



KORF ATTORNEYS / NOTARIES / CONVEYANCERS / ESTATE ADMINISTRATORS

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**INSTRUCTIONS FORM FOR AN ANTENUPTIAL AGREEMENT
OUT OF COMMUNITY OF PROPERTY WITH INCLUSION OF THE ACCRUAL SYSTEM***

Complete and sign this document and then e-mail the document, with copies of your identity documents, proof of address and confirmation of payment of R1 500-00 to Office@VirtualLawyers.co.za or fax to 086 219 6874.

Banking details: Korf Attorneys, Trust Account, ABSA Bank, Branch code: 632 005; Account number: 408 098 3844; Reference: Your name and surname.

1. DATE OF WEDDING: _____

2. PARTY A: PERSONAL DETAILS

2.1. Full name and surname: _____

2.2. Identity number : _____ (attach copy of IDENTITY DOCUMENT)

2.3. Were you previously married? YES _____ NO _____ (If YES, attach DIVORCE ORDER / DEATH CERTIFICATE)

2.4. Residential address : _____ (attach copy of UTILITY BILL)

2.5. Country of Residence : _____ Postal address: _____

2.6. Telephone number (H): _____ Telephone Nr. (W) : _____ Fax number: _____

2.7. Mobile number : _____ E-mail address: _____

2.8. E-mail address : _____

PARTY A: FINANCIAL DETAILS (only complete if you choose WITH the ACCRUAL SYSTEM)

2.9. NETT VALUE** AT START OF MARRIAGE:

3.9.1 Value of all assets (eg. motors, furniture, investments, house, etc.) R _____

(NB: the value of EXCLUDED ASSETS listed below must not be included here)

3.9.2 Less: Debt (eg. bond, vehicle finance, credit card, loans etc.) R _____

TOTAL NETT START VALUE R _____

2.10. EXCLUDED ASSETS***: (Assets not part of ACCRUAL CALCULATIONS):

(Complete short description of each asset and identifiable number, if available) _____

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Admitted Attorney, Conveyancer Notary and Qualified UK Solicitor non-practicing

Legal Practice Council Firm No. 6768 Member: 9303

ACCREDITED MEMBER OF THE VIRTUAL LAWYERS GROUP



3. PARTY B: PERSONAL DETAILS

- 3.1. Full name and surname: _____
- 3.2. Identity number : _____ (attach copy of IDENTITY DOCUMENT)
- 3.3. Were you previously married? YES _____ NO _____ (If YES, attach DIVORCE ORDER / DEATH CERTIFICATE)
- 3.4. Residential address : _____ (attach copy of UTILITY BILL)
- 3.5. Country of Residence : _____ Postal address: _____
- 3.6. Telephone number (H): _____ Telephone Nr. (W) : _____ Fax number: _____
- 3.7. Mobile number : _____ E-mail address: _____
- 3.8. E-mail address : _____

PARTY B: FINANCIAL DETAILS (only complete if you choose WITH the ACCRUAL SYSTEM)

- 3.9. NETT VALUE AT START OF MARRIAGE:
- 4.9.1 Value of all assets (eg. motors, furniture, investments, house, etc.) R _____
(NB: the value of EXCLUDED ASSETS listed below must not be included here)
- 4.9.2 Less: Debt (eg. bond, vehicle finance, credit card, loans etc.) R _____
- TOTAL NETT START VALUE R _____
- 3.10. EXCLUDED ASSETS: (Assets not part of ACCRUAL CALCULATIONS):
(Complete short description of each asset and identifiable number, if available) _____

4. DECLARATIONS

- 4.1. We are not already married in terms of any customary law, civil marriage or civil union.
- 4.2. We understand the legal consequences of our instructions herein on our proposed marriage.
- 4.3. We indemnify Korf Attorneys (the business, partners and employees) against any liability or actions due to our instructions.
- 4.4. We understand that we must sign the Agreement before we get married.

SIGNED AT _____ ON _____

SIGNATURE: PARTY A
SIGNATURE: PARTY B

*** ACCRUAL SYSTEM:** A legal system whereby the growth (accrual) of each spouse's estate since the start of the marriage are calculated at the end of the marriage. The growths are added together and each spouse is entitled to a half thereof. The spouse with the smaller estate will have claim against the other spouse.

****NET START VALUE:** Add up the value of ALL your assets (excluding the value of EXCLUDED ASSETS) and deduct all your liabilities and debt. The difference in Rand is your NET START VALUE

*****EXCLUDED ASSETS:** Any asset, that you currently have, may be excluded from the accrual calculations to be done when the marriage ends. The assets are kept separate and not taken into account when the growth in the estate of a spouse is calculated. Examples of excluded assets are immovable property, pension, investments, shares or any other asset that grows in value.

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INSTRUCTIONS ON HOW TO PROCEED WITH ANTENUPTIAL AGREEMENT

STEP 1: Complete and sign the INSTRUCTIONS FORM.

STEP 2: Deposit the COSTS (R1 500-00) in the Attorney's Trust Account (Korf Attorneys, Trust Account, ABSA Bank, Branch code: 632 005; Account number: 408 098 3844; Reference: Your name and surname)

STEP 3: E-mail/fax the following to office@virtuallawyers.co.za

1. INSTRUCTION FORM
2. DEPOSIT SLIP
3. COPIES OF BOTH OF YOUR IDENTITY DOCUMENTS
4. UTILITY BILLS AS CONFIRMATION OF YOUR RESIDENTIAL ADDRESS/ES
5. (If you were previously married, a copy of your DIVORCE ORDER or your previous spouse's DEATH CERTIFICATE must also be provided).

STEP 4: The Notary will send you a DRAFT ANTENUPTIAL AGREEMENT and POWER OF ATTORNEY and ask you for your instructions about any amendments. The Notary will attend to the amendments.

STEP 5: The Notary will send you the FINAL ANTENUPTIAL AGREEMENT and POWER OF ATTORNEY with instructions of how to sign the ANTENUPTIAL AGREEMENT and POWER OF ATTORNEY.

STEP 6: Sign the ANTENUPTIAL AGREEMENT and the POWER OF ATTORNEY in the presence of two witnesses.

STEP 7: E-mail/fax the signed ANTENUPTIAL AGREEMENT and the POWER OF ATTORNEY to the Notary.

STEP 8: The Notary will legally execute the ANTENUPTIAL AGREEMENT, and fax / e-mail you a copy of the executed ANTENUPTIAL AGREEMENT and a CERTIFICATE OF CONFIRMATION.

STEP 9: Send the original signed ANTENUPTIAL AGREEMENT and POWER OF ATTORNEY to the Notary's offices per registered post, courier or deliver the documents by hand at the offices of the Notary.

IT IS VERY IMPORTANT THAT THE ORIGINAL SIGNED DOCUMENTS REACH THE NOTARY TO ENSURE THAT IT IS LEGALLY EXECUTED, VALID AND REGISTERED

STEP 10: The Notary will lodge and register the ANTENUPTIAL AGREEMENT at the DEEDS OFFICE in CAPE TOWN and confirm in writing to you once registered. (This process at the Deeds Office normally takes 2 to 3 weeks).

STEP 11: The Notary will contact you when the original registered ANTENUPTIAL AGREEMENT is received back from the Deeds Office to arrange delivery thereof to you for safe-keeping. (Receipt of the original registered ANTENUPTIAL AGREEMENT from the Deeds Office normally takes 2 to 3 months from date of registration).

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