

REPORT – DECEASED AND INSOLVENCY COMMITTEE 2020

Karen represents the Pretoria Attorneys Association on the Deceased and Insolvency Committee and also serves on the Deceased and Insolvency Committee of the Law Society of South Africa (LSSA).

The Committee meets with the Master of the High Court Pretoria on a quarterly basis to discuss practical issues and concerns. She believes that in the long run their input will have a positive effect on service delivery at the Master. Members of the Association are invited to address any concerns or refer any problems to her and she will attempt to resolve same.

Masters of the High Court

- Cape Town
- Bloemfontein
- Grahamstown
- Kimberley
- Mmabatho / Mafikeng
- Nelspruit
- Pietermaritzburg
- Pretoria
- Umtata
- Bisho
- Thohoyandou
- Johannesburg
- Polokwane
- Durban
- Port Elizabeth

We have worked with all the Master's offices. We confirm that it is recommended to appoint a correspondent that has to be used if you cannot visit the office yourself on a frequent basis. To be successful at the Master's office it is suggested that a representative of your firm visit the Master on a weekly basis. The fast track procedure is available to attorneys. Attorneys must make sure when using fast track that all documents are correct and completed with care. The Master has assured us that documents lodged at fast track will be checked and given back to attorneys, if not complete. Alternatively they will send the attorneys an email if they require any further information or requirements.

In March 2020 we arranged a meeting with the new Master, Penny Roberts. Mrs. Roberts has given a very good contribution to service delivery at the Master.

In June 2020 we were informed by Ms Tessie Bezuidenhout that Ms Christene Rossouw is now the Acting Master of Pretoria on a rotating basis, as Mariaan Barnard will take over as acting Master in September 2020. Mrs Penny Roberts has been appointed as Chief Director Coastal Operations. Ms Tessie Bezuidenhout has been appointed as Chief Director Inland Operations. Advocate Praize Kombula has been appointed as Acting Chief Master of South Africa. We will send a notice to our members as soon as it becomes official.

1. Covid 19 have an influence on our country and also on the service delivery of the Master's Office.

Level 4

Access and service delivery of the Master's office Pretoria during level 4 has been satisfactory in my experience as per proposed protocol issued by the Master for level 4.

Level 3

As per instructions by the Acting Director General during level 3 all officials who have been allocated their own offices will return to work normal office hours. All other officials will work on rotation to ensure social distancing. In summary the Master's office will function with small differences and with more personnel, but we still have to be patient because it will not be functioning in its full capacity.

2. Guidelines given to our members in August 2020 to operate in Level 3 & 2.

We are aware of the difficulties that you our members are experiencing at the Master of the High Court Pretoria. We are also aware of the restrictions and challenges that the Master's Office are experiencing during lockdown level 3. Guidelines to follow for deceased estate and trust are hereby given to you from Mrs Christien Rossouw, Acting Chief Master of Pretoria and Mrs Hlonipha Loira Moshidi, Deputy Master Curator and Trust Section.

2.1 Mrs Christien Rossouw:

"Please note that the normal turnaround time for the issuing of letters of appointment in deceased estates and trusts is 15 days.

We are still guided by these time frames, although it is not always possible due to the current circumstances.

Should a matter however, exceed 28 days, you may escalate the matter to the relevant Deputy Master."

2.2 Mrs Hlonipha Loira Moshidi:

“With regard to the Trust and Curatorship section, I kindly propose that you send the following communiqué to the client, advising that the section will function as follows:

- **Matters where the Trust [IT] or Curatorship [MC] reference number is unknown to the client:**

The email must be addressed directly to the **Deputy Master of the Trusts and Curatorships Section, Ms HL Moshidi.**

- **Matters where the Trust [IT] or Curatorship [MC] reference number is known to the client:**

Client must consult the **Trusts and Curatorships Section work allocation and telephone list** and address the communiqué to the relevant Assistant Master (AM) and CC Ms Moshidi.

- **How to use the Trusts and Curatorships Section work allocation and telephone List:**

Each file is allocated to the Assistant Master as per **the last number on the Trust reference [IT] number OR Curatorship [MC] reference number.**

For example:

- **IT 2899/19** ends with the number **9** and is allocated to Ms Nel as per the Trusts list. Thus, when a client sends correspondence with the **IT no. 2899/19** to Ms Nel, she is in a better position to assist and will relay the enquiry to the relevant **Estate Controller or Admin Officer.**
- **MC 897/19** ends with the number **7** and is allocated to Ms Neethling as per the Curatorships list. Similarly, when you send correspondence with the **MC no. 897/19** to Ms Neethling, she is in a better position to assist and will relay the enquiry to the relevant **Estate Controller or Admin Officer.**

Hope this will work out much harmoniously for all towards better service delivery during this difficult time.”

Kindly only escalate the matters to the relevant Deputy Masters after 28 days from lodgment. Please CC Law@kvnattorneys.co.za in all complaints to enable us to have records of our member’s complaints.

MANAGEMENT					
Name	Rank	Section	Room	Tel	E-mail
Mrs C Rossouw (Acting) until September 2020/ Mrs M Barnard (Acting) from October to December 2020)	Master		1006 805	(012) 339 7900 (012) 339 7718	CRossouw@justice.gov.za MaBarnard@justice.gov.za
Ms NM Ntsoane	Deputy Master	Deceased Estate Appointment	511	(012) 339 3324	NNtsoane@justice.gov.za
Ms F Strauss	Deputy Master	Guardian's Fund	707	(012) 339 7788	FStrauss@justice.gov.za
Ms C Rossouw	Deputy Master	Insolvency/ Liquidation Appointments & Accounts (Numbers 6-0)	1006	(012) 339 7900	CRossouw@justice.gov.za
Ms M Barnard	Deputy Master	Insolvency/ Liquidation Appointments & Accounts (numbers 1-5)	806	(012) 339 7718	MaBarnard@justice.gov.za
Ms W Sithole	Deputy Master	Deceased L & D Accounts	616		WenSithole@justice.gov.za
Ms HL Moshidi	Deputy Master	Trust & Curator Section	1111	(012) 339 7950	Hmoshidi@justice.gov.za
Mr M Segoane	Office Manager	Admin Supervisor (Main Registry (copies), Sub Registry and HR)		(012) 339 7791	MSeogoane@justice.gov.za

3 General

The following meeting was scheduled for 07 September 2020 at 12h00 with the Master's Office via Zoom, invitation received from Saripa to attend.

Items for discussion:

- a. Level 2 protocols
- b. Opening of Master's Offices to hold meetings of creditors
- c. Communicating via e-mail.

The Master cancelled/postponed the meeting on 06 September. We are trying to convene a new meeting. Another meeting was scheduled for Wednesday, 09 September 2020 at 14h00 with the Deputy Minister of Justice via invitation received from Catherine Gascoigne.

Items for discussion:

- a. General problems experienced in Pretoria and Johannesburg Master Offices.

The meeting was also cancelled/postponed by the Minister of Justice.

We will inform the PAA members of new progress as soon as the meetings are reconvened. Level 2 and 1 protocols remain almost the same as level 3 protocols. There are some changes regarding insolvent estates, especially regarding the convening of meetings.

4 In Conclusion

We at the Association of Pretoria Attorneys will continue to communicate with the Master and will ensure that concerns of our members are conveyed to the Master.