



THE FIDUCIARY INSTITUTE OF SOUTHERN AFRICA



WESTERN CAPE REGIONAL MINUTES
of the regional meeting held on
25 August 2021
via GoToMeeting

1.	OPENING																																																																								
1.1.	<p>Ryno Venter welcomed all members present. He further covered the rules of the meeting via the GoToMeeting platform.</p> <p>The meeting has been opened.</p> <p><u>Attendees</u></p>																																																																								
1.2	<table border="1"><tr><td>Adrienne O'Shea</td><td>Marja Rijke</td></tr><tr><td>Alfie Bester</td><td>Mark Butler</td></tr><tr><td>Alida Brink</td><td>Mark Harris</td></tr><tr><td>Ann Nel</td><td>Mari Steenekamp</td></tr><tr><td>Andri Barnard</td><td>Mary Geale</td></tr><tr><td>Antoinette</td><td>Michelle Cliff</td></tr><tr><td>Brenton Ellis</td><td>Mogamat Rifaat Jarodien</td></tr><tr><td>Barbara Segalla</td><td>Morné van Niekerk</td></tr><tr><td>Beverley Jackson</td><td>Najma Parker</td></tr><tr><td>Brunhilde Gerber</td><td>Nandi Sauer</td></tr><tr><td>Carolina</td><td>Nerisha Radhella</td></tr><tr><td>Corne Nunns</td><td>Nicolaas Brink</td></tr><tr><td>David Wangai</td><td>Nico Louw</td></tr><tr><td>Dick Miles</td><td>Olivia De Freitas</td></tr><tr><td>Dirk Coetzee</td><td>Pamela Momse</td></tr><tr><td>Doné Jozephs</td><td>Paula Bongers</td></tr><tr><td>Elaine Schoeman</td><td>Peta Sickle</td></tr><tr><td>Elmien Pols</td><td>Pieter Steenkamp</td></tr><tr><td>Elna Pieterse</td><td>PJ Veldhuizen</td></tr><tr><td>Elna Van der Walt</td><td>Renette Rauch</td></tr><tr><td>Fiona McKend</td><td>Richard Bryant</td></tr><tr><td>Fiona STORE</td><td>Rita Mendes-Abreu</td></tr><tr><td>Francois Snyman</td><td>Rodney Koen</td></tr><tr><td>Francois de Jager</td><td>Roegshana Samaai</td></tr><tr><td>Franscois van Gijsen</td><td>Ryno Venter</td></tr><tr><td>Gerhard Lourens</td><td>Samantha Booysen</td></tr><tr><td>Grant Louw</td><td>Sandy de Wet</td></tr><tr><td>Hendrik Janse van Vuuren</td><td>Sarah Love</td></tr><tr><td>Herman Mulder</td><td>Sean Beagley</td></tr><tr><td>Hugo Van Zyl</td><td>Sharon Stanton</td></tr><tr><td>Ielhaam Pegram</td><td>Solly</td></tr><tr><td>Inge Heath</td><td>Sonja Viljoen</td></tr><tr><td>Jaap Roux</td><td>Suzette Malherbe</td></tr><tr><td>Jacques Potgieter</td><td>Sean Johnston</td></tr><tr><td>Jan van Zyl</td><td>Sonja Linde</td></tr><tr><td>Jenny Barfoot</td><td>Stefne van Tonder</td></tr></table>	Adrienne O'Shea	Marja Rijke	Alfie Bester	Mark Butler	Alida Brink	Mark Harris	Ann Nel	Mari Steenekamp	Andri Barnard	Mary Geale	Antoinette	Michelle Cliff	Brenton Ellis	Mogamat Rifaat Jarodien	Barbara Segalla	Morné van Niekerk	Beverley Jackson	Najma Parker	Brunhilde Gerber	Nandi Sauer	Carolina	Nerisha Radhella	Corne Nunns	Nicolaas Brink	David Wangai	Nico Louw	Dick Miles	Olivia De Freitas	Dirk Coetzee	Pamela Momse	Doné Jozephs	Paula Bongers	Elaine Schoeman	Peta Sickle	Elmien Pols	Pieter Steenkamp	Elna Pieterse	PJ Veldhuizen	Elna Van der Walt	Renette Rauch	Fiona McKend	Richard Bryant	Fiona STORE	Rita Mendes-Abreu	Francois Snyman	Rodney Koen	Francois de Jager	Roegshana Samaai	Franscois van Gijsen	Ryno Venter	Gerhard Lourens	Samantha Booysen	Grant Louw	Sandy de Wet	Hendrik Janse van Vuuren	Sarah Love	Herman Mulder	Sean Beagley	Hugo Van Zyl	Sharon Stanton	Ielhaam Pegram	Solly	Inge Heath	Sonja Viljoen	Jaap Roux	Suzette Malherbe	Jacques Potgieter	Sean Johnston	Jan van Zyl	Sonja Linde	Jenny Barfoot	Stefne van Tonder
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3.	MATTERS ARISING FROM PREVIOUS MINUTES
	No matters arose from the previous minutes.
4.	MASTER'S OFFICE
	<p>Mrs Agulhas from the Cape Town Master's Office was present at the meeting and welcomed by Ryno.</p> <p>Mrs Agulhas thanked Ryno and members for their patience with all the difficulties experienced.</p> <p>She suggested that we focus on the positive in these very difficult times we are working in.</p> <p>Fast Tracking is up to date. There was a challenge between April and July, but it should now flow freely. They are currently registering around 2,400 new estates per month, with an average turnaround time of 18 days.</p> <p>Currently receiving around 1,040 L&D accounts per month, with an average turnaround time of 13 days.</p> <p>Trusts has increased number of new trusts registered, from between 485 to 648 to 730 matters per month with an average turnaround time of 25 days.</p> <p>There is going to be a change in workflow, as 4 AM's and 3 estate controllers have been approved, with some starting as soon as 1 September. They will update the list of staff with email addresses and telephone numbers.</p> <p>As a result of Covid-19 and the large number of positive cases, their OHS committee recommended limited access to their offices. Public/members cannot go to the floors, unless they have an appointment with an examiner/AM or deputy Master.</p> <p>They are being inundated with complaints, they are battling to keep up with all the complaints. Members are requested again to follow the correct protocols: estate controllers are becoming agitated. There are some staff members who do not answer e-mails. These have been identified and addressed. Should you experience such a situation, please bring it to the attention of the deputy master.</p> <p>FISA makes use of a list submitted to chief master, which does not identify the specific offices. It would help very much if the list can identify the respective branches.</p> <p>Experienced IT challenges, slow network, which has been addressed. ICMS was down for the last month, which has an impact on all new estate registrations.</p> <p>Team 1 – faulty network cable, unable to access mails for a week. This has now been resolved.</p> <p>Teams 4 & 5 had to isolate due to positive cases, which has a tremendous effect.</p> <p>There were allegations of corruption by members of the public but no one comes forward with any information. Mrs Agulhas again appeals to members to come forward if they have proof of these allegations.</p> <p>With COVID, the amount of deaths has increased tremendously. There is a backlog of capturing of new matters, but this should be addressed in the next few weeks.</p> <p>S42(2) remains a problem: staff are experiencing challenges with finding the files, but it has been pointed out to them the urgency in this regard. The situation is being monitoring. If there is no improvement, members must address via FISA secretariat.</p> <p>Currently working on 50% staff. Many staff are working after hours to try and keep up. Not all can work from home. This has an effect on e-mail communication, which is a huge challenge.</p> <p>Lastly, members may request meetings to discuss specific files with estate controllers and assistant masters.</p> <p>Questions and concerns from Brenton Ellis: Thanked Mrs Agulhas for the feedback. Escalation of matters to chief Master: this is simply because we do not get feedback from her office, including her personal mail. Sent mail 2/3 weeks ago, no replies. These matters had already been reported on the FISA website. Staff members not using their e-mails is a huge problem. If we have to</p>

message them, it means they are not doing their work. This has a huge effect on our industry, our livelihood and our beneficiaries.
It is a huge problem if we are not allowed to go up to the floors, as we can not get hold of the estate controllers or AM's.
Query sheets outstanding since April
S42(2) outstanding for 3 months.
Getting complaints from members where queries are raised which is outside the Master's jurisdiction. Master's duty is to ensure the property was sold correctly, with the consent of the heirs and that the executor was not involved.

Brenton asked if we can nominate members to assist the office to capture new estates?

Ryno interjected, as we are running out of time and suggested that the questions be compiled and sent to Mrs Agulhas for a response within the next week, where after the responses will be shared with the members. Brenton agreed, provided we get Ms Agulhas commits to revert within a short period so we don't lose momentum.
Ms Agulhas very perturbed and takes exception to Brenton's statements, as she does not have any outstanding complaints from him. Further, they do not report to Tessie Bezuidenhout, but to Penny Roberts. However, she undertakes to respond within 7 days of receipt.

Note from Louis van Vuuren:

Louis explained where the escalation process came from. Ms Bezuidenhout was the acting Chief Master when a meeting was held and the complaints tool was set up on the FISA website. A meeting was held with the Chief Master (both Ms Bezuidenhout and Ms Roberts were in attendance) yesterday whereas, amongst other matters, the escalation process was discussed. Chief Master commended FISA and the process / tool they have on the website and requested that it be kept active as it greatly assists them. Louis again confirms how the escalation process works: The list is split into 2 worksheets: 1 all matters reported previously and the other only new matters list. The 2nd column of the list identifies which Master's Office is involved and it should be an easy exercise to sort by office. The link on the website is further solely reserved for FISA members and not open to the general public (to prevent abuse)

Questions posed by members:

Olivia de Freitas:

Mrs Agulhas if the examiners are in their offices, there is social distancing, so why are they still working on a rotational basis? surely then everyone can be there every day?
Getting copies of documents that is needed for a property transfer is also a big problem it is simply not a priority for the registry clerks

Mari Steenekamp:

What is the facility that the Master have, when it appears that a telephone call is answered, but no one is speaking? Are the staff allowed to take telephone calls?
Suggestion: staff at the MO should change from salaries to output performance. We don't get paid if we don't give our clients results?

Nico Louw:

A point that has been made at a previous meeting is the increased number of mistakes that appears on the documents that one actually receives back. Recently received a Letter of Authority with 3 spelling mistakes on.

Alfred Bester:

Are Master's staff members being managed and surely their productivity could be monitored?

Yasmin Jadwat:

Could we have an indication as to timeframes, for instance, in the current climate how long does it take to issue letters of executorship? 2 weeks? 4 weeks? How long should we wait before escalating matters?

Mbulelo Bikwani:

I want to commend the master on her own turnaround time whenever I send a complaint directly to her. She responds in a day or two. However, her staff would literally just not respond even when she instructs them to do. So, we're in a situation where there's just no consequence management. What happens to people who just don't do what they're supposed to do.

	<p>I've matters that I'm yet to receive a letter of executorship with follow up emails almost every week. they've been there for 3 - 5 months.</p> <p>Wanda Visser: We receive E-mail confirmation that L/E was issued / 42(2) signed / Query Sheet issued, but nothing gets placed in our MO Box. How do we get documents from the floor to our MO Box? If this can be sorted, complaints will be halved. I wish the turnaround times Mrs. A mentioned was true. I would have no complaints.</p>
5.	SARS
	<p>Mr. Williams (SARS) present and welcomed by Ryno Venter.</p> <p>Mr Williams is responsible for estate assessment and audit area, but will try to answer other questions as far as possible. No back logs currently experienced. Correspondence in assessing space – practically up to date, currently working on 2nd week of August mails. Please address issues to Nicolaas Brink if you have any outstanding matters. System issue: aware of the post death registration issues. They are aware of this and dealing with the matter. There is a dedicated email to escalate outstanding matters: estatessegment@sars.gov.za Please make sure all supporting documents are uploaded before escalating. The latter email can also be used for matters outside the jurisdiction of Mr. Williams (who is appointed for the Western Cape). Important to note that should a matter be escalated through this email it must be an existing matter and outside the response time period (21 days). Nicolaas is the liaison and members are requesting to refer SARS concerns to him: nicolaas@curoaccounting.co.za. Do not email Mr. Williams directly.</p> <p>Question from member: Why are there systems errors with E-filing? Mr. Williams confirms that different programs are not working together effectively. They should have same resolved soon.</p>
6.	BANKING INSTITUTIONS
	<p>Ryno Venter confirmed Denise Perkins (Eastern Cape) taking over the national portfolio dealing with the banks. During this transition period, please send any queries in this regard to Ryno.</p> <p>There have been quite a few complaints in the last quarter. Nedbank and Standard Bank being the main culprits. They were closely followed by FNB and Capitec. This is unusual and their management have confirmed that they are inundated with requests for closures, etc. due to the increased deaths. Almost no complaints on ABSA matters. A new channel is being started for payment of legacies to non-residents under R10m, where such non-resident is not registered for tax in RSA and was never on SARS database. Feedback to follow.</p>
7.	GENERAL
	Nothing to discuss
	CLOSING
	The meeting was closed, and members thanked for their attendance.

	<p>A CPD session Exit Tax on Retirement Funding was presented by Hugo van Zyl, followed by PJ Veldhuizen on Ethics</p>
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