

CareWorks' Employee Wellness Programme

Why Every South African Should Have a Will

In life, we work hard to provide for our families, build a home, and secure a future. But what happens when we're no longer here?

One of the most important things you can do for your loved ones is to have a legally valid **Will**. Yet, according to estimates, **over 70% of South Africans pass away without one**, leaving families vulnerable to unnecessary stress, legal delays, and financial hardship.

This article explains why **everyone—regardless of age or income—should have a Will**, and how to get started.

What Is a Will?

A **Will** is a legal document that outlines:

- Who should inherit your belongings, money, and property
- Who should take care of your minor children (if applicable)
- Who you trust to carry out your wishes (your executor)

Your Will ensures your assets are distributed according to **your wishes**, not left to the state to decide.

Why Having a Will Is So Important

✓ 1. Protects Your Loved Ones

Without a Will, your estate is distributed according to the **Intestate Succession Act**—which may not match your wishes. A Will allows you to choose who gets what, and how much.

✓ 2. Appoints a Guardian for Your Children

If you have children under 18, you can name a guardian. Without this, the courts decide, which could cause delays or family disputes.

✓ 3. Avoids Delays and Legal Costs

A valid Will makes it faster and easier to wind up your estate. Without it, the process is often **costly, time-consuming**, and stressful for those left behind.

✓ 4. Provides Peace of Mind

Knowing your affairs are in order gives you and your family comfort, especially in uncertain times.

What Happens If You Die Without a Will in South Africa?

Your estate will be divided according to the **law of intestate succession**. That may mean:

- Your spouse and children split the estate equally
- If you're unmarried, your parents or siblings may inherit—even if you had a life partner
- Your assets could be tied up in the Master of the High Court for years
- Family disputes may arise over who gets what

Avoid this by having a clear, signed, and up-to-date Will.

What Should Be Included in Your Will?

- A list of your **assets** (property, vehicles, policies, bank accounts, investments, valuables)
- Names of your **beneficiaries**
- A trusted **executor** to manage the estate
- A **guardian** for minor children, if needed
- Your **witnesses' signatures** (at least two, not beneficiaries)

Important: Your Will must be in writing, signed by you and two competent witnesses (over 14 and not beneficiaries), and dated.

How to Create a Will in South Africa

1. **DIY Option:** Use templates available from banks, legal websites, or stationery stores (ensure it meets legal requirements).
2. **Through a Bank:** Many banks offer free Will drafting services for clients.
3. **Attorney or Legal Advisor:** Recommended for complex estates or blended families.
4. **Online Tools:** Use trusted services like LawForAll, LegalWise, or private platforms.

Many organisations also participate in **National Wills Week** (September), offering free Will drafting across the country.

Tips for Managing Your Will

- Keep it **up to date**, especially after major life events (marriage, birth of a child, divorce, buying a house).
 - Store it in a **safe, accessible place**, and let someone you trust know where it is.
 - Avoid vague language—be specific about names and items.
 - Consider also preparing a **Living Will** (your medical wishes if you're incapacitated).
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The Role of Employers in Promoting Will Awareness

Employers can support employee wellbeing by:

- Offering **awareness talks** on Wills and estate planning
- Partnering with banks or legal firms to offer **free or discounted Will drafting**
- Encouraging staff to attend **National Wills Week** events
- Including Will-writing in **financial wellness programmes**

This empowers staff to protect their families and plan ahead.

In Summary

Creating a Will is one of the most responsible decisions you can make for your family. It doesn't need to be expensive or complicated—and it can save your loved ones heartache and confusion during an already difficult time.

Plan now, protect tomorrow. Write your Will today.

Helpful Resources in South Africa

- **National Wills Week:** www.lssa.org.za
- **Legal Aid SA:** www.legal-aid.co.za
- **Law For All:** www.lawforall.co.za
- **LegalWise:** www.legalwise.co.za