

THE FIDUCIARY INSTITUTE OF SOUTHERN AFRICA
MINUTES OF THE EASTERN CAPE LOCAL BOARD MEETING NUMBER 4/2019
HELD AT THE BEACH HOTEL, ON WEDNESDAY, 23 OCTOBER 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 7 August 2019, are available on the website and were taken as read and duly accepted by the meeting. Proposed by Andre Olivier and Seconded by Wynand Du Preez.

3. **Matters arising from previous minutes**

None.

4. **Master's Office**

Feedback from Master's Office – Port Elizabeth and Grahamstown

Deputy Master, Ms S Jonkers (representing Port Elizabeth) and Deputy Master, Mr J Adriaan (representing Grahamstown) informed as follows:

4.1 **Port Elizabeth:**

4.1.1 Scanner clerk & estate Controller positions filled;

4.1.2 Some reshuffling will take place and quite a few changes in the appointments section;

4.1.3 Mr R Basterman – attends to Fisa clients;

4.1.4 Mr M Mgqala – attends to step-in clients;

4.1.5 Ms Jonkers attends to service points until new assistant Master position filled. Awaiting permission to advertise. Once position filled, further reshuffling to take

place.

- 4.1.6 Ms Jonkers will attend at Magistrate's office during November in an effort to address issues.
- 4.1.7 Complaints to Chief Master – Master's office requests procedure to have complaints dealt with removed from the complaints list. Eben Nel requested members to ensure that all channels of escalation are utilised before using the complaints line. The Chief Master allocates complaints to an official in her office – Fisa has raised concern about lack of feedback.

4.2 Grahamstown:

- 4.2.1 Mr Adriaan informed that due to transfer of skills, he was unable to attend the August meeting.
- 4.2.2 2 Assistant Master vacancies filled, one to commence service on 1 December 2019 and the other in the new year.
- 4.2.3 2 Estate Controller vacancies – have requested permission to advertise posts.
- 4.2.4 Librarian position now vacant.
- 4.2.5 Backlog with trusts in group 4. 50 trust files have been distributed to group 1 to assist. Permanent plan to be put in place from April 2020.
- 4.2.6 Complaints received are dealt with the same day. Made Fisa aware that matters are often duplicated.

4.3 General:

- 4.3.1 Turnaround time for Section 42(2) endorsements confirmed to be 5 working days.
- 4.3.2 Wynand Du Preez raised that investments are confined to banking products which are not always tax efficient, although seen as low risk vs higher risk (with larger income) from non-banking products. Members to open dialogue and motivate to the Master whereby each matter will be assessed on its own merit.

5. SARS

Represented by Ms S Guerini and Ms H Sontashe from the Port Elizabeth branch.

Ms Guerini informed that:

- 5.1 Her office attends to estate duty (assessments and audits) in respect of all Eastern Cape Master's offices.
- 5.2. Members not to get confused between final tax clearance compliance certificates and estate duty clearance letters.
- 5.3 Members to liaise with Ms Guerini with reference to specific matters should estate duty take longer than usual to finalise.
- 5.4 SARS' estate duty auditors handle 13 – 15 cases per month with an average finalisation period 2 – 4 months.
- 5.5 Estate duty refunds are to be taken up with the estate duty inbox in Gauteng.

6. **Feedback from Home Affairs**

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

7. **Annual Conference 2019**

Members are encouraged to refer to the Fisa website.

8. **February 2020 meeting**

This will also be the election meeting. The Chairperson will represent the Eastern Cape in National Council.

9. **Special thanks**

Thank you to the Master's offices and SARS for their continued support of our organisation.

10. **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.

11. **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.

12. **Banks**

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

13. **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.

14. **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.

15. **General Fisa Matters**

15.1 **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.

15.2 **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.

15.3 **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.

15.4 **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.

- 15.4 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.
- 15.5 Visitors: Membership is encouraged and in terms of FISA policy, membership is a requirement in order to attend meetings.
- 15.6 The date and time for our 2020 Election meeting is Thursday, 13 February from 10:00 – 14:00. Dates for further 2020 meetings to be set by the new elected Regional Committee.

The meeting closed at 11:00.

PRESENTATION:-

TRADITIONAL AND RELIGIOUS MARRIAGES coordinated by Dr Razaana Denson (Nelson Mandela University)

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

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