

Things to note when drafting your Will

JULY 2025

Having a proper will in place is a very important step to take to ensure that your loved ones are protected, your wishes are carried out and your assets are distributed to your desired beneficiaries after your death. It seems like a daunting task, but once you have a well-structured will in place, those left behind will have peace of mind and clarity. Here are a few important tips to consider when drafting your will:

Get It Done - Don't Put it Off

Life remains unpredictable. No matter how old you are or how much you own, you need to have a will in place. Not only for the purpose of distributing your assets, but also to secure a guardian for minor children, protecting your pets and easing the burden for your family.



"Get It Done - Don't Put it Off."

Be Clear and Precise

Vagueness can lead to misunderstandings and disputes. Be specific about:

- Who gets what (assets, heirlooms, etc.).
- The names of your beneficiaries and their relation.
- Any special bequests, instructions or funeral arrangements.

Choose the Right Executor

The executor is the person who will carry out your wishes as stipulated in your will. It should be someone trustworthy and capable of handling legal and financial matters. Before taking up executorship with a professional organization or institution, consider appointing a trusted

relative or friend. This will provide your loved ones with the option to choose the best professional service provider when it is needed. We are not guaranteed that traditional institutions will be able to honor their promises, provide the same level of service or still be around. A personal executor will provide your loved ones with the freedom and flexibility to choose their own service provider that will



have their best interests at heart. Make sure you have the necessary discussions with your chosen personal executor beforehand to ensure that they are able to take on the responsibility.

Appoint Guardians for Minor Children or Dependents

If your children are under the age of 18 or you have dependents with special needs, it is important to include a guardian in your will.



If there is no guidance in your will, the decision will be left to the court, and they might end up with someone you might not have chosen.



Digital and Online Assets

We live in a digital world with digital assets - online accounts, crypto wallets, digital photos, etc. These form an important part of your estate and you need to provide clear and precise instructions about how these assets should be accessed and managed.

"We live in a digital world with digital assets."

Regularly Update and Review your Will

Our lives change - we get married or divorced, have children, relatives or beneficiaries pass on and we acquire and dispose of assets. All of this affects your will. Make sure you update and review your will at least once a year or when a major life event occurs, to ensure that it still aligns with your circumstances and wishes.

Correctly Sign Your Will

A will is only legally valid if it meets legal requirements. In South Africa, your will must be signed by the testator or testatrix (you) in the presence of two competent witnesses, who must also sign at the same time with you. Wills not signed correctly are one of the most common reasons why wills



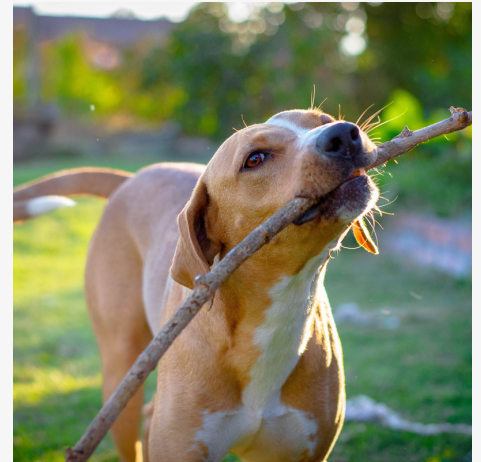
are declared invalid. Also make sure that your will is dated. Although this is not a legal requirement, it ensure that the latest will can be identified.

Safeguard Your Will

Once you have signed your will, make sure you keep it in a safe place, that is accessible to your executor, and inform your executor where to find it. It is best not to hide it in places no one can access or locking it away without sharing a key or password.

Be Careful of DIY Mistakes

There are many online will templates available and it is tempting to use them to avoid expenses, but small error can have



major legal consequences. Rather make use of a professional will drafting service to ensure that your will is correct and valid and clearly state your wishes.

Remember Your Pets

Your pets are equally as important as any other member of your family and you should include instructions in your will regarding their care. You can provide for them by means of a small inheritance for their ongoing care.

Final Thought

Your will is a lasting message to your loved ones. If you draft it properly, you eliminate disputes, conflict and confusion, and you leave your loved ones with a thoughtful legacy.

If you are not sure where to start, consider our professional will drafting service to guide you through the process and ensure that your will is done correctly.

