



THE FIDUCIARY INSTITUTE OF SOUTHERN AFRICA



WESTERN CAPE REGIONAL MINUTES
of the regional meeting held on
25 August 2022
at Training Room 27 at Sanlam Head Office, Cape Town and
via GoToMeeting

1	OPENING																																																																																		
1.1.	<p>Ryno Venter welcomed all members present to the last meeting of the year. He further covered the rules of the meeting via the GoToMeeting platform.</p> <p>The meeting has been opened.</p>																																																																																		
1.2	<p><u>Attendees</u></p> <p><u>Venue Attendance:</u></p> <table border="0"> <tr> <td>BESTER</td> <td>Alfie</td> <td>BONGERS</td> <td>Paula</td> </tr> <tr> <td>BARNARD</td> <td>Andri</td> <td>SCHOEMAN-CLARK</td> <td>Liezel</td> </tr> <tr> <td>BRINK</td> <td>Nicolaas</td> <td>VAN DER MERWE</td> <td>Louis</td> </tr> <tr> <td>BUTLER</td> <td>Mark</td> <td>SOEKER-SAULS</td> <td>Zakiya</td> </tr> <tr> <td>DANIELS</td> <td>Solomon</td> <td>VAN DER SPUY</td> <td>Phia</td> </tr> <tr> <td>DE JAGER</td> <td>Francois</td> <td>VAN GIJSEN</td> <td>Francois</td> </tr> <tr> <td>ELLIS</td> <td>Brenton</td> <td>van Tonder</td> <td>Stefné</td> </tr> <tr> <td>DE VOS</td> <td>Johann</td> <td>VAN VUREN</td> <td>Louis</td> </tr> <tr> <td>ENGELBRECHT</td> <td>Wilmi</td> <td>VAN ZYL</td> <td>Brendin</td> </tr> <tr> <td>FAKIR</td> <td>Solly</td> <td>VENTER</td> <td>Ryno</td> </tr> <tr> <td>LOTTER</td> <td>Karen</td> <td>WELGEMOED</td> <td>Janine</td> </tr> <tr> <td>JANSE V RENSBURG</td> <td>Hendrik</td> <td>WYNGAARD</td> <td>Esther</td> </tr> <tr> <td>KIEWIETS</td> <td>John</td> <td>VERMEULEN</td> <td>SJ</td> </tr> <tr> <td>GROBBELAAR</td> <td>Ilonka</td> <td>WESSELS</td> <td>Cornel</td> </tr> </table> <p><u>Guests:</u></p> <table border="0"> <tr> <td>TSOLEKILE</td> <td>Lusanda</td> </tr> </table> <p><u>Speakers/Sponsors:</u></p> <table border="0"> <tr> <td>BARFOOT</td> <td>Jenny</td> <td>PEENS</td> <td>Les-Lee</td> </tr> <tr> <td>DOIDGE</td> <td>John</td> <td>PRINGLE</td> <td>Lynne</td> </tr> </table> <p><u>Online attendance:</u></p> <table border="0"> <tr> <td>ABRAHAMS</td> <td>Madeleine</td> <td>MORRIE</td> <td>Ellerize</td> </tr> <tr> <td>ARENDS</td> <td>Natalie</td> <td>MOSES</td> <td>Pamela</td> </tr> <tr> <td>GERMISHUYS</td> <td>Adele</td> <td>MTHETHWA</td> <td>Londiwe</td> </tr> <tr> <td>BEAGLEY</td> <td>Sean</td> <td>MUKADAM</td> <td>Showkat</td> </tr> </table>	BESTER	Alfie	BONGERS	Paula	BARNARD	Andri	SCHOEMAN-CLARK	Liezel	BRINK	Nicolaas	VAN DER MERWE	Louis	BUTLER	Mark	SOEKER-SAULS	Zakiya	DANIELS	Solomon	VAN DER SPUY	Phia	DE JAGER	Francois	VAN GIJSEN	Francois	ELLIS	Brenton	van Tonder	Stefné	DE VOS	Johann	VAN VUREN	Louis	ENGELBRECHT	Wilmi	VAN ZYL	Brendin	FAKIR	Solly	VENTER	Ryno	LOTTER	Karen	WELGEMOED	Janine	JANSE V RENSBURG	Hendrik	WYNGAARD	Esther	KIEWIETS	John	VERMEULEN	SJ	GROBBELAAR	Ilonka	WESSELS	Cornel	TSOLEKILE	Lusanda	BARFOOT	Jenny	PEENS	Les-Lee	DOIDGE	John	PRINGLE	Lynne	ABRAHAMS	Madeleine	MORRIE	Ellerize	ARENDS	Natalie	MOSES	Pamela	GERMISHUYS	Adele	MTHETHWA	Londiwe	BEAGLEY	Sean	MUKADAM	Showkat
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BENADE	Louis	MURPHY	Chris
BIKWANI	Mbulelo	NAUDE	Baron
BOOYSEN	Samantha	NDIMANDE	Lerato
BORMAN	Ekhard	NICHOLAS	Vannessa
BRINK	Alida	O'SHEA	Adrienne
CUPIDO-WOODMAN	Alicia	PARKER	Najma
DE FREITAS	Olivia	PELSER	Danie
DE BEER	Yvonne	RADHELLA	Nerisha
DRAPER	Reghardt	RAUCH	Renette
FOURIE-BARNARD	Kelly	RIJKE	Marja
GERBER	Brunie	ROOZA	Ryan
GRADWELL	Tamsyn	ROSE	Camilla
HARRIS	Mark	SAMAAI	Roeqshana
HEAN	Lauren	SAUER	Nandi
HEATH	Inge	SCHUTTE	Annemarie
HEYNS	Alysha	SEGALA	Barbara-Ann
JACKSON	Beverley	SNYMAN	Lusandri
JADWAT	Yasmin	SNYMAN	Francois
JOHNSTON	Sean	STANTON	Sharon
JOZEPHS	Donè	STOKES	Leanne
KAJEE	Safeera	STORE	Fiona
KOEN	Laurette	STRAUSS	Romy
KOEN	Rodney	TANNOUS	Theresa
KRITZINGER	Liezl	VAN DER WALT	Elna
KRUGER	Valma	v d Westhuysen	Elsa
KOOPMAN	Janine	VAN HUYSSTEEN	Carolina
LANGMAN	Eileen	VAN NIEKERK	Morne
LOOTS	Nina	VAN ROOIJEN	Lesley
LOUIS	Lynne	VAN SCHALKWYK	Madeleen
LOURENS	Gerhard	VAN ZYL	Jan
LOUW	Grant	VERMAAK	Leandra
LOUW	Nico	VILJOEN	Sonja
MARTIN	Antoinette	VISSER	Wanda
McKEND	Fiona	WANGAI	David
MEDEA	Melissa	Wangra	Wendell
MENDES-ABREU	Rita	WILLIAMS	Michelle
MILES	Dick	ZIESENISS	Robyn

Apologies:

BELLAIRS	Tim	LOVE	Sarah
BOSHOFF	Julian	LUCAS	Cindy - Lou
BUYS	Wayne	MOGEE	Seugnet
COETZEE	Gerhardus	MULLER	Tracy
CROOKES	Kathryn	POTGIETER	Marius
DANIELZ	Louise	STEENKAMP	Pieter
GARNER	Robert	VAN GIJSEN	Nico
GREBE	Russell	VAN STRAATEN	Jaco
LOUW	Natasha	VAN VUUREN	Deon

	<p>Ryno gave Jenny Barfoot from Hollard, the main sponsor, an opportunity to speak before we proceed with the rest of the meeting. Their main products are tailor-made for fiduciary industry, namely Bonds of Security, asset insurance and professional indemnity insurance, for professionals and non-professionals. Please contact Jenny jennyb@hollard.co.za should you require any assistance or speak to Brett personally after the meeting.</p> <p>The meeting Exhibitor is Les-Lee Peens from Shackleton.</p>
2	<p>MATTERS ARISING FROM PREVIOUS MINUTES AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING</p>
	<p>Ryno requests confirmation of the Minutes of Meeting held on 2022/05/26. No changes proposed. Nothing further to be added from the audience or online. The approval of the minutes was proposed by Barbara Segalla and seconded by Brenton Ellis. Minutes of previous meeting were therefore confirmed.</p>
3	<p>MASTER'S OFFICE</p>
	<p>We did not manage to have a stakeholder meeting with the Master before the meeting. We received a short write up from Z Agulhas just before the meeting, which was circulated to member yesterday. Ryno gave opportunity to members to discuss the content.</p> <p>Request for filing notices issues: – reference to Template. There is no template, we have been waiting since the last meeting (Ryno, Brenton and Karen followed up, but received no reply) We will create a template and distribute to members. Brenton took the floor to discuss the following:</p> <p>Self-service desk: Thank you to Sanlam for assisting with the training. This is only for deceased estate and for fast tracking at this stage. Ms. Agulhas referred to trusts in her document, but Deputy Master in charge of the Trust Department Irma Dick is not aware of same. She is concerned about breaching the POPI Act, but if each member captures their own, this should not be a problem. This will be clarified and communicated to members.</p> <p>Deceased estate side: fast track going very slow – 2/3 hours to capture 2 files. This could be as a result of telephone lines not being operational, as mentioned in the write up. At the moment it is free for all, you arrive and take a seat. We are currently looking at drawing up a co-ordinated schedule based on volumes, to avoid chaos. Members are requested to please stick to the schedule, once distributed. 21 days turnaround for LE's is not acceptable. If we are capturing our own matters, there is no reason for LE's to take 21 days to be issued.</p> <p>Files should be prepared as follow; -</p> <p>Inside left of the file, the original Will – this can be stapled to the file;</p> <p>On the right-hand side of the file, attached by string you need to attach the following in the same order;</p> <ul style="list-style-type: none"> • Death Notice • Certified copy of the Death Certificate • Certified copy of the Marriage Certificate • Certified copy of the Antenuptial Contract (if applicable) • Certified copy of the Executor's Id • Inventory • Next of Kin Affidavit (if applicable) • Nomination form (if applicable) • Acceptance of Trust (in duplicate)

	<p>At the back is your cover letter.</p> <p>List of 42(2) requirements: please ensure that you keep to this list. If you have anybody not sticking to the list, please refer the queries (including the name of the MOHC official) to Brenton, who will take it up with the Master. There should be no grey area.</p> <p>Fast track files: Brenton requested some, but he received no response. As soon as he does receive communication, we will advise members. Alternatively, members can obtain brown folders and create their own. It does not have to be printed. however, it is not easy to find the brown folders. We cannot use other colours.</p> <p>Issue with certified copies: Master unable to provide copies. Where possible, please make copies of the documents you require, for them to merely certify (except wills, which must bear the “accepted” endorsement)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Chris Murphy – self help is to take over fast track. Brenton will discuss with Mr Mbewana</p> </div> <p>Brenton eluded members to a fraud matter, where the entire Master’s Office file was copied. (Including death certificate of predeceased spouse). Fraudster sent mail to Brenton erroneously. He played along and asked for estate bank details. They provided him with valid estate bank details opened with FNB. Z Agulhas took 3 weeks to reply. If you encounter anything like this in any of your estates, please refer to Brenton, who will take it up with the Master.</p> <p>Louis van Vuren has had a few interactions with the CEO of FNB Trust. He mentioned that their forensic department is very geared up to deal with these fraudsters. Please note that the banks verify executors on the ICMS portal. If they are not online, the banks are not able to verify, they will not respond. BASA requested Louis to provide them with all members information. They will then regard FISA members as “trusted”. Louis advised that FISA cannot do this safely. In Pretoria, several attorneys took Master to court, brought a special application for Mandamus order, to compel the Master to issue LE. They were successful, with a costs order against the Master. One attorney has now obtained successful cost order against the individual at the Master in his/her personal capacity. DMOJ was not very pleased and this has resulted in more positive interaction with the Master.</p>
4	SARS
	<p>Lusanda Tsholikile from SARS was present at the meeting and introduced herself to members, explaining her role. In the audit space, SARS is coping okay in terms of their turnaround times.</p> <p>Coding teams is a challenge. In the recent past they had a number of retirements, etc. but they are starting to win slowly but surely in that area in terms of DEC letters (issued by the same team)</p> <p>IF there are any service failures experienced, Lusanda will gladly try to assist to resolve these issues.</p> <p>Nicolaas Brink: in the past few months there have been numerous failures, not specifically in the estate space, but in general relating to verifications and refunds (income tax) disputes, DEC letters, bank detail verifications, stoppers, payment arrangements. SARS in process of putting in place new procedure systems and implementation. They are aiming to move to more online functionality instead of the call centre.</p> <p>SARS are moving away from the call centre. It is speculated to be similar to what’s app platform/system. Members are encouraged to complete survey requests. This will enable SARS to solve problems and help them to get this system up and running.</p> <p>Barbara Segalla asked if coding is up to date? Lusanda advised they are still having a few challenges. If Barbara has a few matters where she is waiting for the coding to be done, she can refer these to Lusanda, to try and fast track these. Ryno suggested that this rather be channelled through Nicolaas.</p> <p>Nicolaas extended his thanks to Jemina and Lusanda for all their assistance, including matters not within the Western Cape, in resolving these issues.</p>

	<p>Trust registrations is a challenge. This is done on the branch level, Lusanda can assist to engage with the branches.</p> <p>Nicolaas e-mail address: nicolaas@curoaccounting.co.za</p> <p>Requesting DEC letters to be done via the "Contact Us" email address. Only escalations to be referred to Nicolaas, please.</p> <p>Recent training done by SARS was not recorded.</p>
5	BANKING INSTITUTIONS
	<p>Ryno Venter confirms that this portfolio has now formally been handed over to Donise Perkins (Eastern Cape).</p> <p>For all long outstanding matters, escalate to Ryno, he will forward these to Donise. There is a template on the website. more non-members use this escalation process than members.</p> <p>Various members advised they are unable to get hold of Donise. Ryno suggested they CC Aaron Roup, so this can be taken up on national level.</p>
6	GENERAL
	NOTHING UNDER GENERAL
8	CLOSING
	The meeting was closed, and members thanked for their attendance
	The CPD session follows and is presented by Lynne Perkins on mediation in trusts and John Doidge on unreported trust cases