



Publication: Weslander - Main
Title: Do you have a proper will?
Publish date: 07 Sep 2023
Page: 15

Reach: 5078
AVE:R 16206.92
Author: Staff Reporter

Do you have a proper will?

National Wills Week takes place from 11 to 15 September 2023.

Why must you have a will?

By making a will you ensure your assets are disposed of in accordance with your wishes after your death. This privilege is called "freedom of testation".

Why should an attorney draft your will?

Attorneys are professionals qualified in law. An attorney can advise you on any problem which may arise with regard to your will. An attorney has the necessary knowledge and expertise to ensure your will is valid and complies with your wishes.

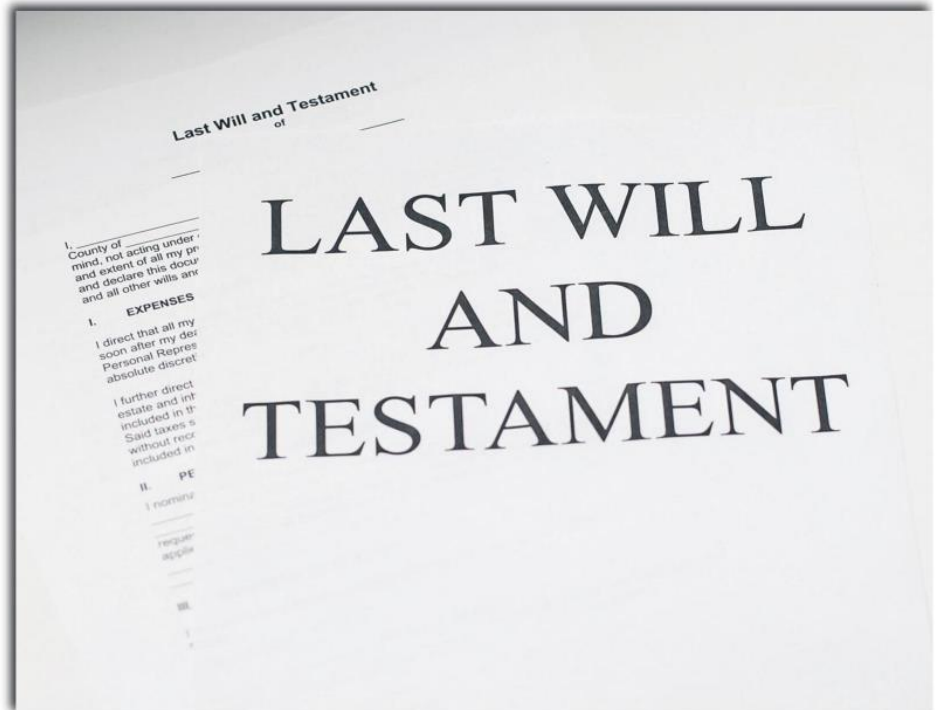
Often a will is not valid because the person who drafts it does not have the necessary legal knowledge to ensure the requirements of the law are met.

What happens to your estate if you die without a valid will?

If you die without leaving a valid will your assets will be distributed according to the provisions of the Intestate Succession Act. These are generally fair and ensure your possessions are transferred to your spouse and children and, where applicable, to siblings, parents and, if required, then to the extended family in terms of degrees of relationships and those that were dependent on you for financial support.

The following problems may arise if you die without leaving a will:

- Your assets may not be left to the person of your choice.
- It can take a long time to have an executor



appointed. One who is appointed may be somebody you may not have chosen yourself.

- There can be extra and unnecessary costs.
- There can be unhappiness and conflict among members of your family because there are no clear instructions on how to distribute your

assets.

This information was published by the Law Society of South Africa.

For more information or assistance, contact the society on 012 366 8800, or call any of the participating attorneys.