



UNDERSTANDING WILLS AND ESTATE PLANNING IN ZIMBABWE

Why Writing a Will Matters

Many people avoid conversations about wills because they associate them with death or old age. However, a will is not merely a document prepared at the end of life – it is an important legal tool that helps protect family, property, and personal wishes.

In Zimbabwe, a significant number of family disputes arise after the death of a loved one, particularly where there is no clear estate plan in place. Property disputes, disagreements among relatives, delays in estate administration, and uncertainty regarding inheritance often occur because proper legal arrangements were never made while matters were still clear and manageable.

A properly prepared will helps minimise risks by providing certainty and legal direction.

A properly drafted will provides clarity and direction. It allows an individual to state how their property, assets, and responsibilities should be handled after their passing. More importantly, it helps reduce confusion and potential conflict among surviving family members.

What Is a Will?

A will is a legal document in which a person sets out instructions regarding the distribution of their estate after death.

An estate may include:

- immovable property,
- businesses,
- vehicles,
- bank accounts,
- investments,
- personal belongings,
- or any other assets owned by the deceased.

A will may also include:

- the appointment of an executor,
- guardianship arrangements for minor children,
- specific gifts or inheritances,
- and instructions relating to funeral or burial wishes.

What Happens If There Is No Will?

Where a person dies without a valid will, their estate is distributed according to the laws governing intestate succession.

Although the law provides a framework for distribution, the process is often more complicated and emotionally difficult for families. In many cases, surviving relatives may disagree regarding:

- property ownership,
- inheritance rights,
- family homes,
- business interests,
- or administration of the estate

This can lead to:

- lengthy legal processes,
- unnecessary delays,
- financial strain,
- and damaged family relationships.



Conclusion

A will is ultimately about responsibility, protection, and peace of mind. It provides an opportunity to make informed decisions today that can protect loved ones tomorrow. Estate planning may be uncomfortable to discuss, but avoiding the conversation often creates greater challenges for families later on. At Pesanai & Tshuma Corporate Attorneys, we encourage individuals and families to take proactive legal steps that safeguard their interests and preserve clarity for future generations.

Why Estate Planning Is Important

Estate planning is not only for wealthy individuals. Anyone who:

- owns property,
- has children or dependants,
- runs a business,
- or possesses valuable assets

should consider putting proper legal arrangements in place.

Good estate planning helps:

- protect loved ones,
- preserve family wealth,
- avoid uncertainty,
- simplify estate administration,
- and ensure that personal wishes are respected.

It is also important for business continuity, especially where family-owned businesses or jointly owned assets are involved.

Important Considerations when drafting a will

When preparing a will, individuals should ensure that:

- the document is properly drafted,
- it complies with legal requirements,
- witnesses are correctly appointed,
- and the contents clearly reflect their intentions.

Poorly drafted or informal wills may create uncertainty and disputes rather than solving them.

For this reason, it is advisable to seek professional legal guidance when preparing estate planning documents.

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