

EXECUTOR'S RESPONSIBILITIES

A) WHAT ARE YOUR EXECUTOR'S RESPONSIBILITIES?

Main duties include:

- Managing, protecting and transferring the deceased's assets in accordance with the Will;
- Identifying the beneficiaries in the estate late;
- Taking care of all the legislative requirements;
- Drafting and submitting final Income Tax Returns – predeath as well as that of the estate late. **The Estate is deemed to be a separate Taxpayer.**
- Distribution of the final balances in the estate late to the beneficiaries;
- Insuring all assets.

The entire administration process is overseen and validated by the Master of the High Court, who also deals with any objections lodged against the Liquidation and Distribution Account (L&D) and/or the Last Will and Testament of the deceased.

B) WILL THE EXECUTOR SELL EVERYTHING?

- The Executor will only sell assets if so, directed in terms of the Will, or if required to generate cash to pay for all the debts and other expenses.
- **This can be avoided by doing proper Estate Planning beforehand and naming your Estate as a beneficiary in some of your life policies.**

C) INSURANCE OF ASSETS?

- All assets under the control of the Executor will still have to be insured.
- It is important for the spouse not to cancel all the short-term insurance policies after death.

D) IF YOU ARE A BUSINESS OWNER, WHO WILL RUN THE BUSINESS UNTIL IT'S SOLD OR TRANSFERRED?

- A family member, or someone with knowledge of the business.

- That person needs to be approved by the Executor and should always liaise with him.
- Ultimately, the Executor remains responsible for the business until it is sold or transferred.

E) WHAT WILL THE ADMINISTRATION PROCESS COST ME?

- The fee laid down by legislation is 3,5% plus VAT, if applicable, on the Gross value of the Estate.
- The fee laid down by legislation is 6,0% plus VAT on any income realised by the Executor after death, i.e. on interest received and the running of the business.