



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

Chief Masters Directive 1 of 2009

1. Purpose

The purpose of the directive is to ensure a uniform approach by Masters in respect of the matters listed below.

2. Motivation / Background

A number of role players have approached my Office for clarity on certain matters. As part of my statutory obligations I have decided to provide the following guidelines to ensure a uniform approach by Masters to the matters raised.

All previous Master's Directives on points addressed by this Chief Master's Directive are revoked.

3. The following has been decided:

3.1 Amendment of a Trust Name

When an application is received, requesting that a Trust Name be amended, the following procedure should be followed:

- i) The application must be supported by the founder, trustees and beneficiaries and the Trust Deed must not prohibit such a change, expressly;
- ii) A Proper Deed of Amendment should be lodged with the Master, reflecting the old and new name;
- iii) The Original Appointment Letter of the Trustees, on which the old name is indicated, must be lodged with the Master;

- iv) If the Master is satisfied that all requirements for a valid amendment have been met, an amended Letter of Appointment may be issued indicating all previous Trust names in sequence, as well as the new trust name;
- v) The new Trust Name should be mentioned last.

Example: ***The A Trust, then known as The B Trust, now known as The C Trust***

- vi) It is the obligation of the Trustees to inform third parties of such name change and have the Title Deeds of fixed property endorsed accordingly.

4) Effective date

This Directive will come into effect as from date of signature thereof.

K Mbeki
Acting Chief Master

DATE_____