

UPDATE ON MASTERS SERVICES

10 SEPTEMBER 2025



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Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

RECLAIMING THE CENTRE STAGE

**LIVING OUR
VALUES**
as justice officials

BACKGROUND

STRUCTURAL CHANGES TO THE BRANCH FORMERLY CALLED MASTERS

1. Family Law Services
2. Incorporates Masters and the Office of the Family Advocate

LEGISLATIVE FRAMEWORK includes:

1. Insolvency Act 24 of 1936;
2. Wills Act 7 of 1953;
3. Administration of Estates Act 66 of 1965;
4. Close Corporations Act 69 of 1984;
5. Intestate Succession Act 81 of 1987;
6. Trust Property Control Act 57 of 1988; and
7. Companies Act 71 of 2008.



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MAIN CHALLENGES IMPACTING ON RENDERING AN EFFICIENT AND EFFECTIVE SERVICE

1. Outdated legal framework that does not meet the demands of a post-democratic and Constitutional State:
 - (a) Except for the Companies Act (administered by Trade and Industry), all Masters legislation remains primarily old era legislation, with Constitutional Court cases ordering a review.

2. Systems and frameworks designed around the outdated legal framework:
 - (a) A paper based system presents many problem; lost records, storing of files, efficient searchability; feeds fraud and corruption

3. Outdated legal frameworks lead to unfair outcomes; limits economic considerations and disproportionately affects marginalized communities:
 - (a) Legislation must address current challenges; clearly outdated legislation drafted in a different era is out of touch with challenges affecting poor communities: 70% of estates are 18(3) estates. The question arises whether the 70% of these estates receive the renders the services required by the families?
 - (b) Inefficient Masters services impacts the economy and lives of ordinary people through delays and inefficient handling.



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WHAT SHOULD GUIDE US WHEN SEEKING SOLUTIONS

1. Modernise and digitise?
2. Add more staff?
3. Provide more resources?
4. Deal with fraud and corruption?
5. Benchmark other successful entities?
6. Collaborate with stakeholders?



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EFFORTS UNDERWAY CURRENTLY

A wholistic approach which seeks to:

1. Bring about immediate improvement to services- we must acknowledge that the Masters offices is a burning platform and has been for many years;
2. Address underlying issues to reduce complaints: addressing backlogs; rooting out indifference to deadlines, complaints and lack of empathy;
3. Collaboration with SARS: understand their journey to modernize and create an effective and efficient state entity and implement best practices;
4. S 18(3): consideration to amend the amount: collaboration with the PMO and NT on the deeds registry process for smaller estates;
5. Legislative review: Insolvency Bill; Masters Policy on Insolvency Practitioners;
6. Enhance stakeholder engagement;
7. Engagement with the SALRC to review legislation.
8. Addressing internal ICT challenges: network issues; storage capacity;
9. Structure of the Masters offices;
10. Enabling environment for officials;
11. Implementing discipline in an open and transparent manner that applies equally to all staff.



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Thank you



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