessary documentation to transfer the debit orders.
5. The Executor is obliged to deal with the firearms. If the beneficiary already has a firearm licence and a safe, the Executor will allow the beneficiary to keep the firearm in safekeeping until such time as he/she can proceed with transfer thereof. If the beneficiary does not have an existing firearm licence, the firearms will be handed to the Executor for safekeeping until such time as the beneficiary has obtained a licence for the firearm.
6. The checklist provided at the end of this document will assist you, during your lifetime, to compile all the necessary documentation and in so doing, ease the burden on your family.

By taking note of the few simple steps recommended above, you can reduce the anxiety experienced by those left behind.

## DOCUMENTS AND INFORMATION REQUIRED BY AN EXECUTOR

1	Original Death Certificate and BI-1683 Notification of Death Form	
2	Identity Document of deceased	
3	Name, address of employer & salary number of deceased	
4	Details of Pension Fund	
5	Name, address & reference number of Medical Aid Society	
6	Income tax details (including details of accountants)	
7. a	Name, address and telephone number of deceased's usual doctor	
7. b	Name, telephone and case numbers from Police Station should the deceased have died of unnatural causes (e.g. motor vehicle accident, suicide, etc)	
8	Partnership agreement and name, address of partners	
9. a	Particulars of Close Corporation or Business	
9. b	Name and number of Auditor / Accounting Officer	
10	Details of divorced and predeceased spouses	
11	Ante nuptial contracts, divorce agreements and maintenance agreements	
12. a	Title deed in respect of fixed property	
12. b	Rates & taxes account and / or details of Body Corporate or the Managing Agents	
13	Original registration certificates in respect of motor vehicles	
14	Firearms - to be handed to the Executor for safekeeping	
15	Certificates / details in respect of timeshare	
16	Share Certificates (stock exchange or private companies)	
17	Hire & letting contracts	
18	Cheque books, investment statements, credit cards, ATM cards	
19	Insurance Policies - whether payable to the estate or to a third party	
20	Details of short term insurance (motor vehicle, contents of house, etc)	
21	Accounts owing by the deceased	
22	Copies of Identity Documents of beneficiaries and marriage details	
23	Copies of birth certificates of minor beneficiaries	

Any queries may be directed to:  
 Eugene Ward (041) 365 1303