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What you need to know about the Master of the High Court



The Master of the High Court is a creature of statute, meaning that it is governed by various Acts which stipulate the duties and powers of the Master. Although the scope of application for the Master's offices is vast, their most notable role is certainly their involvement in deceased estates, trusts, insolvent estates and assistance given to minors.

This article serves as a general update on a few aspects of the Master's office.

What is the mission of the Master of the High Court?

The mission of the Master of the High Court of South Africa is to provide efficient, cost-effective, and specialised services of supervision, custodianship, arbitration and information regarding deceased and insolvent estates and trusts, serving estate practitioners, beneficiaries of estates and trusts, minors, and mentally challenged persons in South Africa for the purpose of safeguarding those beneficiaries' financial and proprietary rights.

What is the purpose of the Master's office?

The Master's offices perform, amongst others, the following functions:

- Administration of estates of deceased and insolvent persons in accordance with the applicable statutory prescriptions;
- Protection of the interests of minors and legally incapacitated persons;
- Protection and administration of the funds of minors, the contractually incapacitated, and undetermined and absent heirs that have been paid into the Guardian's Fund;
- Supervision of the *administration of companies and closed corporations in accordance with the relevant statutory prescriptions*;
- Determination and assessment of estate duties, by virtue of a delegation by the South African Revenue Service;
- Supervision of trusts;
- Safeguarding of all documentary material received by the Master in respect of estates, insolvencies, liquidations and trusts;
- Processing of enquiries by executors, attorneys, beneficiaries and other interested parties; and
- Appointment of impartial and capable persons as executors, trustees, curators and liquidators.

Jurisdiction of Master's offices

Master's offices can be found in all provincial divisions of the High Court of South Africa. They are accordingly situated in the following cities/towns:

- Bloemfontein
- Cape Town
- Grahamstown
- Kimberley
- Mmabatho/Mafikeng
- Nelspruit
- Pietermaritzburg
- Pretoria
- Umtata
- Bisho
- Thohoyandou
- Johannesburg
- Polokwane
- Durban
- Port Elizabeth

The Master's offices have been facing several challenges lately, resulting in an immense backlog. These challenges included a shutdown period in 2020. South Africans felt the pressure, as did the Master's offices. The Master's offices face a further challenge due to the loss of access to all electronic systems and networks, including e-mails. Although reassurance has been given that they are working on it, it is not yet all systems go.

In order to assist with the backlog, the Cape Town Master's office implemented a number of interventions in February 2022 to address the situation. These interventions include the following:

- More staff were deployed to Deceased Estates and Trusts to fill the vacancies;
- A self-service desk was set up for stakeholders to capture their deceased estates as well as Trust registrations.

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About the Author: Zelita Oberholster joined SERR Synergy in October 2016 where she currently assists ARL Construction Companies with their BEE Certificates.