MANAGING DEATH
AND THE REALITIES OF RETIREMENT

A Practical Companion

Practical notes from Standing Tall

This booklet gathers practical information only. It is a general guide, not legal, financial or medical advice. Please consult a suitably qualified professional about your own circumstances. Its purpose is simply to raise awareness of various issues.

Why I Wrote This Booklet

This booklet grew out of my own experience of caring for my husband, Paul's, through a long illness, arranging his end-of-life care and then dealing with the practical and financial consequences of his death. It also draws on experiences shared by friends and others. It is not a set of instructions for how anyone should grieve or make decisions. It is intended to make people aware of what may lie ahead, because few of us know how much there is to do when a spouse or partner dies.

Paul had been diagnosed with cancer and treated several years before he died. In 2020, although he was still well enough to work full time, he was no longer well enough to manage our large, double-storey home and offices. We sold it and moved to a lovely, smaller three-bedroom house in a security complex. It was a sensible decision at the time. We could reduce our possessions while we were both fit and able to make decisions, and we no longer had the maintenance of a large property to worry about.

After a necessary operation, however, Paul's health deteriorated badly. For 18 months, with the help of a carer, I looked after him at home. Eventually, the carer and I reached the point where we could no longer care for him safely or comfortably, and he had to move into an end-of-life facility in a retirement village. This was during the final months of the Covid period.

At 64, with an active mind and a healthy body, I hated life in the retirement village. After two years of mourning and feeling adrift, I decided to move out. We had taken steps to provide for my well-being after Paul's death, but even with good medical aid, the cost of his care during Covid made a shocking inroad into our savings.

An older friend had warned us that, unless one of us was ill, we should think carefully before moving straight from our large home into a retirement village. Her suggestion was to move first into a secure complex where we would not have to worry about maintaining a property. That is what we did, and it was still a good move, even though circumstances eventually took us in a different direction.

One thing I learned was the value of making decisions about possessions while both partners are well. You cannot move the contents of a four-bedroom house and three offices into a retirement-village unit. When I later moved from the complex into a two-bedroom unit, I rented a storage unit with the capacity of two garages for the things I thought I might not need immediately. I am glad I did. When the person you have loved for many years is dying, it is not the right time to decide which possessions you will never want or need over the next twenty years. More than a year after Paul died, I was better able to reassess what I needed and what could be given to charity.

I have also seen families left with regrets after children have taken on the task of sorting a parent's belongings. Children may make decisions with the best of intentions, but they cannot always know which ordinary-looking object is precious, practical or deeply loved.

Sometimes things are given away or discarded that the surviving parent would have wanted to keep.

I managed the administration after Paul's death with the help of a lawyer who was more than a 1,000 kilometres away and our local undertaker. Distance was not a problem. Knowing what needed to be done was more important. I hope this booklet helps others feel a little less unprepared when the time comes.

Note that mine was a South African experience. The process will differ in other countries.

Shelley

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Part One: When a Spouse or Partner Dies

Cremation or Burial?

A traditional funeral involves more costs than most people expect: the undertaker, the minister, church hire, the funeral plot, interment and death notices. These add up quickly. Cremation is generally significantly cheaper and is worth discussing with your partner before either of you needs to make a decision. There are other issues to consider as well. Often, when someone has moved to a city later in life, there may be few people who are able and well enough to attend a funeral. Family members and children may not be able to attend. What will you do?

Also, who is going to look after the grave? Cemetery deterioration in South Africa does not appear to be an isolated problem affecting a few poorly managed municipalities. There are reports from several provinces of neglected cemeteries, inadequate maintenance, vandalism, security failures and a growing shortage of burial space. Many people opt for cremation, with the ashes scattered or placed somewhere special. Do remember that there are rules about where you can scatter ashes, including on a beach or in the Kruger National Park.

Many South Africans — across all communities — hold funeral policies, and these are sensible. They generally pay out within days, which matters when families need to move quickly. But a funeral policy does not necessarily cover everything. For many South African families, the funeral is not just a farewell — it is a statement of worth, of community, of respect to those who came before. A funeral policy is a foundation, not a ceiling. Costs can, and do, exceed the payout, and families should plan for that possibility.

It is also worth remembering that many people are not religious. Consider a wake, a meal or a tea party with friends and family. Those attending can talk about what the deceased meant to them. It can be a lovely experience: sad, funny, uplifting and cathartic.

Act Quickly: What Stops and What Must Be Notified

When someone dies, there are things that need to be done, or should be done, immediately — within a day or two, or during the first week. Pension and annuity payments may stop at the end of the month in which your spouse dies. In my case, this included the 30th of the month, but there were still bills to be paid. These providers need to be notified of the death of their client. In practical terms, this means you may have days, not weeks, to act. Move quickly to notify or cancel:

- Pension and annuity providers
- Medical aid
- Car and household insurance
- All debit orders and subscriptions
- SARS
- The bank

Wills - Two Documents, Not One

A *last will and testament* deals with your assets. A *living will* is a separate document entirely — it deals with your medical treatment while you are still alive but unable to speak for yourself. It records your wishes about resuscitation, life support, and end-of-life care. If you don't have one, that decision falls to the people who love you most, at the worst possible moment.

Keeping Your Will Up to Date

Many people had a will drawn up when they first married and have not looked at it since. Life changes. Consider what may have altered: children have grown up; some may live overseas and others may be estranged. Second marriages bring stepchildren whose legal status depends on whether they were formally adopted. A previous spouse to whom maintenance was being paid may have a claim that survives your death. A life partner of many years may have rights that people do not fully understand — common-law marriage in South Africa does not provide the straightforward protection many assume. A separated but not yet divorced spouse can complicate matters. There may also be legal considerations when making provision for children, and some children may need lifelong care. Make arrangements for that. If you and your spouse have a joint will, ask a lawyer whether its provisions affect the surviving spouse's ability to make a new will. Do not assume that the position is straightforward.

If your will is more than five years old, or your circumstances have changed significantly since it was drawn up, see a lawyer. Not when you need to. Now.

First Two Weeks: A Checklist

In the first few days:

- Register the death and obtain the death certificate. Ask the undertaker to obtain several copies, as different institutions have different requirements. Some may accept a certified copy; others, particularly banks, may ask to see an original or require a specific form of documentation. In my case, the undertaker organised the abridged certificate and several copies of the full death certificate.
- Locate the will and establish who the executor is
- Contact the funeral home and confirm arrangements. Who will do what if there is a funeral or memorial service.
- If the death occurs at home and the deceased has not recently been seen by a doctor, further procedures may be required before the death can be formally registered. In some circumstances, a post-mortem examination may be needed, and there may be costs involved. The difficulty is that, if no doctor has recently treated your partner or spouse, there may be no doctor able to certify the cause of death. The procedures depend on the circumstances and can change, so it is worth being prepared for a more difficult scenario. Ask the undertaker what steps are needed.

- Contact your own lawyer — not the estate's lawyer, yours. You need someone who looks after your interests because the estate interests may differ from yours.
- Notify immediate family and close friends. There was a time when we put a death notice in newspapers, but these days social media and emails are used extensively. However, contact close family and friends individually. Possibly by phone. If this is dauting, see if you can't delegate the taste to someone close.

In the first week:

- Notify the bank — in person, with a certified copy of the death certificate.
- Notify the pension and annuity provider — payment stops at month end, so act quickly. If they pay an extra month's pension it will have to be refunded.
- Notify the medical aid. It may be necessary to change the membership into your name. Do not cancel the medical aid without first establishing what needs to be done. Rejoining later could be costly or involve other complications. Rather work through a broker or speak directly to the medical aid's administration about transferring or changing the membership.
- Notify SARS
- Cancel or notify all debit orders and subscriptions. A certified copy of the death certificate may be sufficient. You may, however, choose to keep your partner's phone active for a few months in case important messages requiring attention are sent to that number. It may be possible to have the number, calls or messages redirected, but this option may not always be available or work as expected.
- Notify car and household insurers.
- Do not make any property decisions yet.

In the first two weeks:

- Get in touch with your lawyer to understand the estate process and timeline.
- Establish whether the executor needs legal assistance, and at what cost. Often, to save money, a family member is appointed executor. They can easily do practical tasks such as cancelling subscriptions, but it is usually easier for a lawyer to handle the legal work, such as preparing the statement of assets and liabilities and making submissions to SARS. The lawyer can also advise the executor on the steps to be taken.
- Begin sorting — not packing — using the three-box system (see Part Three)
- Accept help when it is offered, even from unexpected quarters
- Rest when you can. This is a marathon, not a sprint.

When you are ready, not before:

- Begin thinking about where you will live
- Do not sign anything relating to property without legal advice
- Do not let anyone — including people who love you — rush this decision

Part Two: The Executor and the Estate

What Is a Deceased Estate?

When a person dies, everything they own and owe forms part of their deceased estate. The estate must be administered before the remaining assets can be distributed to the people entitled to inherit.

If there is a valid will, the estate is generally administered according to the will. If there is no valid will, the estate is distributed according to South Africa's Intestate Succession Act.

What Does an Executor Do?

An executor is appointed by the Master of the High Court and is legally responsible for administering the deceased estate under the Master's supervision. The executor's job involves much more than handing money and possessions to the family — it carries real legal responsibility. Depending on the estate, the executor must generally:

- Report the estate to the Master of the High Court — normally within 14 days of death
- Obtain the authority to act from the Master. Nobody is automatically entitled to deal with the deceased's assets simply because they are named in the will; for larger estates this authority is a Letter of Executorship
- Identify and protect the assets — bank accounts, property, investments, vehicles and personal possessions
- Identify debts and creditors, who must be given the legally required opportunity to submit claims (for estates requiring full administration, this means advertising in the Government Gazette and a newspaper, then waiting out the claims period)
- Deal with the estate's financial affairs — collecting money owed, paying valid debts and expenses, and handling tax
- Prepare the Liquidation and Distribution Account, showing the assets, debts, income received and expenses paid
- Distribute the remaining assets to the beneficiaries, once the legal process has been completed

An executor who distributes an estate incorrectly can, in certain circumstances, be personally liable for losses suffered by heirs or creditors. It is sensible to approach a lawyer for guidance as to the steps to be taken, in what order and when.

Choosing an Executor

You can nominate any competent adult as executor — a spouse, a child, a trusted friend — and you are not obliged to appoint the lawyer, bank, trust company or institution that drafted your will. It is important to choose someone who is willing and able to do the job.

Banks appointed as executors generally charge the maximum allowed fee and tend to be more impersonal. A lawyer's fee, by contrast, is negotiable — often between 1.5% and 3.5%, depending on how much of the work the family takes on. A family member can potentially act as executor, although the Master may require security unless the will provides otherwise or the person qualifies for an exemption. The Master may also require a lay executor to obtain professional guidance. Ask what will be required in your particular circumstances.

Should You Use a Lawyer or a Family Member?

A professional executor is particularly worth having where there is a large or complicated estate, property that must be transferred, a business or company, a trust, significant debts, tax complications, disagreements between family members, minor children or other vulnerable beneficiaries, or a complicated or potentially disputed will.

For a simple estate, a capable and trustworthy friend or family member can save substantial professional fees — but they should understand that being executor carries real legal responsibilities and that they may still need professional help with specific parts of the process. A sensible compromise is often to appoint a trusted friend or family member as executor, while allowing them to obtain legal or accounting assistance where necessary. The Master may require professional guidance in some circumstances, so establish this before making the appointment.

A cheap executor who makes serious mistakes can be far more expensive than a good professional. Equally, an expensive professional executor may be unnecessary for a straightforward estate.

Executor's Fees

Unless the will specifies otherwise, South African law provides a prescribed tariff for executor's remuneration:

- 3.5% of the gross value of the assets in the estate
- 6% of income accrued and collected after death
- A prescribed minimum fee of R350

The important point is that the 3.5% is calculated on the gross value of the assets, not on what remains after debts have been deducted — this can make the fee significant in an estate containing a house or other valuable assets. For example, an estate with assets

worth R2 million would attract a prescribed fee of R70,000, before VAT or other professional costs.

A will-maker may specify a different arrangement for remuneration in the will (it is sensible to check the proposed executor agrees to it), and the Master has powers in appropriate circumstances to reduce, increase or disallow remuneration.

If the executor or the administration service is registered for VAT, VAT may be payable on top of the fee. The executor's fee is also not necessarily the only cost of winding up an estate — property transfers, conveyancing, valuations, advertising, accounting, tax and other legal work can all add to the total, which is often considerably more than the advertised percentage suggests.

Small Estates: R250,000 or Less

If the gross value of the estate is R250,000 or less, the Master of the High Court may deal with it under the simpler procedure in section 18(3) of the Administration of Estates Act. Instead of issuing Letters of Executorship and appointing a formal executor, the Master may issue a Letter of Authority and appoint a Master's Representative — often the person named in the will or someone nominated by the heirs.

The Master's Representative must still identify the assets, establish who is entitled to inherit, identify known creditors and debts, pay legitimate debts, and distribute the remainder according to the will or the law of intestate succession. However, the estate does not normally have to go through the full, more formal executorship process, and does not normally have to lodge a full Liquidation and Distribution Account unless the Master specifically requires one.

It is safer to describe this as qualifying for a simpler procedure than to say "no executor's fees" — and the R250,000 figure, like the 3.5% tariff, is based on the gross value of the assets, not what remains after debts.

Simple does not necessarily mean easy: the person appointed still has legal responsibilities and should get help if there are complications — disputes between heirs, property, tax problems, significant debts, or minor children.

Estate	Likely approach
R250,000 or less, and straightforward	Family member or friend may administer it as Master's Representative
Over R250,000, but straightforward	A family member can potentially be executor, but professional assistance is sensible
Complicated estate	Use a lawyer or an experienced estate professional

The Master of the High Court — Why It Takes So Long

The estate cannot be wound up until it has been reported to the Master of the High Court. The Master appoints the executor formally, oversees the process, and must approve the final distribution. In straightforward estates this takes several months; in complicated ones, considerably longer — two years or more is not unusual.

A Practical Warning

Consult a lawyer before signing a will or accepting an executor nomination, ask: who will actually administer my estate, what will the executor's fee be, will VAT be added, and what other costs could arise?

It is also sensible to make sure your family knows where the original will is kept. The Master cannot simply treat a certified copy as the original without the appropriate, time-consuming legal processes.

Part Three: Practical Matters

Sorting, Not Packing

Sort before you pack. Use a three-box system: what you use regularly or have used in the last two years; what you genuinely expect to use again, even if not often; and what you have not touched in two years and probably never will. Start with the least-used room and finish it completely before moving to the next. The third box should leave the house promptly — charity, antique dealer or house clearance. Don't let it sit.

Keep the good dinner service, the pretty mugs, the good tablecloth — there is no reason to save the nice things for a day that may not come while making do with the old. Clothing can generally be given away; endless reminders can pull you down. But a single item in good condition and strong sentimental value — a dressing gown, for instance — is worth keeping. It is not so much a comfort as a memory, and it can simply hang behind a door.

The Money Problem: Antenuptial Contracts and Property

This catches people badly, particularly those married by antenuptial contract. If you need to sell a property and buy another while the estate is being wound up, the money from the sale may not be immediately accessible. Being married in community of property simplifies this considerably, since the assets are jointly held and permission to transact is easier to obtain.

If your assets are largely in your late spouse's name under an antenuptial contract, get legal and financial advice before making any property decisions. Where a professional partnership is involved (for example, in a medical or veterinary practice), it will typically have made provision for the death of a partner — an annuity, a buyout of the deceased

partner's share, or both. Find out what this looks like in concrete monthly terms, from the practice's own lawyer, before making property decisions.

Part Four: Deciding Where to Live

Questions to Ask Before You Decide

- Whose idea is this? Your children's anxiety comes from love. It is not the same as your need.
- Am I moving toward something or away from something? Moving away from grief or an empty house is not the same as moving toward a life you have chosen.
- Do I know anyone there? Starting over socially later in life is harder than anyone warns you.
- Can I reverse this if I'm wrong? Make sure you have the flexibility to change your mind.

The Two-Year Guideline

If you can possibly wait two years after losing a spouse before making a major move, wait. Grief changes your sense of what you need and what you can bear. If you cannot wait, rent before you buy — live somewhere long enough to know whether it suits you before you commit to it.

Retirement Village or Retirement Home?

A retirement village is independent living in a community: you buy or rent your unit and run your own life. A retirement home provides care — meals, assistance, nursing. Your health and functional independence should determine which you need. Not your age. Not your children's anxiety.

Life Rights — What They Are, and Why Lawyers Now Advise Caution

Many retirement villages sell life rights rather than sectional title. You pay a substantial sum for the right to live in the unit until you die, but you do not own the unit. One issue to examine particularly carefully is any forced-move clause: the organisation may be able to decide that you are no longer able to live independently and require you to move to assisted living, even if you disagree. The agreement should make clear how 'no longer independent' is defined and who makes that decision.

Life-rights agreements should specifically cover a surviving spouse, partner or cohabitant. If they do not, the surviving person may be at risk of losing the right to remain when the primary resident dies or moves out. Some lawyers advise considerable caution about life

rights. If you are looking at a development that offers them, your first call should be to your own lawyer — not the development's sales office.

Some organisations run both charitable, not-for-profit homes and for-profit retirement villages side by side. The two are not the same proposition, and the confusion between them has caught people out. See a lawyer who acts for you, not for the development, before signing anything.

What to Look for in a Retirement Complex

- **The body corporate:** If you are considering a sectional-title development, look for a well-run body corporate with sound finances and clear, regular communication. Ask to see the financial statements and the minutes of the last two AGMs and SGMs (Special General Meetings, where important decisions are often made). Also ask to see the newsletters or official communications for the past year. These can give you valuable insight into both the problems in the complex or village and what works well. Ask the seller or managing agent to arrange access to these documents, and have your own lawyer advise you if access is refused.
- **The Reserve Fund:** Specifically ask whether the body corporate is meeting its statutory Reserve Fund requirements and whether the fund is adequate for the complex's anticipated maintenance needs.
- **Special levies:** Ask whether any special levies are currently being raised or are anticipated. These can sometimes indicate that the Reserve Fund is inadequate to meet maintenance or repair costs.
- **Rules:** Check the rules about alterations and modifications, pets and visitors. Make sure you can live with them.
- **Physical accessibility:** Will the unit still work for you in ten years' time, as well as it does now?
- **Medical and personal care:** If you are moving into a complex because it offers medical support, frail care, assisted living, dementia care, or its own mini-hospital, clinic or step-down facility, find out exactly what is provided. Do not rely on the general description in the sales material. Ask:
    - If there is a nurse or doctor, will they visit you in your unit? Do they have office hours, and how often are they available?
    - Do residents automatically have access to the medical facilities, or is there a waiting list?
    - What arrangements are available for step-down care after hospitalisation?
    - Is assistance available in your own unit, or would you have to move into a care facility?
    - What are the current costs, and what do those costs include?

Think about your own circumstances and how the complex could support you if your needs change. For example, what happens if you develop COPD, or your partner develops dementia? Can you arrange help in your unit with bathing, dressing and taking medication, without having to move?

- **Live-in caregivers:** Find out what rules apply to residential caregivers, particularly if you may need someone to live in with you and sleep in the second bedroom.
- **Emergency services and utilities:** Ask about emergency power, lighting in common areas and lifts, and borehole water or other emergency water supplies. If one or more of these is not available, decide whether you can make alternative arrangements or whether you should look elsewhere.
- **Lifts and emergency access:** If the retirement village has more than one floor, establish whether the lifts have emergency power. Also check that a lift can accommodate an ambulance gurney. I lived in a complex where the lifts were too small to take one. Even a seriously ill resident had to be transported in a wheelchair and transferred to a stretcher only after reaching the ground floor. If someone died in an upstairs flat, they had to be brought down in a body bag. These are not pleasant things to contemplate, but they are important practical considerations.
- **Transport:** Find out whether regular transport is available to shops, doctors and other essential destinations, and whether there is a charge.
- **Meals and shopping:** Ask whether meals are available, what they cost and whether you are obliged to take them. Is there a mini-shop on the premises? If so, what does it stock?
- **Legal advice:** Have your own lawyer review any agreement before you sign. Do not rely solely on the advice or explanations provided by the development or its sales office.

Part Five: Building a Life

On Purpose

Purpose is simply this: something that makes tomorrow worth getting up for. It can be large or small, and it can change. It can be other people, or work, or community, or faith, or a garden, or a problem you are trying to solve, or a story you are trying to tell.

On Friendship

The research on loneliness consistently shows that the quality of connection is more protective than the quantity. One old friend who knows you well enough to tease you is worth more than twenty pleasant acquaintances. In later life, loneliness is a genuine risk, and the effort of maintaining connection — the phone call, the visit, showing up with soup — is not a social nicety. It is one of the most important things you can do for your health.

Starting Something New

Purpose does not have to be grand, paid, or impressive from the outside. It has to be real, it has to be yours, and it has to require something of you — some effort, some skill, some showing up even on the days you'd rather not.

Working with friends or family requires one thing above all others: the ability to separate the argument from the relationship — to disagree about the details on one day and still show up for each other the next. Choose people who want the thing to work more than they want to be right.

Before committing to anything — a lease, a purchase, an investment of time and money and reputation — know your numbers. Not a formal business plan; just the honest arithmetic. What will it cost to start? What will it cost to run each month? What do you need to sell, at what price, to cover those costs? What happens if you have a bad month? These are not discouraging questions. They are the questions that turn a good idea into something that lasts.

Useful Official Websites

Functional at time of writing this booklet.

- Department of Justice — Master's Office FAQs: www.justice.gov.za/master/faq.html
- Department of Justice — Wills and Choosing an Executor: www.justice.gov.za/master/wills.html
- SARS — Deceased Estates: www.sars.gov.za/businesses-and-employers/estates/
- South African Government — Reporting a Deceased Estate: www.gov.za/faq/justice-and-crime-prevention/what-deceased-estate-and-how-should-it-be-reported
- Administration of Estates Act 66 of 1965: www.gov.za/documents/acts/administration-estates-act-66-1965-04-jun-1965

This booklet is general information only, gathered for readers of Standing Tall, and is not a substitute for legal, financial or medical advice. It is simply intended to give you some idea of what to expect or consider. Please see a suitably qualified professional for guidance on your own circumstances.