



# the doj & cd

Department:  
Justice and Constitutional Development  
REPUBLIC OF SOUTH AFRICA

## MASTER OF THE NORTH GAUTENG HIGH COURT: PRETORIA

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## REQUIREMENTS TO MAKE CHEQUE DEPOSITS INTO THE GUARDIAN'S FUND

1. A covering letter with the supporting documents must be submitted. The covering letter must contain the following information:
  - 1.1 Full names of the beneficiary.
  - 1.2 Whether the beneficiary is a minor, major, mentally challenged person, creditor, absent person etc.
  - 1.3 The source of the moneys and the amount.
  - 1.4 Reason why the moneys should be deposited in the Guardian's Fund.
2. Certified copy of the I D document or birth certificate of the beneficiary.
3. Cheque to be issued in favour of the Master of the High Court or the Guardian's Fund.
4. If the moneys to be deposited are from an Estate Late, the following documents should also be submitted:
  - 4.1 Advertisement in terms of Section 35(5) of the Administration Act 1965, (Act No. 66 of 1965).
  - 4.2 News paper cutting of the Government Gazette and the local newspaper.
  - 4.3 Copy of the Liquidation and Distribution Account, as accepted by the Master.
  - 4.4 Copy of the will as accepted by the Master.
5. If the moneys to be deposited are from an Insolvent Estate, the following documents should also be submitted:
  - 5.1 Copy of the Liquidation and Distribution Account, as accepted by the Master.
  - 5.2 Proof of confirmation. (Confirmation letter issued by the Master).
6. Kindly note the following:
  - 6.1 In terms of Section 88(1) of the Administration of Estates Act compound interest is payable on money for account of any minor, lunatic, unborn heir or any person having an interest therein of a usufructuary, fiduciary or fideicommissary nature.
  - 6.2 In terms of Annexure CM103, (Section 4) of the Companies Act, 1973, (Act No. 61 of 1973) 5 % commission is deductible on any amount paid by a liquidator or judicial manager for account of members, creditors, contributories or debenture – holders of a Company.