

THE FIDUCIARY INSTITUTE OF SOUTHERN AFRICA
MINUTES OF THE EASTERN CAPE LOCAL BOARD MEETING NUMBER 3/2019
HELD AT THE BEACH HOTEL, ON WEDNESDAY, 7 AUGUST 2019

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 22 May 2019, are available on the website and were taken as read and duly accepted by the meeting. Proposed by Talana Williams and Seconded by Elizabeth Ferreira.

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 S Jonkers represented Port Elizabeth and Grahamstown, and informed as follows:

- 4.1 Mr Greg Lucas, is the Deputy Master in the Guardians Fund and Mr Arthur Gidana, the Assistant Director of Finance.
- 4.2 Permission has been given to advertise various vacant positions.
- 4.3 Due to budget constraints, unable to estimate when positions will be filled.
- 4.4 Members to bear in mind that shortage of staff has an impact on workflow and service delivery.
- 4.5 Shortlisting of positions such as Deputy Master, administrative clerk and estate controller have taken place.
- 4.6 Port Elizabeth has 6 vacant positions of which only 3 are allowed to be advertised.

- 4.7 Grahamstown has 7 vacant positions. Interviews for 3 of the positions have been held.
- 4.8 The Port Elizabeth office is experiencing an influx of walk-in-clients. Previously 600 – 700 walk-in-clients per month, but during the month of July over 1000 recorded, presumably due to the project by the Nelson Mandela Bay Municipality.
- 4.9 Members to keep in mind that the Master's office had system issues during June and various officials were placed on leave, which resulted in a backlog of workflow, but are currently working their way through the backlog.
- 4.10 Although the Master's office has an open-door policy, members are requested not to open dialogue between executors, clients and the Master's office. Should matters not be resolved, members are requested to follow the escalation procedure.
- 4.11 94 % of matters are issued within the prescribed turnaround time.
- 4.12 Turnaround time for query sheets are 15 days. The Master may e-mail same should members so indicate.
- 4.13 Mr Greg Lucas (for the Guardians Fund) and Mr Jemillo Adriaan (for all other departments) in Grahamstown usually acknowledge receipt of queries within 24 hours.
- 4.14 Matters which reach Ms Daniels via proper escalation procedure, usually bears a 5-day turnaround time.
- 4.15 Pigeon boxes – due to a lack of space, existing pigeon boxes will remain and no new pigeon boxes will be allowed.
- 4.16 Scanners have not been replaced. Officials have downloaded a scan application onto their smart phones for the time being.
- 4.17 Ms Daniels re-affirmed that, going forward, each page of a trust deed will carry the Master's stamp when requesting Master certified copies. The fee for Master certified copies remains R50.00 per document and R25.00 per normal copy of a document.
- 4.18 Magistrate's office files – A suitable time has as yet not been agreed upon to have a meeting. An interim arrangement has been made whereby officials will assist by i.e. travelling to Humansdorp to collect files. The Magistrate's Court are also understaffed. Due to confidentiality clauses, a random person or Fisa member may not assist with the transporting of files to Port Elizabeth. Fisa offers its assistance by corresponding with the Magistrate's court to raise suggestions, i.e. pigeon boxes, courier services, stakeholder's meeting/s, etc.
- 4.19 Members have raised concern over the turnaround times of the Johannesburg Master's office and were reminded that the escalation procedure is applicable to all Master's offices. Members may utilise the link in the Fisa newsletter to raise queries in respect of long outstanding matters.

5. **SARS**

Represented by Ms D Dyer from the Port Elizabeth branch and Messrs Wouter du Preez and Rashid Ismail from the East London branch. The following matters were discussed:

- 5.1 Members may still utilise the appointment system. Due to filing season, Monday appointments will no longer be available.
- 5.2 Mr Siyanda Mvubu has been appointed as new Branch Manager, Port Elizabeth.
- 5.3 Members to utilise the CMO route for long outstanding exit letters (final tcc's).
- 5.4 Fisa will engage with Mr Ismail of SARS, East London in an effort to create the appointment method for members situated in East London.

6. **Feedback from Home Affairs**

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

7. **Annual Conference 2019**

Members should consider attending. This year promises i.e. presentations with an international/global angle – estates in foreign jurisdictions and digital assets.

8. **FPSA Qualification**

Members are encouraged to complete the qualification. Fisa is aware of members' concern over the quality of questions. Members are further encouraged to e-mail Fisa should issues arise with regards to the University of the Free State.

9. **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.

10. **Banks**

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

11. **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.

12. **Venue**

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

13. **General**

13.1 **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.

13.2 **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.

13.3 **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.

13.4 **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.

13.4 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.

13.5 Visitors: Membership is encouraged and in terms of FISA policy, membership is a

requirement in order to attend meetings.

- 13.6 The preliminary date and time for our remaining 2019 Eastern Cape quarterly meetings is:
23 October: 10:00 – 13:00.

The meeting closed at 11:00.

Presentations/Guest speakers:-

1. Ms Simone Jonkers (Assistant Master, Port Elizabeth)
Reporting estates of foreigners with assets situated in South Africa
(11:00 – 12:00)

2. Dr Eben Nel (PSG Konsult)
(12:00 – 13:00)
Estates with assets situated in the European Union
(12:00 – 13:00)

3 CPD points allocated: 3 for Estates or 2 for Estates and 1 for Estate Planning. 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.

CHAIRPERSON

DATE