

REPORT BACK

on the MONTHLY MEETING between MASTER OF THE HIGH COURT, SOUTH GAUTENG and the JAA and other invited interested parties

HELD BY ZOOM On 31 MARCH 2021 at 13h30

It has become apparent that the attorneys and other stakeholders are, quite possibly, contributing to the backlogs in the Masters' offices due to their lack of understanding of the practical aspects of the operations of the Masters Offices and the requirements of these offices.

This does not excuse the delays and lack of communication from the Masters' Office staff, but contributes to the frustrations of all parties.

The Masters Office anticipates that in the near future Trusts and Deceased Estates will be able to be submitted online.

The Jhb Master's Office is considering a project in respect of same day issuing of Letters of Executorship, whereby stakeholders would not have to wait in the queues. This project emanates from the last meeting with the JAA and friends. The Chief Master is in agreement with the project and has provided the Jhb Masters Office with 3 additional computers for this project.

There are still issues to be resolved, such as how to deal with original wills and other complex matters, whereby Master discretion is required, as well as ensuring that practitioners are competent in the use of the Master's Office system in order to utilise it.

This will be a platform for attorneys and practitioners who are not already on Fastrack and who have complied with the Master's requirements for the immediate issue of Letters of Executorship/Authority without the issue of query sheets. They will be able to capture the necessary information on the computers, the scanner clerk will upload the documents and the Letters of Executorship/Authority will be issued immediately by an Assistant Master.

The Master's view is that the Chief Master's directive of 2015 **must** be followed, which sets out the requirements for the issue of the LoE /LoA and that should these requirements be followed there shouldn't be any impediment to the issue of the LoE/LoA.

The Pilot Project is in infant stage and a lot of input is needed with regard to the mechanism before it is formally launched to the stakeholders.

It is suggested that the stakeholders who operate in the Master's Office should be compliant with Master's Office procedure and that a procedure be implemented to determine compliance.

The JAA has requested that the Master consider short workshops on specific topics, hosted by Masters' Office staff, on how to practically deal with issues. The

Master is amenable to the proposal and has requested that the JAA provide topics that will be addressed by either Assistant or Deputy Masters.

The JAA, in conjunction with SAICA, FISA and SARIPA will assist the Master's Office in preparing Practice Directives setting out the Master's minimum practical requirements.

The Master confirmed that many matters are delayed because attorneys do not file correct or complete documentation.

The JHB Masters Office is operating at 100% and all services must be rendered, but there is still a restriction in terms of the number of the people allowed into the office.

A card system is being implemented with different coloured cards being issued in respect of each floor in order to control access. The card system should be implemented shortly after the Easter weekend.

The Master confirmed that the backlogs and delays are a challenging area and that this is going to take time. The backlog is huge (sic) and the extent of it has not been fully established. Overtime is being considered to address the backlog as it is not possible to attend to the backlog during normal working hours. Before overtime is able to be resolved the extent of the backlog in each section will need to be determined and this will only happen in April – the new financial year. Overtime will only start in May once the overtime application is approved. Stakeholders are advised to exercise patience.

The proposal to the Chief Master that J.84 and Letters of Executorship, etc, be uploaded to the Masters' web portal is supported by the branches and a response from the IT department and the practical aspects of the proposal are awaited.

The issue of fraud and corruption are still prevalent in the Masters Offices, but the problem is that no-one wants to bring it to the attention of the Masters and the Chief Master for fear of reprisals and victimisation. The JAA is prepared to be the go between and keep their members identities anonymous.

The Master advised that there is a toll free number to report this type of behaviour and encourages practitioners to report this type of behaviour.
The number is 0800701701.

The view is that unless this issue is policed properly this behaviour will continue. Practitioners will continue to pay bribes if this ensures that their work will be done.

Agreed that last Friday of every month would be suitable for this meeting. Proposed that the meetings for the rest of the year be tabled – Time - 1.30pm for approximately an hour.