



Do you have a valid and up-to-date Will?

It is an interesting fact that a large number of South Africans with reasonable wealth do not have valid or up-to-date Wills.

The consequences of having a casual attitude to whether you have a Will or to ensuring that it is updated from time to time are far reaching, and can cause severe difficulties for those who are left behind after your death.

Why do I need a Will, you might ask?

There are a number of reasons for having an up-to-date Will, the most important being:

- 1 The appointment of an Executor to wind up and administer your Estate;
- 2 The appointment of your Heirs;
- 3 The choice of a Guardian for minor children;
- 4 To deal specifically with illegitimate or adopted children;
- 5 The creation of a Trust or other provisions for the administration of a minor's inheritance;

6 For Estate Planning purposes, for example considerations of tax implications;

7 To protect inheritances from the effects of the Marital Status or Insolvency of heirs; (marriages in community of property or accrual)

What is the effect of dying without a valid Will?

Your estate will be regarded as Intestate and will be administered in accordance with the Laws of Intestacy.

The Intestate Succession Act sets out the manner and extent to which your intestate heirs will inherit.

One of the significant results of dying Intestate (without a Will) is the fact that the appointment of an Executor is left entirely in the hands of the Master of the High Court which can cause significant delays and results in you having no say in the appointment.

What you should do today!

- 1 If you have a Will, read through it carefully and check whether the provisions contained therein still apply to your current circumstances;
- 2 If you don't have a Will or cannot find the original, consider having a new Will drawn up for you as a matter of urgency.

How can we assist you?

We have a specialized department which deals with the drawing up of Wills and the Administration of Deceased Estates.

We would be happy to peruse your existing Will for you, at no charge, in order to ascertain whether it would appear to be valid.

If you would like to make a simple Will, ***without a consultation***, complete the form overleaf and return the form to us. We will then compile a simple Will for you at no charge.

If, however, you want a more thorough examination of your Will, we invite you to make an appointment with our Mr Jenkins, who specializes in this area of Law, to discuss your requirements, any concerns or Estate Planning generally.

Contact Details

Tel: (033) 386 2509

Fax: (086) 527 8930

Postal Address:

Postnet Suite 285, P/Bag X6, Cascades 3202

Physical Address:

24 Hilton Avenue, Hilton, 3245

Email: *mail@agjenkins.co.za*

SIMPLE WILL

(Please read this before completing the questionnaire)

By completing the questionnaire which follows, a simple Will can be compiled which would have the following effects:

- A (insert)..... will be appointed as the **Executor** of your Estate and the **Trustee** of any Trust created therein;
- B if you are unmarried, the persons nominated as your **heirs** will be your sole beneficiaries, in equal shares;
- C if you are married, your **surviving spouse** will be your sole heir, unless you indicate otherwise under item 8;
- D if your spouse predeceases you, your **children** will be your heirs in equal shares;
- E if any of your children predecease you leaving children of their own, your **grandchildren** will inherit their deceased parent's share;
- F if any of your children predecease you without leaving children of their own, the deceased child's share will revert to your surviving children;
- G if any beneficiary under your Will is **under the age of 25 years**, their inheritance will be held in Trust, the intention of which is to provide an income for such child or children until they reach the age of 25 years, upon which event the Trust may terminate. Upon termination of the Trust, the intention is that the remaining Capital of the Trust will devolve upon such child or children;
- H The person nominated as **Guardian** may be appointed as such over any of your children that are under the age of 18 years on your death.

PERSONAL DETAILS:

Surname:
(Self)

Forenames:

.....

Identity Number:

Surviving Spouse:
(Full names)

.....

Physical Address:

.....

Phone/ Cel No.:

Email address:

REQUIREMENTS:

Surviving Spouse sole heir? YES / NO

Children: YES NUMBER / NO

Heir's names if not married:

1.

2.

3.

4.

5.

NAME OF GUARDIAN/S OF MINOR CHILDREN:

.....

.....

.....

SPECIAL INSTRUCTIONS:

.....

.....

.....

.....

.....

Signed at

Date

Full signature:

.....

Witnesses:

1.

2.

