



### **QUESTION 1**

Mandla Shongwe who had been married in community of property to Thoko shongwe (born Magagula) died on 1<sup>st</sup> April, 2006. He is survived by his widow, Thoko Shongwe and two sons, Bongani and Sifiso aged 11 and 13 years respectively.

The assets consisted of the following:

1.	Lot 89 extension 3 Mbabane valued at	E500,000.00
2.	Terminal benefits from employment	E320,000.00
3.	2004 model Toyota hilux motor vehicle which is valued at	E170,000.00
4.	Cash with the Swazi Bank	E 55,000.00

The claims against the estate are as follows:

5.	Crucifix funeral undertakers	E12,000.00
6.	Commissioner of Taxes	E25,000.00
7.	Leites Motors	E 2,200.00
8.	Pick'n Pay Supermarket	E 650.00

Making up any further details and supplying the necessary administration expenses omitted from the list above draw up a full liquidation and distribution account.

[25 MARKS]

### **QUESTION 2**

“Section 68 of the Administration of Estates Act, No.28 of 1902 which deals with “Estates of Africans” is a relic of the colonial administration and has no place in modern day Swaziland.” Discuss.

[25 MARKS]

### **QUESTION 3**

“The sole interest which the Master has in the administration of estates is to protect the interests of creditors, heirs, legatees and all other persons having any claim upon the estate”. Explain how this purpose is achieved.

[25 MARKS]

### **QUESTION 4**

Explain what is meant by foreign letters of administration and state the Master's requirements for counter sealing such letters of administration.

### **QUESTION 5**

Your client Vusie Motsa is an heir in the deceased estate of his father. He is not happy with the manner and terms upon which the executor proposes to dispose of his father's immovable property. He approaches you and suggests that an application for an interdict against the executor be launched before the High Court.

Advise your client and also explain to him the powers and duties of executors under the common law.

[25 MARKS]

### **QUESTION 6**

Your client Nomusa Dladla has been nominated by the next of kin to be executrix dative in the deceased estate of her father. She comes to you and asks you to assist her in order to obtain letters of administration. Explain to her the formalities and procedure that have to be complied with in order to achieve this purpose.

[25 MARKS]