



the doj & cd

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(HEAD OFFICE FILE 12/4/3)

CHIEF MASTERS DIRECTIVE 1 OF 2015 – APPOINTMENTS IN TERMS OF THE NATIONAL LIST OF INSOLVENCY PRACTITIONERS

1. Your attention is drawn to the contents of the attached Directive with regards to Appointments in terms of the National List of Insolvency Practitioners
2. This Directive is effective from **1 April 2015** and should be implemented as such.
3. Any enquiries should be addressed in writing to the Office of the Chief Master or per e-mail to chiefmaster@justice.gov.za



Adv. L G Basson
Chief Master

TO ALL OFFICES IN THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT



CHIEF MASTER'S DIRECTIVE 1 OF 2015

APPOINTMENTS IN TERMS OF THE NATIONAL LIST OF INSOLVENCY PRACTITIONERS

(This Directive recalls Chief Master's Directive 2 of 2014 which is still subject to litigation)

1. PURPOSE OF THIS DIRECTIVE

Section 2(1)(b)(iii) of the Administration of Estates Act, 66 of 1965 provides that the Chief Master must exercise control, direction and supervision over all the Masters. The purpose of this Directive is thus to ensure that Masters implement the appointment of insolvency practitioners in terms of the National List of Practitioners in a consistent and transparent manner.

2. BACKGROUND

In the past every Master's Office had their own list of Insolvency Practitioner from which they made appointments in Insolvent and Liquidated estates.

The Office of the Chief Master embarked on a process to clean up the current National Master's List of Insolvency Practitioners as there were many practitioners on these lists which were no longer actively administering estates.

This involved practitioners to re-apply to be placed on the list and dedicated officials then considered the applications and constructed a new list to be used nationally where active, approved practitioners have been highlighted in GREEN on the National List available on the Master's website.

3. PROCEDURE TO BE FOLLOWED IN THE MAKING OF APPOINTMENTS

3.1 With effect from 01 April 2015 all officials in the Insolvency Section in all Master's Office will commence to use the National Master's List of Insolvency Practitioners.

- 3.2 The specific office- or Master's List of Insolvency Practitioners, currently used in the offices, will cease to be used from 01 April 2015.
- 3.3 However, the **BEE/PDI** office- or Master's list, currently used in the offices, will still be utilised **in so far as the insolvency practitioners in those BEE/PDI are also green in the National List.**
- 3.3.1 The discretionary appointments from the mentioned BEE/PDI list will continue in the current alphabetical order in the respective offices.
- 3.4 Any Insolvency Practitioner who has not turned green in the National Insolvency Practitioners List will not be appointed unless he/she submits an information form for the Master to refer same to the Chief Master's project team to determine the applicant's fitness to take appointments.
- 3.5 While the requisition system is still utilised and under consideration any Insolvency Practitioner who has been voted in number and value but whose particulars are not on the National Master's List , shall have to submit his/her information form in full with annexures thereto for the Master to prima facie make a determination of his/her fitness to take appointment.
- 3.6 Any departure from the strict adherence hereto is discouraged but where circumstance so warrant, the Head of Office shall cause that written request be made to the Chief Master and full record of the request and Chief Master's decision shall be kept.

4 EFFECTIVE DATE

This Directive will come into effect as from 1 April 2015.

Signed on 30 March 2015


Adv L G Basson

Chief Master of the High Courts of South Africa