

A juridical analysis of the liquidation and distribution account and other related matters

1 Introduction

- 1.1 General remarks
- 1.2 Purpose of seminar
- 1.3 Topics

2 Framework and process of liquidation

- 2.1 Statutory framework
- 2.2 Process of winding-up
- 2.3 Administration of Estates Act 66 of 1965

3 Preliminary tasks

- 3.1 Administration
- 3.2 Interim curator
- 3.3 Validity of the will
- 3.4 Appointment of testamentary executor
- 3.5 Appointment of an executor dative
- 3.6 Section 19 and section 22
- 3.7 The discretion of the Master

4 Intermediate phase

- 4.1 Functions after Letters of Executorship have been received
- 4.2 Statutory principles which apply for claims against the estate
- 4.3 Disputed Claims
- 4.4 Rejected claims
- 4.5 Common law procedure on claims
- 4.6 The executor and assets
- 4.7 Sale of Property

5 Claims reflected in Liquidation and Distribution account

- 5.1 Spouse(s) and claims against the estate
- 5.2 Maintenance claims
- 5.3 Claims by children
- 5.4 Spouses/Surviving spouse (s)

6 Miscellaneous aspects

- 6.1 The Master's decisions subject to appeal or review
- 6.2 Section 35 of the Administration of Estates Act
- 6.3 Problems during the later phase
- 6.4 Section 95 – removal of executor
- 6.5 Section 49