

PUBLIC TRUST

PT301

PUBLIC TRUSTEE ACT 1941

PUBLIC TRUSTEE AMENDMENT REGULATIONS 1995

Made by The Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Trustee Amendment Regulations 1995*.

Second Schedule amended

2. The Second Schedule to the *Public Trustee Regulations 1942** is amended —

- (a) in item 2 (1) —
- (i) by deleting “\$100 000” wherever it occurs and substituting in each case the following —
- “ \$200 000 ”; and
- (ii) by deleting “\$300 000” and substituting the following —
- “ \$600 000 ”;
- (b) by deleting item 2 (1a);
- (c) in item 3A by deleting “On” and substituting the following —
- “ Subject to item 3B, on ”;
- (d) by inserting after item 3A the following item —
- “
- Fees payable in relation to unit trust investments**
- 3B. On a distribution (other than a return of capital) to an estate from an investment in a unit trust made by the Public Trustee outside the Common Fund, the fee chargeable is 5% of the total amount distributed.
- ”;
- (e) by deleting item 4 and substituting the following item —
- “
- Fees payable on income received**
4. (1) Subject to subitem (2), the fees payable on income received by the Public Trustee in respect of any fund or property held by the Public Trustee, alone or jointly, are the same as the fees referred to in item 1 (1) (b).
- (2) The fees payable on income consisting of receipts of pensions or benefits in respect of unemployment, age, sickness, invalidity or war service received by the Public Trustee in respect of any fund held by the Public Trustee, alone or jointly, is 3% of the amount received, where the fund has a balance of \$2 000 or more.
- ”;
- (f) in the Table to item 9B (2), by deleting “100” and substituting the following —
- “
- 60 per hour (or part thereof) spent examining the accounts
- ”;
- and
- (g) by inserting after item 9B the following items —
- “
- Fee payable for management of represented person's estate**
- 9C. The annual fee payable to the Public Trustee for management of the estate of a represented person is 1% of the gross capital value of those assets of the estate that are under the day to day care of the Public Trustee.

Fee payable for work done in relation to orders made under the *Guardianship and Administration Act 1990*

9D. The fees calculated in accordance with the Table to this item are payable to the Public Trustee for work done in order to comply with an order made under the *Guardianship and Administration Act 1990* in respect of an estate, where the Public Trustee is not an executor, trustee or administrator of the estate.

TABLE

Officer carrying out work	Fee
Clerical officer	\$70 per hour (or part thereof)
Professional officer	\$100 per hour (or part thereof)

Fee payable for next of kin searches

9E. The fee payable to the Public Trustee for a search by the Public Trustee to establish the next of kin of a deceased person shall be calculated at the rate of \$20 for every certified copy, or extract of entry, of registration of birth, death or marriage provided by the Registrar General under the *Registration of Births, Deaths and Marriages Act 1961* that is necessary to establish the next of kin.

Fee payable for site visits

9F. A fee of \$25 per visit is payable to the Public Trustee where it is necessary in managing an estate to visit any property or building that is part of the estate.

[* Reprinted in the Gazette of 17 January 1979 at pp.103-110.
For amendments to 21 February 1995 see 1993 Index to
Legislation of Western Australia, Table 4, p. 217.]

Dated 11 April, 1995.

By The Lieutenant-Governor and deputy of the Governor's Command,

M. C. WAUCHOPE, Clerk of the Council.