

- (o.) In all cases not otherwise hereby provided for, on all sums lodged in the Public Trust Office under or in pursuance of the provisions of any Act, rule, or law in that behalf, at the time of lodging the same £1 per cent.
 Minimum charge under (o) £1.
 No charge under (o) shall be made where no interest is allowed.
 - (p.) For every lease (except leases under the West Coast Settlement Reserves Act, 1892, and its amendments) executed by the Public Trustee as lessor or mortgagee to be paid by the lessee,—
 As fixed by the Public Trustee, having regard to the circumstances £1 to £5.
 - (q.) For the Public Trustee's consent to any lease or to any assignment or disposition of a lease 10s.
 - (r.) For application to be registered proprietor under Part II ("Unclaimed Lands") or Part III ("Unclaimed Property") of the principal Act £1.
 - (s.) For discharging mortgage under section 67 of the Property Law Act, 1908, or section 116 of the Land Transfer Act, 1908 10s.
 - (t.) For discharging mortgage under section 75 of the Property Law Act, 1908, or section 117 of the Land Transfer Act, 1908, and holding the proceeds for the person entitled,—
 Where the amount is not more than £250 £2 2s.
 Where the amount is over £250 and not more than £1,000 £3 3s.
 Where the amount is over £1,000 £5 5s.
 - (u.) For each certificate issued under section 5 of the Foreign Insurance Companies' Deposits Act, 1908 £3 3s.
 - (v.) For making copy of any document, 6d. per folio; minimum charge, 1s.
 - (w.) For production of document of title 10s.
 - (x.) Upon the amount of any loan to a local body (to cover the office solicitor's services in drafting resolutions, notices, and documents relating to the loan and the security therefor, and generally supervising the proceedings) 2/6 per cent.
 Minimum charge under (x) £3 3s.
 The charge under (x) is payable by the local body, and may be deducted from the loan.
 - (y.) For the Public Trustee's functions in respect of the investigation and audit of any private estate,—
 As fixed by the Public Trustee, having regard to the work involved £3 3s. to
 The charge under (y) is exclusive of £10 10s. of the cost of Court proceedings.
 - (z.) For any matter or service not herein-before mentioned, such charge as is agreed on or as, in the absence of agreement, the Public Trustee fixes, with the approval of the Office Board.
34. Where on the confirmation of any alienation of Native land the consideration-money is deposited with the Public Trustee, to be paid out by him on the order of the Native Land Court or a Judge or Registrar thereof, then, with respect to the money so deposited the following special provisions shall apply, anything in these regulations to the contrary notwithstanding:—
- (1.) If the aforesaid order may be made at any time, so that the money is at call, no interest shall be allowed and no charge shall be made.
 - (2.) If it is arranged that the money shall remain in the common fund for a fixed period, no charge shall be made, and interest shall be allowed at such rate as is agreed not exceeding the rate that would be payable in the case of an investment agency.
35. All sums lodged in the Public Trust Office or coming under the control of the Public Trustee which arise out of the provisions of or come within the meaning of "wages and effects of deceased seamen" in the Shipping and Seamen Act, 1908, and all contributions by local bodies, or the Government, or any Government Department, on account of sinking funds, shall be exempted from charge.
36. (1.) In computing the charge on capital realized, cash collected or received shall be included.

- (2.) In computing the charge on capital realized from the sale of real or personal property, the amount of the capital shall be deemed to be the net amount realized after deducting all legal or equitable charges thereon.
37. The Public Trustee may, with the consent of the Office Board, reduce any of the foregoing charges.
38. (1.) In addition to the foregoing charges there shall also be chargeable and payable all expenses and disbursements incurred by the Public Trustee in postage, exchange, telegrams, legal assistance, or legal proceedings or charges, fees payable in any Court or public Department, surveys, the collection of rents, auctioneers' charges, travelling-expenses, and any other expenses or disbursements which, in the opinion of the Public Trustee, are necessary or expedient to be provided for or incurred in the management of the estate or property to which the charge relates.
- (2.) To cover postages and other unspecified disbursements a fixed charge shall be made half-yearly against every active estate.
 - (3.) The amount of the charge shall be such sum, not less than 1s. or more than £2, as is fixed by the Public Trustee, having regard to the circumstances.
- "Active estate" means an estate the affairs of which have been dealt with during the half-year.

INVESTIGATION AND AUDIT OF PRIVATE ESTATES.

39. With respect to the investigation and audit of the condition and accounts of private trust estates, the following provisions shall apply:—
- (a.) The beneficiary or trustee desiring the investigation and audit to be made shall make application to the Public Trustee in the form No. 2 in the Schedule hereto.
 - (b.) The application may name a solicitor or accountant whom the applicant agrees should be appointed to make the investigation and audit, or may authorize the Public Trustee to select one on the applicant's behalf.
 - (c.) When the selection has been finally made, either by agreement between the applicant, the Public Trustee, and the private trustees, or if they cannot agree, then by the Public Trustee alone, the Public Trustee shall, by notice in the form numbered 3 in the said Schedule, appoint the solicitor or accountant so selected, and by notice in the form No. 4 in the said Schedule inform the applicant and the private trustees thereof.
 - (d.) The remuneration of the auditor and the other expenses of the investigation and audit (excluding the Public Trustee's charges, which are provided for under clause 33 (y) of these regulations) shall be such as is fixed by the Public Trustee, with the concurrence of the private trustees, or if they do not agree then by a Judge of the Supreme Court.
 - (e.) The forms in the Schedule hereto may be modified to accord with the facts as far as known.

ADVISORY TRUSTEES.

40. Subject to the provisions of the trust instrument (if any), the remuneration of advisory trustees shall, in the case of each estate, be such as is fixed by the Public Trustee with the concurrence of the advisory trustees, or if they do not agree then by a Judge of the Supreme Court.

SCHEDULE.

Form No. 1 (Clause 4).

DECLARATION OF SECRECY.

I [Full name], of [Address and occupation], do hereby solemnly declare that I will truly and faithfully, according to the best of my skill and ability, perform the duties imposed upon me in my capacity as (1) a member of the staff of the Public Trust Office, or (2) an Agent of the Public Trustee, and that in the performance of my said duties I will hold myself bound not to divulge or communicate any matter or thing coming to my knowledge appertaining to the business of the Public Trust Office, or to the affairs of any estates under its administration, or in relation to the private affairs of any person concerned therein, to any person whomsoever, except as may be authorized by law to a person directly interested and entitled to information, or for the purpose of assisting to carry out the powers and functions of the Public Trustee and my own proper duties.

And I make this solemn declaration conscientiously binding myself to adhere to and observe the same.

Declared at _____, this _____ day of _____, 191____, before me—
 A Justice of the Peace or Solicitor of the Supreme Court.

[Signature.]