

**THE FIDUCIARY INSTITUTE OF SOUTHERN AFRICA**  
**MINUTES OF THE EASTERN CAPE LOCAL BOARD MEETING NUMBER 1/2019**  
**HELD AT THE PAXTON HOTEL, ON WEDNESDAY, 6 MARCH 2019**

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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 on 15 November 2018, are available on the website and were taken as read and duly accepted by the meeting. Proposed by Norma Jones and Seconded by Eben Nel.

3. **Matters arising from previous minutes**

None.

4. **Master's Office**

**Feedback from Master's Office – Port Elizabeth and Grahamstown**

Master, Ms E Daniels and Assistant Master, Ms Jonkers represented Port Elizabeth and Grahamstown and informed as follows:

- 4.1 Congratulations to Ms Daniels on being appointed as Master for the offices of Port Elizabeth and Grahamstown. She is rotating weekly between offices and getting to know the systems and processes in Grahamstown, and part of the Chief Master project team.
- 4.2 The Grahamstown office staff have advised that due to archives being kept off-site, they are experiencing issues obtaining very old estate files from archives.
- 4.3 Mr Kurt van der Merwe, assistant Master at Grahamstown retires at the end of March 2019. His position will be vacant from this date until filled.
- 4.4 Further Grahamstown vacancies are:
  - 4.4.1 1 Deputy Master – waiting to be filled;

- 4.4.2 2 Estate Controllers – due to budget constraints only 1 was advertised;
- 4.4.3 1 Assistant Director – position vacant and advertised;
- 4.4.4 1 Accounting Clerk, 1 Registry Clerk and 1 Assistant Librarian – vacant.

#### 4.5 Trust Registrations:

- 4.5.1 2 Covering letters to be lodged;
- 4.5.2 2 Original Trust Deeds to be lodged;
- 4.5.3 Every page must be stamped, due to later compliance requirements of i.e. SARS and the various financial institutions.

#### 4.6 Port Elizabeth vacancies:

- 4.6.1 1 Deputy Master – advertised;
- 4.6.2 1 Estate Controller – advertised;
- 4.6.3 2 Scanner Clerks – vacant;
- 4.6.4 1 PA – vacant;
- 4.6.5 1 Switchboard Operator – vacant.

4.7 The application period for the Chief Master position has closed.

#### 4.8 Scanning

Due to the Master's office staff capacity, Accounts cannot be scanned in at this stage, but will be considered in the near future. Scanning of documents in old matters at the Grahamstown office have been ongoing for more than a year.

#### 4.9 Contact

Members are requested to send e-mails directly to the Master's office official dealing with a specific matter and not to others with a request that same be forwarded onto the actual official. Members are further requested to follow the escalation procedure via the assistant masters and only thereafter to the Master should they receive no joy. The Master's contact list has recently been updated and will be forwarded to members.

#### 4.10 Firearms

The Master has received a list of unaccounted firearms in estates from the SAPS. Members are to contact [lotter6@saps.gov.za](mailto:lotter6@saps.gov.za) alternatively 041 504 5014 / 504 5110 or fax 041 504 5119, to enquire in this regard.

Members to be sure not to leave firearms in possession of heirs, but to arrange for the transfer thereof into dealer-stock until such time as an heir/s may legally take physical possession thereof.

#### 4.11 Final tax clearance certificates

In terms of the service level agreement between SARS and then chief Master, Lester Basson, a SARS final tax clearance/compliance certificate is a requirement for the Master to issue a filing slip. The Master will however exercise its discretion to issue a filing slip in matters where SARS cannot provide a final tcc due to a SARS debt write-off.

#### 4.12 Additional assets

An executor has to re-apply to take up appointment of executorship should new assets come to light after the issuing of a discharge/filing slip.

### 5. SARS

Represented by Ms W Madyibi, Ms S Guerini, Ms D Dyer, Ms H Sontashe, Ms M Pelotona and Ms P Lottering. The following matters were discussed:

- 5.1 Members compliment SARS' estate duty officials on quick turnaround times.
- 5.2 A nominee of a corporate executor must personally attend at SARS for verification purposes. Proof of address of the corporate nominee will be required by SARS for FICA-purposes.
- 5.3 To update deceased identity numbers, the appointed executor must personally attend at SARS.
- 5.4 Members to quote CMO numbers when escalating delays in the issuing of tcc's.

5.5 Members to ensure that initial estate coding (engagement letter) was done, as non-coding is very often the delay in the issuing of a tcc when same is requested from SARS. SARS will not automatically issue a tcc – members need to request same through the appropriate channels.

5.6 Not SARS policy to issue a tcc when debt is written-off.

6. **Feedback from Home Affairs**

Apology received for non-attendance by the Cleary Park branch.

7. **Attendance at meetings**

Membership to Fisa is not on a collective basis (societies/companies as a whole), but on an individual basis. Only individuals who are members may attend meetings. With the view of introducing or recruiting potential new members to join Fisa, members are encouraged to invite guests (non-members) practising in the fiduciary industry to meetings, which guests (non-members) may attend only once. In order to attend further meetings, these guests may apply to become members through the normal membership application procedure. Fiduciary is a specialised field and the aim of Fisa is to professionalise this industry.

8. **Banks**

The consultative process between FISA and the major banks is still an on-going process with regards to standardising procedures.

9. **FISA Tax Practitioners Controlling Body**

The consultative processes between FISA and SARS to have the organisation accredited as a recognised, compliant and accredited tax practitioner controlling body are in progress. The requisite amendments to the FISA Disciplinary Code were made and accepted. A further requirement highlighted by SARS is the fact that FISA needs to have 1 000 active registered members.

10. **Venue**

Thank you to Shackleton Risk for their support at our local and national meetings. Thank you to The Paxton Hotel for availing their facilities and providing safe parking for members during our meeting.

## 11. **General**

- 11.1 **FISA Disciplinary Panel:** Members with a legal background are requested to confirm their availability and form of training in this field, should they wish to get involved in the disciplinary process.
- 11.2 **FISA Focus Weekly Newsletter:** Members are encouraged to read same. A system is in place to track whether members are reading the contents of the newsletter.
- 11.3 **FISA Bursary Scheme:** The object of this scheme is to involve and allow previously disadvantaged individuals who show interest and are deserving candidates to gain entry into the profession.
- 11.4 **Candidate Membership:** It was established to raise awareness of the fiduciary industry to allow younger/less experienced individuals who are i.e. busy with a qualification to gain entry into the organisation by obtaining candidate membership for a period of 3 (three) years. Candidate membership fees are less than full membership fees.
- 11.4 Membership fees remain the responsibility of the member, even if paid by an employer company. Members will receive individual invoices for payment of membership fees.
- 11.5 Visitors: Membership is encouraged and in terms of FISA policy, membership is a requirement in order to attend meetings.
- 11.6 The preliminary dates and times for the remainder of our 2019 Eastern Cape quarterly meetings are:  
22 May: 10:00 – 13:00; 7 August: 10:00 – 13:00 ; and 23 October: 10:00 – 13:00.

The meeting closed at 11:00.

### **Presentations/Guest speakers:-**

- 1. Jonathan Griffiths (11:00 – 12:00)  
“Dealing with firearms in deceased estates”
- 2. Jade De Meuse (12:00 – 13:00)  
“Lexis Nexis/Windeed benefits”

3 CPD points allocated: 2 ½ for Estates or Trusts 1 ½ & Estates 1, and ½ for Any One Other. Members who attended are to update their CPD profiles on the website accordingly.

Meeting closed at 13:00.

Signed as a true and accurate record of proceedings.

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**CHAIRPERSON**

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**DATE**