



The Home of Online,
Last Will and Testament
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SIGNING YOUR LAST WILL & TESTAMENT

Dear Fred and Wilma

Thank you for providing us with the opportunity to be of service to you. Enclosed please find your Last Will & Testament that we have prepared for you. We trust that the Will accurately states your wishes, should there be any points requiring alteration or explanation, please contact us directly.

Please read the following very carefully as it will have an influence on the validity of your will!

Anyone of at least 16 years of age, who is mentally capable of appreciating the nature and effect of his/her act, may make a will.

The most important requirement is that the will is signed by the testator/testatrix and that the signature made by the testator/testatrix is witnessed by at least two people present at the same time, who then must sign the will in the presence of the testator/testatrix and of each other. The witnesses must be persons of at least 14 years of age and who at the time were competent to give evidence in a court of law. Should the will consist of more than one page all the pages must be sign by the testator/testatrix.

Who May Not Benefit Under A Will?

It is important to note that in terms of the Wills Act a person shall be disqualified for benefiting under a Will in the following circumstances:

- The witnesses of the Will;

- A person that signs a will in the presence and by the direction of the testator
- A person who writes out the Will or any part thereof in his own handwriting;
- The spouse of such person mentioned above.

It should be noted that such person or his spouse may be declared competent by a court. This will only happen if the court is satisfied that that person or his spouse did not defraud or unduly influenced the person making his Will.

However, should the formalities as required by law not be followed, a court may decide to validate a will if it is satisfied that it was intended to be the last will of the testator/testatrix, this will amount to unnecessary high legal costs.

Place your original Last Will & Testament in a safe place, and let your spouse and/or executor know where you are safeguarding your Last Will & Testament, together with your other valuable documents. We recommend that your Will and other valuable documents be kept in a fireproof safe or a safety deposit box.

We are always interested in any suggestions that would allow us to improve upon our already high standards and encourage you to submit your thoughts.

It is our sincere hope that you are completely satisfied with the service, which was provided to you and will avail yourself of our expertise again in the future.

As majority of our clients come through our referral network, we would appreciate any referrals of friends and family.

Once again, thank you for placing your confidence in us.

Yours Sincerely

The
The logo for EasyWILL features a stylized green square icon on the left, composed of two overlapping squares. To the right of the icon, the word "EasyWILL" is written in a green, cursive-style font.

Team

Last Will and Testament

We, the undersigned,

Fred Flintstone

and

Wilma Flintstone

(Born Slaghoople)

As Witnesses:

1. _____

2. _____

Testator

Testatrix

1. INTRODUCTION

Married in Community of Property

Presently residing at GAUTENG, Republic of South Africa being of sound mind, memory and understanding.

2. DEFINITIONS

In this our Will unless the context otherwise requires:

2.1 words importing the masculine gender shall include the feminine, and

2.2 words importing the singular shall include the plural and vice versa, and

2.3 the expression 'children' shall be deemed to include both natural and adopted children.

3. REVOCATION

We do hereby revoke all Wills, Codicils and other testamentary dispositions heretofore made by us which we declare null and void and do declare this to be our last Will and Testament.

As Witnesses:

1. _____

Testator

2. _____

Testatrix

be appointed Trustees of the Trust hereinafter created, giving and granting to them all such power and authority as is allowed in Law, especially the power of assumption.

6. WAIVER OF SECURITY

We direct that no Executor or Administrator or Trustee or Guardian named or referred to in this our Will shall be obliged to furnish security to the satisfaction of the Master of the Supreme Court or any person or official for the due and proper performance of their duties as Executor and/or Administrator, and/or Trustee, and/or Guardian in terms of any Act of Parliament or other Act of Law which may be passed in the future.

7. BEQUEST OF ESTATE

In the event of Fred Flintstone predeceasing Wilma Flintstone we appoint Wilma Flintstone the sole and Universal Heir of our estates and effects, wherever situated.

In the event of Wilma Flintstone predeceasing Fred Flintstone we appoint Fred Flintstone the sole and Universal Heir of our estates and effects, wherever situated.

As Witnesses:

1. _____

Testator

2. _____

Testatrix

own free, unencumbered and separate property and shall not fall into the joint estate of his/her spouse and shall be specifically be excluded from any accrual systems which may apply.

The capital and/or income devolving upon such heir shall not fall into the insolvent estate of such spouse and shall not vest in his Trustee of/or be administered for the benefit of his creditors.

IN WITNESS HEREOF we have hereunto set out our signature at _____ on this _____ day of _____ 2007 in the presence of the undersigned witnesses, who together with us, have signed and attested each page of this our Last Will and Testament in our presence and in the presence of each other.

As Witnesses:

1. _____

Testator

2. _____

Testatrix

The witnesses by witnessing this Last Will and Testament here affirms:

1. That Fred Flintstone and Wilma Flintstone are known to the witnesses, and the witnesses believe Fred Flintstone and Wilma Flintstone to be of lawful age, of sound mind and under no undue influence or constraint.
2. That Fred Flintstone and Wilma Flintstone declared this instrument to be their Last Will and Testament to the witnesses.
3. That Fred Flintstone and Wilma Flintstone signed this instrument in their presence.
4. That the witnesses signed as witnesses in the presence of Fred Flintstone and Wilma Flintstone, and each other.

Full Names and Surname - Witness 1

Full Names and Surname - Witness 2

As Witnesses:

1. _____

Testator

2. _____

Testatrix

LAST WILL & TESTAMENT GLOSSARY

Please note: These are not comprehensive or legal definitions - merely explanations to help you understand the site and our services.

ADMINISTRATOR

See trustee.

BENEFICIARY

A person, or organisation, who receives benefit from a will or trust.

CODICIL

A document, usually short, which when properly executed amends the terms of an existing will.

COLLATION

To bring into account any gifts received from the Testator or Testatrix

ESTATE

The assets that you own which can be left under your will. There are items which may not be left under your will - see Joint Property. Most pension provisions are not assets which can be left under the terms of a will or intestacy.

EXECUTOR

A person or company named in a will to be responsible for carrying out the terms of the will and settling taxes and debts.

LETTER OF EXECUTORSHIP

A document issued by the court confirming both the validity of a will and the executor's right to administer the estate.

GUARDIANS

These are people who will look after your children (if under 18 years of age) at the time of your death. A surviving parent from a marriage has certain parental rights over the guardianship of his/her children, so you do not need to name them. If you are not married to the parent of your child you are advised to state your wishes with regard to guardianship, but no advice can be given by us as to the effectiveness of your wishes. Guardians must be 18 or over. However in most cases such an appointment will not take effect until the death of the surviving parent. The role of guardian differs from the role of trustee in that whilst the trustee has the financial responsibility of managing funds held in trust, the guardian is responsible for the welfare and upbringing of the child. Liaison between the trustee and the guardian

is required to plan for the child's financial future. The wills we prepare include wide powers to enable the trustees to release both capital and income to assist with maintenance, education or benefit of any child in the care of a guardian.

INTESTACY

An estate where there is no will and the law therefore directs who inherits.

INTESTATE

Not having a valid will, or a person who has not made a will.

ISSUE/STIRPES

This means your children, their children and so on all the way down the family tree. Unless you say otherwise, wills we prepare through our Will Writing Service are on the basis that any reference to children automatically includes provision for any child's children (your grandchildren) to take in substitution for that child if that child does not survive or reach an age specified in the will and so on.

LEGACY/SPECIAL BEQUEST

A gift which you wish to leave a person or organisation upon death. There are several types of legacy including:

- a money legacy e.g. R1,000 to Mr X
- a specific legacy e.g. my gold wedding ring to my daughter.

It is important to describe the item(s) accurately to avoid confusion. We will prepare your will such that unless you indicate otherwise the will is prepared so that any beneficiary under the age of 18, or other age you specify, will receive all interest and appreciation accruing up to that age.

If you leave a house or flat, in sole ownership, to a beneficiary you should state whether it should be passed to them with any outstanding mortgage liability or whether such a liability should be paid by your estate first (called 'free of mortgage').

Unless you state that the gift of any property is to pass 'free of mortgage', we will prepare your will on the basis that any outstanding mortgage/liability will be the responsibility of the beneficiary who receives the property.

If you ever sell or move from the house/flat you specify as a gift, it is important that you review your will. You can however state that any private residence you own on death passes to the named beneficiary or beneficiaries.

MIRROR WILL

A will which contains almost identical terms to your will. Many husbands/wives/partners have mirror wills where they have decided upon the same beneficiaries irrespective of which partner dies first.

PROPERTY

In this connection, means all assets (not merely land). See estate.

TESTATE

Term use to describe that a person has a valid will.

TESTATOR

A male who makes and signs a valid will.

TESTATRIX

A female who makes and signs a valid will.

TRUST

A written arrangement whereby an appointed trustee is given money or assets to hold and manage for the benefit of those defined in the deed which created the trust.

TRUSTEE

A company or individuals appointed in the last will and testament to hold and administer the trust assets, and to be responsible for the management of a trust for the benefit of the beneficiary/ies.

LAST WILL & TESTAMENT

A written document which when properly executed controls how a person's assets are to be dealt with after his death. If improperly executed the document may not constitute a valid will.

WORLDWIDE WILL

Unless you specify otherwise, wills prepared through the EasyWill Service will cover your worldwide assets. However the law of the country in which the assets are situated may limit the effectiveness of any gift. If you have assets outside of South Africa you should seek advice in the country where those assets are situated.