

THE FIDUCIARY INSTITUTE OF SOUTH AFRICA
MINUTES OF THE EASTERN CAPE LOCAL BOARD MEETING NUMBER 1/2016
HELD AT STANDARD TRUST LTD, ON THURSDAY, 11 FEBRUARY 2016

1. **Opening, welcome and attendance.**

The Chairperson opened the meeting by welcoming those present. Attendance was recorded as per the register.

2. **Confirmation of minutes of previous meeting.**

The minutes of the previous meeting, held 27 October 2015, are available on the website and were taken as read. Proposed by Dr Avain Mannie and Seconded by Talana Williams.

3. **Matters arising from previous minutes.**

There were no queries raised.

4. **Master's Offices**

Feedback from Master's Office – Port Elizabeth

Ms Daniels, Deputy Master, Port Elizabeth, advised that Mrs Strydom is currently on maternity leave and will be back in April. There are currently also 2 estate controller vacancies which will be filled by March. The vacancies are due to Mandy Saptoe accepting a position at the Johannesburg Masters Office and Tiffany Potts accepting a position at the Grahamstown branch.

Ms Daniels also reminds everyone that the Masters Office has **15 working days** in which to process documents that have been given to them. The 15 days begins from the date they receive the documents and excludes all public holidays and weekends. If they advise that they require any additional documents, the 15 working days would begin again from the date that those documents are received by them and not from the date

the 1st set of documents were lodged.

The Masters Office also requested that all documents be completed in full. For example, you are required to fill in where the individual stayed 12 months prior to their death. All these details must be completed otherwise the 15 day period in which the Masters Office has to complete the documents will begin from the date that the missing details are received.

She requests practitioners not to attach appointment documents as in the past, as documents are no longer printed, but is completed online.

Estate duty assessments are issued to the Masters Office who will liaise with SARS. It was noted that the PE Masters Office currently sends all the SARS documents to the Cape Town SARS office. It has been noted that SARS turnaround time has improved. FISA and SARS must still meet to discuss this process.

At the last meeting it was noted that the executors are requested to submit three original L & D accounts to the Master's office when submitting accounts. This is not the case, and two copies are sufficient.

Whenever the Master's office requires a "compliance certificate" from the executor, it is a reference to the coding letter, which is sufficient to indicate that the estate was registered with SARS.

5. **SARS**

Feedback from SARS – Uitenhage

Dr Avain Mannie (amannie@sars.gov.za), attended the meeting to report on SARS matters. He advised that there have recently been many changes within SARS.

The matter was raised, that, after the necessary documents have been submitted to SARS, a reply is being sent by SARS advising that the documents have been rejected by the so-called super group. Dr Mannie advised that this is most likely due to human error.

The documents are submitted, but then sent to Bellville or elsewhere to be captured, therefore this makes it difficult to pin point where the error originated from. These errors are sent to a super team in SARS, which are situated in Alberton, to decide if the issue is just human error or not. Another common error that is occurring is that bank details are being changed to the new deceased bank account, but later being rejected by the system. This is then also being sent to the super team to sort out.

The issue was once again raised that members are still not responding when requested to confirm their Friday morning 1 hour appointments at SARS. Some people cancel 10 minutes prior to the appointment, which does not provide sufficient time for someone else to schedule an appointment in that time slot. Appointments must please be cancelled at least 24 hours prior to the scheduled meeting. The mailbox created to set up these appointments must only be used for this purpose. Practitioners must not send queries to this email address. Any queries can be raised at the meeting.

The issue was also raised regarding SARS requesting tax numbers for the estates of elderly persons that were never issued with a tax number in the past. Any problem of such nature should be emailed to Adele (acollins@sars.gov.za) in order for her to assist.

An escalation list was requested with regards to whom to report matters to if nothing is being resolved. It was advised that the CMO complaints system has been revived and is once again in use. Dr Mannie will forward this list in order for it to be circulated amongst members.

5. **Feedback from Home Affairs**

No one from Home Affairs was able to attend the meeting, but it was advised that Council is currently trying to set up an appointment for FISA and Home Affairs to meet and try and resolve all issues regarding death certificates.

6. **Banks**

The consultative process between FISA and the four major banks is still on-going with regards to standardising procedures. The processes being used by ABSA are working

well, but the processes at the other 3 banks have not yet been resolved.

It was advised that the main issue is that some banks are not able to link all the accounts which an individual has with them. It was, however, advised that FNB has a national support centre that can be contacted for assistance with such problems. The members from FNB will send the details to the Chairperson for circulation.

7. **General**

The FISA website has been updated and the new site will be up and running from Monday, 15th February 2016. Many improvements have been made and in future an email will be sent to all members when a new court case has been loaded, advising you to access the information on the site, instead of sending the case to all members individually.

The ROPE process has been finalized and the last few interviews will be taking place. By March there will be about 120 members with the FPSA designation. Members are motivated to aspire to receive the designation as that is part of the process of professionalising the fiduciary industry.

It was advised that FISA's advertising budget has increased in order for them to become more known and make the public aware of what fiduciary members do. The Institute has currently no full time employees and spend its funds wisely, with a major allocation to advertising.

The national FISA meeting will take place on the 16th March 2016 in Cape Town and there will be 2 CPD sessions. The yearly conference in Sandton is scheduled for the 25th August 2016 and members are encouraged to consider attending.

No further matters were raised and the meeting closed at 12:00pm after which the elections commenced to appoint a new Regional Committee.

The date for the next regional meeting is to be announced.

12:00: **FISA Regional Committee Elections**

Sufficient notice of the elections were provided. It was decided to do it by show of hands.
The following individuals were elected:

Chairperson: *Eben Nel*

Vice Chairperson: *Hein Janse Van Rensburg*

Secretary: *Donice Van Zyl*

Education & Training: *Teresa Heasley*

12:30: **Presentation/Guest speaker:-**

A presentation was delivered by Louis Van Vuren, focusing on the FISA ethical code and the amendment to the Estate Duty Act – s 2(bA), as amended by s 2 of the Taxation Laws Amendment Act 25 of 2015.

2 CPD points allocated: 1 for ethics and 1 for knowledge. Members who attended are to update their CPD profile on the website accordingly.

Meeting closed at 14:15.

Signed as a true and accurate record of proceedings.

CHAIRPERSON

DATE