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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1872**

**DATE OF QUESTION : 13 MAY 2022**

**DATE OF SUBMISSION: 27 MAY 2022**

**Adv G Breytenbach (DA) to ask the Minister of Justice and Correctional Services:**

1. What (a) is the (i) average time it takes to issue a letter of executorship by the Masters Offices in the Republic and (ii) turnaround time with regard to each of the 15 offices in the Republic when compared to the legislated time period for the issue of such a letter and (b) are the primary reasons for taking any periods of time longer than the legislated period and (c) is the acceptable time period, besides the legislated time, for the issue of executorship letters;
2. Whether the time frame is (a) measured and/or (b) accessed by his department; if not, why not; if so, what are the relevant details in each case?

**NW2208E**

**REPLY:**

1. (a) (i) After receiving all required documents, the Masters’ Offices took, on average,

Twenty one (21) working days to issue appointments such as Letters of Executorship as well as Letters of Authority in the 2021/22 financial year.

(ii) The Administration of Estates Act No. 66 of 1965 does not prescribe a specific

time period within which an appointment in a deceased estate needs to be issued by the Master. After receiving all required documents, the Masters Offices did 77% of all appointments within 21 working days after receiving all required documents, in the 2021/2022 financial year. The set target for this objective was 65%.

The average performance over the 2021/2022 financial year, per office, is as follows:

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| --- | --- |
| **OFFICE** | **PERFORMANCE** |
| BISHO | 97.83% |
| BLOEMFONTEIN | 84.51% |
| CAPE TOWN | 56.12% |
| DURBAN | 75.87% |
| GRAHAMSTOWN | 87.28% |
| JOHANNESBURG | 92.26% |
| KIMBERLEY | 39.53% |
| MAHIKENG | 79.78% |
| MTHATHA | 99.99% |
| NELSPRUIT | 52.96% |
| PIETERMARITZBURG | 83.09% |
| POLOKWANE | 80.49% |
| PORT ELIZABETH | 85.74% |
| PRETORIA | 63.37% |
| THOHOYANDOU | 100.00% |

(b) The Administration of Estates Act No. 66 of 1965 does not prescribe a specific

time period within which an appointment in a deceased estate needs to be issued by the Master.

(c) Each year, the Master’s Branch reconsiders its Annual Performance Plan (APP)’s

objectives to determine if they are still realistic, and requests to have them adjusted where a need to change them arises. Currently, the target is to issue 70% of all appointments within 21 working days. The acceptable time to issue appointments is influenced by various internal and external factors such as vacancies, Covid-19 Regulations, network speed, load shedding, system downtime and system challenges, etc. It also differs from office-to-office as the workload and demographic of offices are not the same.

1. The timeframe for the issuing of appointments in deceased estates are measured through the APP, which currently have the following output indicator for the 2022/23 financial year: *70% of letters of appointment issued in deceased estates within 21 days from receipt of all required documents*