# When a loved one passes away: what to do

Losing someone close is difficult, and the paperwork can feel overwhelming. This checklist sets out the main steps and the documents you will need. We are glad to guide you through each of them.

## 1. Register the death

- [ ] The doctor or official who confirms the death completes the notification of death
- [ ] The death is registered with the Department of Home Affairs, usually with the help of the funeral undertaker
- [ ] Obtain the death certificate and make several certified copies, as banks, insurers and the Master will each need one

## 2. Find the original will

- [ ] Check the deceased's personal papers and safe, and ask their attorney, bank or financial adviser
- [ ] Do not remove staples, write on or alter the will in any way, as this can affect its validity
- [ ] If there is no will, the estate will be divided according to the Intestate Succession Act 81 of 1987

## 3. Report the estate to the Master of the High Court

The estate must be reported to the Master's Office within 14 days of the death. The documents usually required are:

- [ ] Death certificate
- [ ] Death notice (form J294)
- [ ] Original will and any codicils
- [ ] Inventory of the assets of the estate (form J243)
- [ ] Marriage certificate, if the deceased was married, and any antenuptial contract
- [ ] Next-of-kin affidavit (form J192), if there is no will
- [ ] Nomination of the executor, and the executor's acceptance of trust (form J190)
- [ ] For estates of R250 000 or less: acceptance of the Master's directions (form J155) instead of form J190, and a list of creditors

## 4. Gather information about the estate

- [ ] The deceased's identity document and SARS tax number
- [ ] Title deeds and home loan statements for any property
- [ ] Bank, investment and retirement fund statements
- [ ] Life, funeral and short-term insurance policies
- [ ] Vehicle registration papers and finance agreements
- [ ] A list of debts and accounts, such as credit cards, store accounts and the municipal account


This checklist is general information and not legal advice. Requirements may vary with your circumstances.

- [ ] Names, identity numbers and contact details of the heirs

## 5. Notify institutions and protect the assets

- [ ] Inform the banks, insurers, employer, medical aid and any retirement funds
- [ ] Bank accounts in the deceased's name are usually frozen until an executor is appointed
- [ ] Keep property secure and insured, and do not sell or hand out any assets before the executor is appointed

> Some benefits do not form part of the estate. Policies with a nominated beneficiary are usually paid directly to that beneficiary, and retirement fund death benefits are distributed by the fund's trustees under section 37C of the Pension Funds Act 24 of 1956.

> **We can help.** CME Attorneys assists families with reporting estates to the Master and with the full administration of deceased estates. Call or WhatsApp 069 573 0023 or email info@cmelaw.co.za.