

Managing the relationship with the regulator



THE FIDUCIARY INSTITUTE OF SOUTHERN AFRICA



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Agenda

- Relationship with the Chief Master
- What do FISA members think?
- Complaints about poor service
- The crises of 2020/21
 - Covid and the hard lockdown of 2020
 - The Government Printer
 - The suspension of Ms Bezuidenhout
 - The ransomware attack
 - The Pretoria Deeds Office

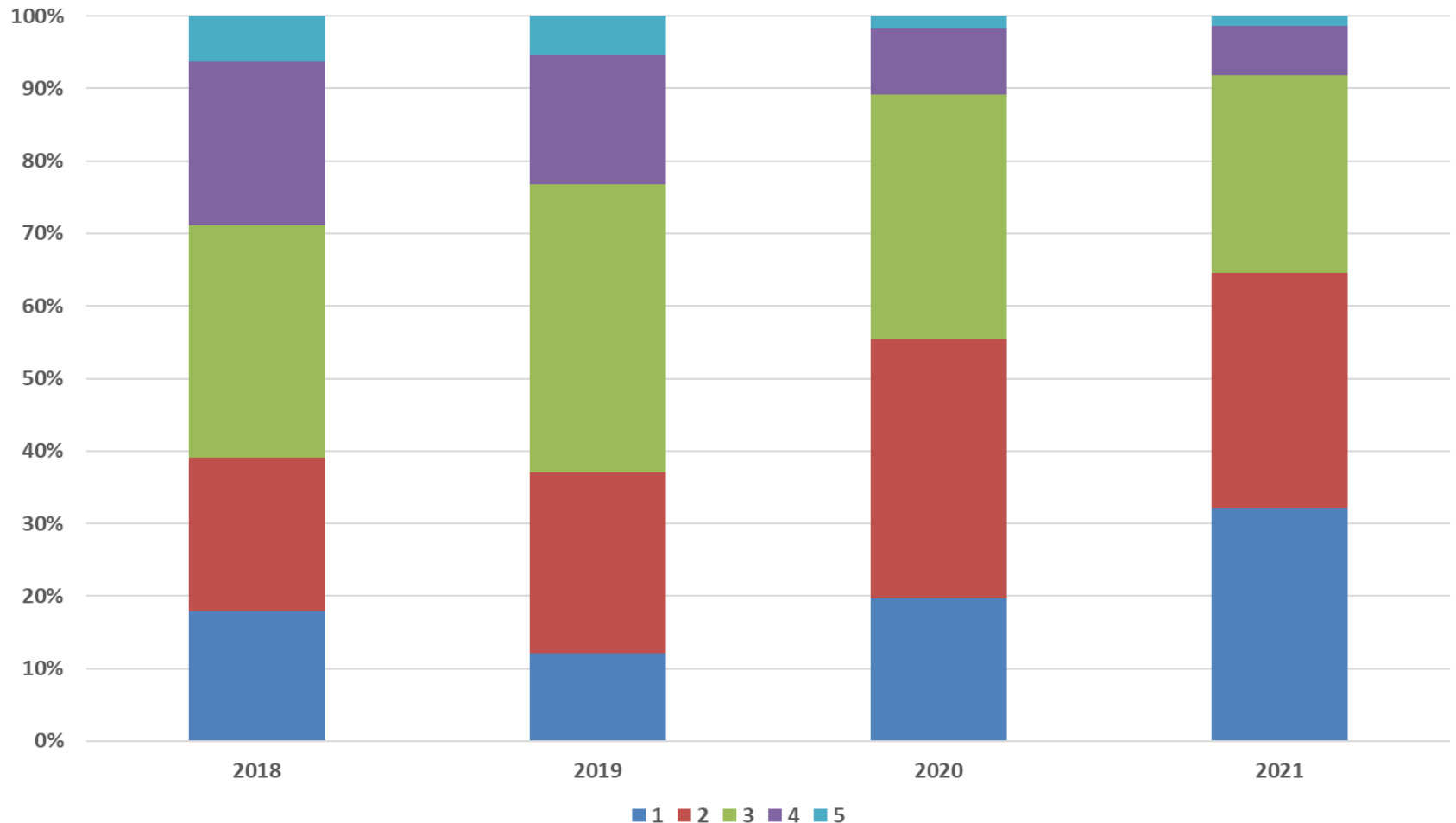
- Up to beginning of last year good
 - Acting Chief Master Bezuidenhout - regular contact
 - FISA initiated complaints facility of website
 - Spoke to Master's conference
- Covid happened
 - Nothing came of our plea for wills as essential service
 - Master's Offices to standstill
- Chief Master Mafojane appointed

- Second quarter 2021 – FISA initiates quarterly meetings
 - Generally in good spirit
 - CM willing to listen to our issues
 - Getting to Masters to act consistently seems problematic
- Communication not flowing both ways

- November 2020 first meeting with Deputy Minister of Justice
 - First time a united front from the industry
 - Not much difference
- September/October 2021 follow-up meetings
 - Threats by attorneys of obtaining court orders
 - It seems there is pressure from above on Masters

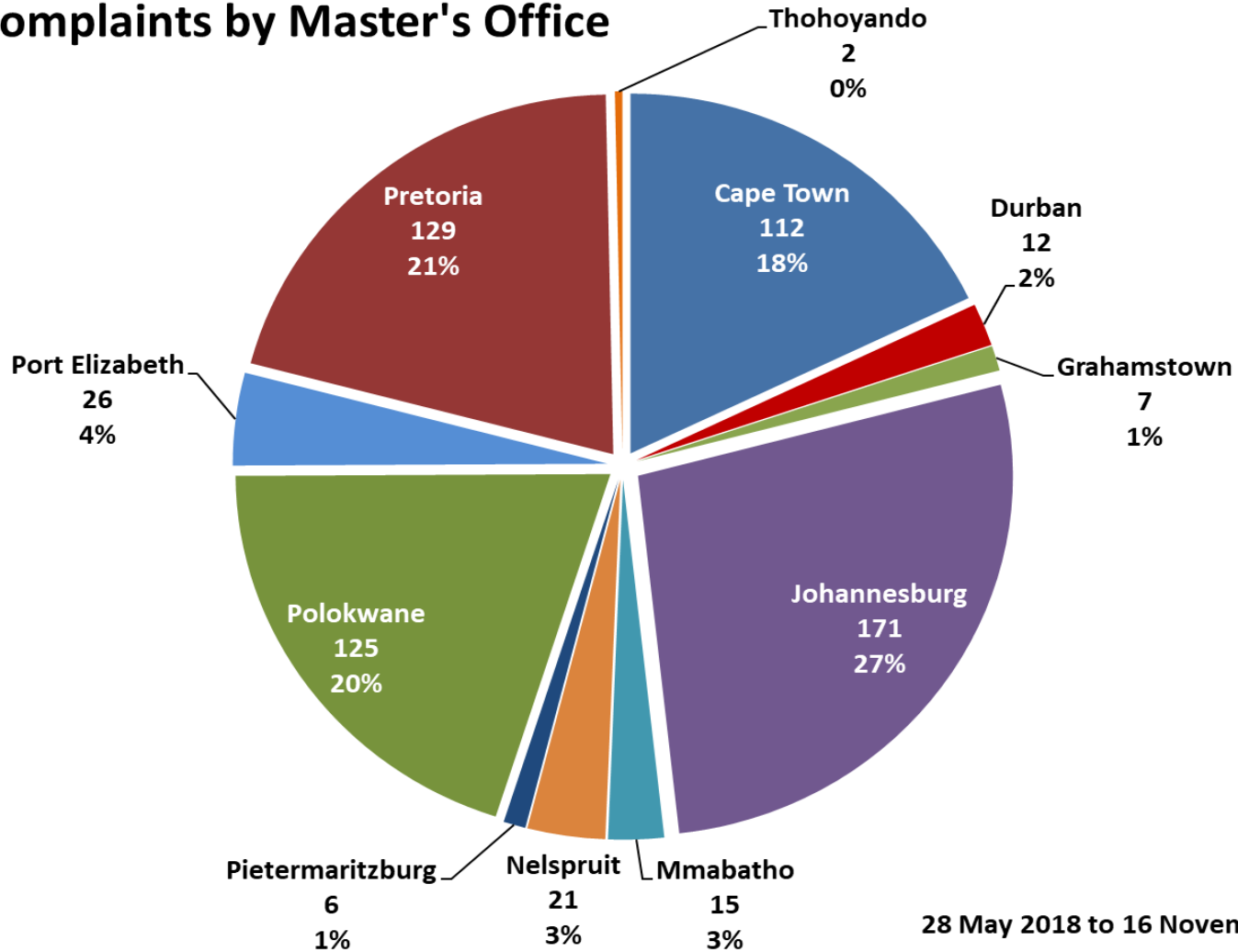
What do FISA members think?

FISA Members' rating of Masters' service levels





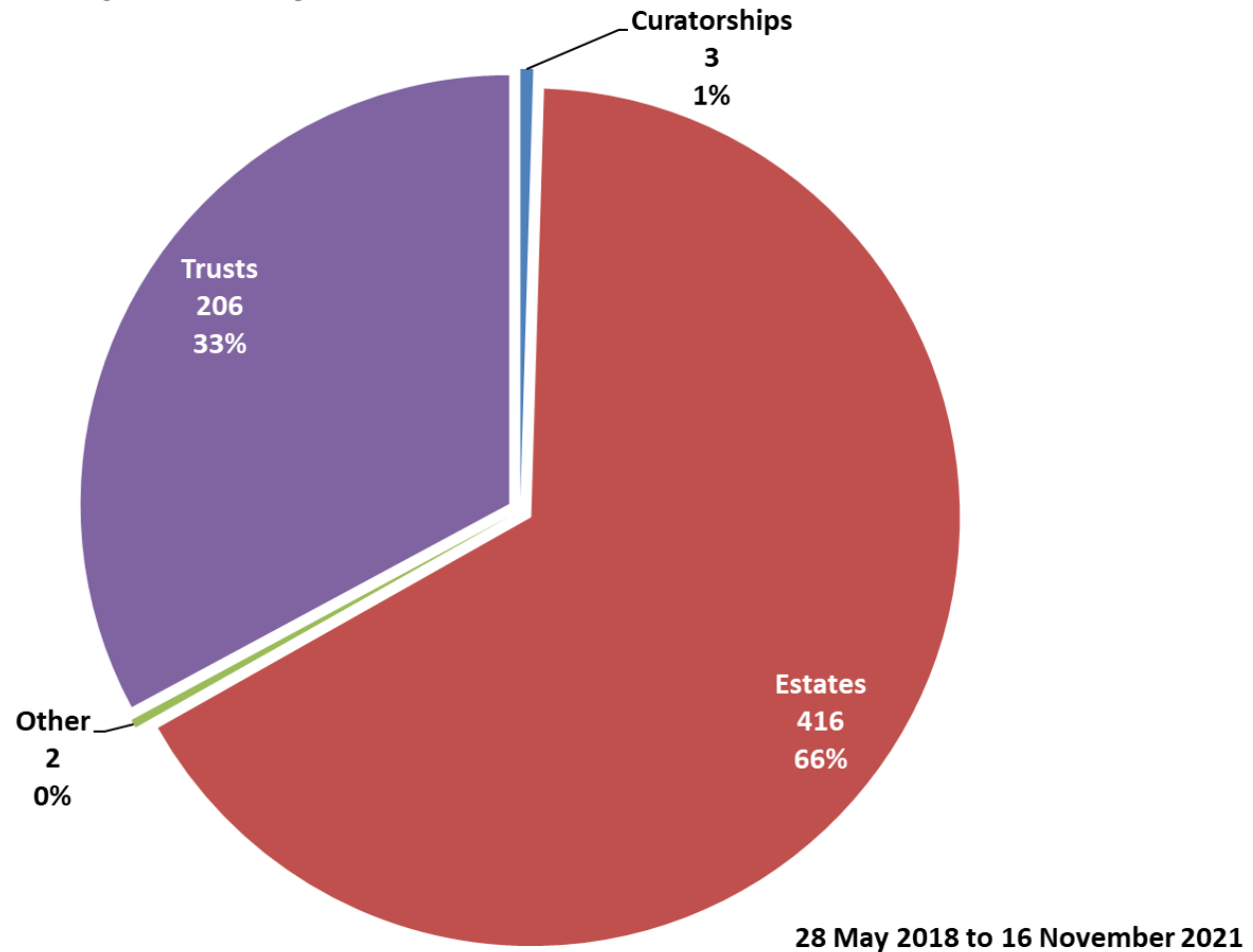
Complaints by Master's Office

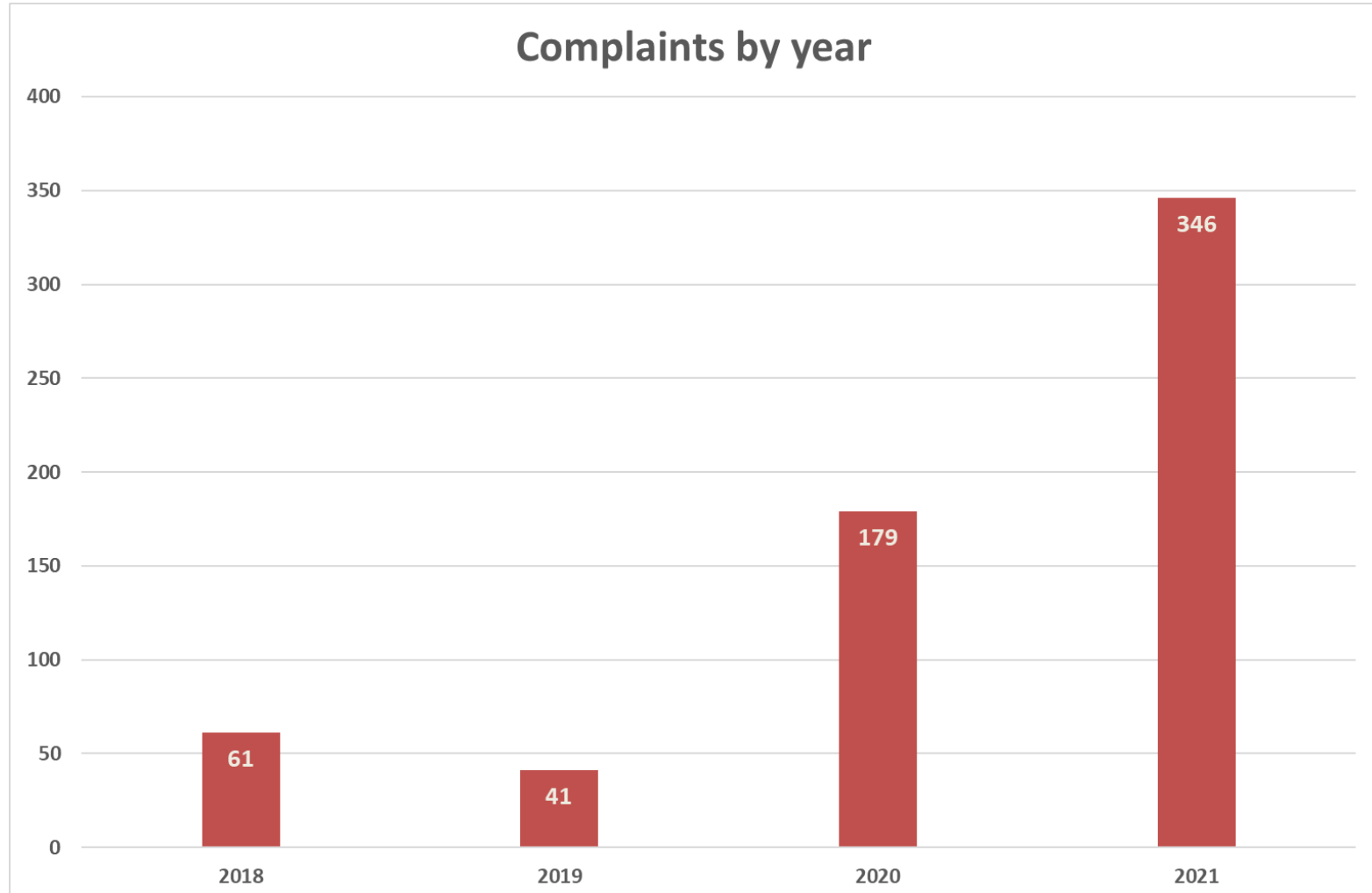


28 May 2018 to 16 November 2021



Complaints by area





- Covid and the hard lockdown
 - No reaction to request for wills to be declared an essential service
 - No legal way to get a will signed
 - Master's office to a standstill
 - People did not stop dying, quite the opposite
 - Only one result – existing backlogs beyond control

- The Government Printer (March 2021)
 - For more than a month legal gazettes not published
 - Blamed on an IT system malfunctioning
 - Very little communication
 - FISA filed a supporting affidavit to SARIPA's application against the Minister of Home Affairs
 - Huge impact on deceased estates administration

- The suspension of Ms Bezuidenhout
 - Previous acting Chief Master suspended
 - FISA tried to confirm the rumours
 - Informed that the communications unit will liaise with stakeholders
 - Did not happen - media published before stakeholders were informed

- The ransomware attack
 - Once again very poor communication
 - Even when industry met with Deputy Minister very little information
 - Total inflexibility regarding potential short term solutions to the crisis
 - Existing backlogs made even worse
 - Banks could not verify LE's

- The Pretoria Deeds Office
 - In the last two days this office came to a standstill
 - Electricity supply cut off by Tshwane Metro
 - Bill allegedly not paid by Dept of Public Works
 - LPC intervened and put pressure on Ministers of Public Works and Land Affairs to intervene
 - Electricity supply connected yesterday



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ESTATE PLANNING TRUSTS WILLS ESTATES BENEFICIARY FUNDS

So where to from here?

