



CITY OF CAPE TOWN
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INNOVATION AND EASE OF DOING BUSINESS PORTFOLIO COMMITTEE

1. ITEM NUMBER: IEDB 06/03/23

2. SUBJECT

**PRESENTATION ON EFFORTS TO IMPROVE THE PROCESSING OF
DECEASED ESTATES (CASE ANALYSIS UPDATE)**

NOTE

The Line Department to conduct a presentation on the innovation in terms of how the Department provide innovation regarding efforts to improve the processing of deceased estates, to the Innovation and Ease of Doing Business Portfolio Committee.

(TO BE CIRCULATED AT A LATER STAGE)



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**Presentation to Innovation and Ease of Doing Business PC on
Deceased Estates: Pro Bono, Administration and Transfer Costs
feedback from attorneys**

**by: Trevor Blake – Director Revenue
8 March 2023**

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Deceased Estates

Private Properties

The information of deceased estates are obtained via the government gazette and are also provided by executors, or family members.

The 2022/23 Credit Control and Debt Collection Policy(CC&DC) makes provision for the City to appoint an executor to wind up an estate

(6) The City Manager may sign all necessary documents or processes, including but not limited to, affidavits, declarations and any document to appoint an attorney, including an executor from the panel of third party debt collectors, for the collection of debt, owed by a deceased estate, to the City.

Indigent benefits/Payment arrangements

- The CC & DC policy further makes provision for an heir to a property to apply for indigent status.
- Heirs to an estate can also make arrangements to settle debt over an extended period.
- Letters of authority to make arrangements for a 12 month period can be obtained from the Master's office.

Legal Processes

- The debt collection tender makes provision for the appointment of executors by the City to wind up intestate deceased estates.



Pro Bono Matters

Attorneys for example, receive instructions from the Legal Practice Council to attend to various pro bono matters as part of their allocation. These matters vary, but it is always on the basis that the party they act for on a pro bono basis, pays the disbursements.



For estate matters where there is an immovable property to be transferred, the disbursements are as follows

Administration of Estate

- Advertising costs – R 1000;
- Master fee – Min R 600 (depending on the value of the estate);
- Bank Charges – R 250 (estate account needs to be opened);
- Post and Petties – R 250

Property Transfer

- Transfer Duty – for any property above R 1.1 million (starting at 3% of the value);
- Deeds office fee – sliding scale fee between R 43 and R 1220 for properties less than R 1 million; *(Refer to next slide for more information)
- Electronic document fee – R 1212
- Deeds search - R 300
- Post and Petties – R 750
- Revenue (Rates) clearance certificate – R 285
- FICA – R 350
- E4 Deed's charge – R 39.50
- Lexis KYC ID charge (FICA requirement) – R 70.00



Deeds Office Fees – based on the price/value of the property, whichever is greater

Immovable Property Purchase Price	Amount
Does Not Exceed R 100 000.00	R 43.00
Exceeds R 100 000.00 but does not exceed R 200 000.00	R 96.00
Exceeds R 200 000.00 but does not exceed R 300 000.00	R 606.00
Exceeds R 300 000.00 but does not exceed R 600 000.00	R 755.00
Exceeds R 600 000.00 but does not exceed R 800 000.00	R 1 063.00
Exceeds R 800 000.00 but does not exceed R 1 000 000.00	R 1 220.00
Exceeds R 1 000 000.00 but does not exceed R 2 000 000.00	R1 371.00
Exceeds R 2 000 000.00 but does not exceed R 4 000 000.00	R1 900.00
Exceeds R 4 000 000.00 but does not exceed R 6 000 000.00	R2 305.00
Exceeds R 6 000 000.00 but does not exceed R 8 000 000.00	R2 745.00
Exceeds R 8 000 000.00 but does not exceed R 10 000 000.00	R3 209.00
Exceeds R 10 000 000.00 but does not exceed R 15 000 000.00	R3 819.00
Exceeds R 15 000 000.00 but does not exceed R 20 000 000.00	R4 588.00
Exceeds R 20 000 000.00	R6 111.00



Co-operative Government / Inter-government Relations That Can Assist Municipalities With Deceased Estates And Many Other Municipal Matters

Co-operative Government / Inter-Government Relations

City of Cape Town together with other Metros have on various platforms requested COGTA, SALGA and National Treasury, that in order for municipalities to be effective and efficient, that all their systems be either integrated to that of the municipalities or that access be given to municipalities which will greatly assist in some of the following amongst a host of others.

There is a call via the metros and municipalities to get National Treasury, COGTA, SALGA etc., to have a national project with grant funding to assist poor property owners and properties in a deceased estate to get registered in order to have a more updated Deeds Register.

THANK YOU



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