



# National Wills Week

11 - 15 September 2023

During this week, participating attorneys will draft basic wills free of charge. For more information or for assistance call the Law Society of South Africa at **(012) 366 8800** or email [lssa@lssa.org.za](mailto:lssa@lssa.org.za) or visit <https://www.lssa.org.za/our-initiatives/advocacy/national-wills-week/>

Your Last Will and Testament is a document that ensures your assets\* are disposed of in line with your wishes after your death.



**\*Important note:** Your pension benefit is distributed according to Section 37C of the Pension Funds Act, and not according to your Will.

## Why should you NOT draft your own will?

Although it is possible to draw up your own will, it is often recommended to ask someone who has the necessary knowledge and expertise to do this. In many cases, a will is not valid because the person who drafted it did not have the necessary legal knowledge to ensure that the requirements of the law are met.

Attorneys are professionals qualified in law. Your attorney will have the necessary knowledge and expertise to ensure that your will is valid and complies with your wishes.

## What happens if you DO NOT have a will?

If you die without leaving a valid will, your assets will be distributed according to the provisions of the Intestate Succession Act – usually to your 'next of kin', i.e. your spouse and/or children. However, 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 very long time to have an executor appointed to handle your estate. The executor who is appointed is likely to be somebody you do not know, as you did not choose one.
- There can be extra and unnecessary costs – large ones.

There could be a great deal of anxiety, unhappiness and conflict among members of your family if there are no clear instructions on how to distribute your assets. Furthermore, they may suffer financially while the distribution of your estate is being sorted out.

**Help them NOW, while you CAN! Leave a legacy of love and good memories.**

**Disclaimer:**

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