**SERVO FIDUCIARY SERVICES**
(PTY)LTD-Reg.no2012/025413/07

Conserve & Preserve

## INTRODUCING SERVO FIDUCIARY SERVICES

Servo Fiduciary Services is a trust company situated in the Northern Suburbs of Cape Town with correspondents nationally. We specialise in a comprehensive range of fiduciary services including estate planning, setting up and management of trusts, drafting of Wills and the administration of deceased and insolvent deceased estates.

Our responsibility and commitment towards clients are in a fiduciary capacity and we therefore partner with your financial planner to assist with the protection of your wealth for future generations. Servo is the Latin translation to "watch over" and this is our main objective – to watch over, conserve and preserve your wealth for generations to come. The process starts with planning in the form of a Will, financial planning and creating the correct vehicles in which to see the plan out to the end. Death and taxes are certainties and with careful planning we can provide for and minimise the impact of these respectively.

### MEET OUR FOUNDING DIRECTOR

Brenton Ellis is the founding director of Servo Fiduciary Services. His experience includes drafting of Wills, management of trusts, estate planning and extensive experience in the administration of estates. This exposure was gained through his employment with various trust companies and before starting up Servo Fiduciary Services, he was Head of Estates for the Western Cape and Free State Regions at Sanlam Trust Limited. Brenton also served as the Secretary of the Fiduciary Institute of Southern Africa, Western Cape Region and he was also the Chairperson of the region in 2010 and 2011. Brenton successfully completed his Post Graduate Diploma in Financial Planning from the University of Stellenbosch's Business School.

### WE ARE GROWING

Brenton's success as a fiduciary practitioner led to an overwhelming inflow of work. Tanya Lochner joined the business and together they launched Servo Consult as a fiduciary consulting company. Brenton will focus on the administration of deceased and insolvent deceased estates while Tanya will focus on estate planning and related services.

Tanya has been involved in estate, tax, and financial planning for clients since 2005, formally as Fiduciary Specialist, Business & Operational Manager and Head of Trusts with Glacier, Sanlam Trust and FNB Trust respectively.

Tanya's qualifications include a BCom in Industrial & Organisational Psychology, Advanced Post Graduate Diploma in Financial Planning (specialising in Estate Planning & Investments) as well as various certificates in taxation, management and systems. She currently acts as the Vice-Chairperson on the Western Cape Regional Committee for the Fiduciary Institute of Southern Africa.

Together Brenton and Tanya have more than 50 years of experience in estate planning and fiduciary services.

## OUR SERVICES

Our services aim to ensure that the estate that you have worked so hard at building is protected and preserved during your lifetime and that your legacy is protected and preserved for your loved ones after your death.

## ADMINISTRATION OF DECEASED ESTATES

### Service

Effective administration by expert personnel. Practical assistance and advice to your clients during the administration process, which includes the following; -

- Negotiated executor's fees;
- Minimal bank charges on the estate's bank account:
- Estate funds will be invested in the estate's bank account at call account rates:
- Personal liaison with the Masters' and SARS offices; -
- No post is sent to the Master, it is hand delivered and collected;

- Privacy of the client's information:
- Personal service with the necessary empathy to the heirs;

Costs (excluding VAT)

As negotiated in the Will or prior to appointment. The Estate Act currently provides that a maximum fee of 3.5% may be charged on the gross asset value.

## WILLS AND WILL DRAFTING

According to the Supreme Court of Appeal[1], "your Will is "the most important document you will ever sign". A will is the foundation of a successful estate plan and expresses your wishes for your beneficiaries and how you would like your estate to benefit them – you therefore need to ensure that your will is up to date, legally sound, properly signed and is practically executable.

Servo Fiduciary Services offer the following services:

- Drafting of Wills.
- Amendments to Wills.
- Auditing of Wills.
- Filing of Wills.
- Offshore Wills

Costs (no VAT applicable)

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| • Consultation and drafting | - **R1 250.00** |
| • Drafting only (Servo Executor) | - **R550.00** |
| • Amendments | - **No charge** where Servo is Executor |
| • Legal Auditing | - **R1 250/ hour** |
| • Safe keeping | - **No charge** where Servo is nominated |

[1] Raubenheimer v Raumenheimer 2012 ZACSA 97 (1 June 2012)

## ESTATE PLANNING

We offer a comprehensive, planning through to implementation, estate planning service. This means that we focus on each aspect of your estate, we don't only plan we will assist you throughout the implementation process.

Estate planning, in its simplest form, means getting your affairs in order. Each facet of your estate is subject to its own set of rules. For estate owners who hold assets in trust, it is possible to distinguish between four estate components that need to be considered in an estate planning process.

Our estate planning process aims at "ordering" the four components of your estate, being;

- **Your personal estate** i.e. the wealth you hold in your own name. From share portfolios to pets. How exactly will these be protected and preserved in the event of your death. Is there enough liquidity in your estate? Do you, as the estate owner, know who will inherit your estate?

- **Contractual arrangements** such as life policies and beneficiary nominations. Buy-and-sell agreements - will they stand up to scrutiny?

- **Trust estate**. If you hold assets through a trust - are you certain that your trust deed is legally sound and whether the trust is an instrument worth retaining in your estate plan - given the ongoing rumblings around trusts from the revenue gatherers.

- **Retirement fund benefits** are regulated by legislation as well as their fund-rules. Retirement funds are tax efficient and offer protection against creditors. Proper planning can help to enhance the efficiency of retirement funds in your estate plan.

In addition to aligning the four components of your estate we specifically address aspects such as –

- Estate duty and Capital gains tax;

- Agreements of sales/purchases;

- Loan agreements;

- Existing and future trusts.

- Executor's fees.
- Liquidity
- Implementation and execution of the plan.

Costs (no VAT applicable)

**R1 250** per hour but should not exceed R5 700.00

Fees will be negotiated with the client, depending on the complexity and needs before work commences.

The fees include a feedback consultation after your report has been drafted.

## SERVICES RELATING TO TRUSTS

*Inter Vivos* Trusts

Drafting, amendment and registration of *Inter Vivos* Trusts. Auditing of trust deeds and reconciliation with the Will.

Costs (no VAT applicable)

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| Drafting new trust deed | - **R 4 500.00** |
| Drafting substitute deed | - **R 3 500.00** |
| Auditing[2] | - **R 1 900.00** |
| Trustee amendment | - **R 1 250.00 per hour** |
| Ad hoc services | - **R 1250.00** |

It is recommended that with new trusts, and even existing trusts, the trustees who have no prior experience undergo Trust and Trustee training.

Trust and trustee training – **R3 000** for a 3-hour morning session

[2] Auditing means a legal audit of the trust deed to ensure that it will stand up to scrutiny thereby protecting the trust estate for your benefit and the bene fit of future generations.

*Inter Vivos Trusts*

As Professional Trustees our services include independent advice and assistance to clients by way of –

- Ongoing objective advice.
- Opening and managing bank accounts – all payments, debit orders and statements;
- We have negotiated minimal bank charges for trusts and call account interest rates from the Rand in the account;
- Accounting services;
- Quarterly meetings/telecoms;
- Drafting of Minutes;
- Drafting of Resolutions;
- Implementation of decisions;
- Correspondence with the Master of the High Court;
- Correspondence between trustees and auditors;

*Testamentary Trusts*

Management of Testamentary Trusts, which includes –

- Determination of financial requirements;
- Monthly payments to beneficiaries;
- Protection and growth of capital;
- Distribution of capital to eventual and vested beneficiaries;
- Compliance;
- Income Tax requirements.

**We also offer secretarial services where we are not appointed as an Independent Trustee. We will attend to all of the above as a back-office service.**

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## Costs (no VAT applicable)

The current practice is for Independent Trustees to charge fees for the management of trusts in accordance with the asset value; this can be up to 1% per annum of the asset value. In addition, an initiation fee of 1.5% of the asset value is charged.

**We charge a fixed monthly fee which will be negotiated based on the complexity and needs of each trust. Our fixed fee is payable annually or monthly in advance.**

## BUY AND SELL AGREEMENTS

For business owners our services include the preservation and protection of the business assets in your estate.

Most business owners have not made provision for when they exit the business, whether it be through death, disability or retirement. Even where there is an arrangement in place, it is estimated that almost 75% of buy-and-sell arrangements fail because of issues relating to the buy-and-sell agreement. We offer a drafting service as well as a legal audit of existing agreements.

## Costs (no VAT applicable)

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| Drafting new agreement | **R1 900** |
| Legal Audit | **R1 250** per hour. |

Fees will be negotiated up-front.

## OTHER SERVICES

We also offer services such as Business Coaching and Consulting, structuring, training and advice which will be charged out at **R1 250/hour**, or as agreed with the client.

## INTERNATIONAL AND LOCAL PARTNERS

We have many strategic partners assisting with issues such as offshore trusts, offshore Wills and litigation experts. One of these partners is Lester Aldridge Solicitors in Bournemouth, England.

## ADDITIONAL BENEFITS

Nedbank Corporate Saver accounts with money market interest rates from the first Rand and monthly fees of R 11.50. Transaction fees of R 4.50 per transaction. All bank accounts are opened and managed in our offices

We visit the Master's office twice a week and have a post box at their offices. We also offer specialised services in respect of the deceased's and estate's taxes as well as trust tax.

## GUARANTEE

It is of the utmost importance for us at Servo Fiduciary Services that you have a relationship of trust with us. We assure you of honest and expert assistance and will always ensure utmost confidentiality.

We value your support and will ensure the bond that exists between you and your financial planner is respected.

Our approach is solution based and we therefore look at building relationships.

## CONTACT DETAILS

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## BRENTON

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## TANYA

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