

(q.) For each certificate issued under section 5 of the Foreign Insurance Companies' Deposits Act, 1908: £3 3s.

(r.) For making copy of any document: 1s. per folio.

(s.) Upon the amount of any loan to a local body (to cover the office solicitor's services in drafting resolutions, notices, and document relating to the loan and the security therefor, and generally supervising the proceedings): 5s. per cent.

Minimum charge under (s): £5 5s.

The charge under (s) is payable by the local body, and may be deducted from the loan.

(t.) 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: Minimum fee, £3 3s.

The charge under (t) is exclusive of the cost of Court proceedings.

(u.) For any matter or service not hereinbefore mentioned: Such charge as is agreed on or as, in the absence of agreement, the Public Trustee fixes.

32. 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.

33. (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 no deduction shall be made of legal or equitable charges thereon.

34. The Public Trust Office Board may reduce any of the foregoing charges, or may charge a special fee in estates the administration of which proves to be exceptionally difficult, or in estates which prove to be insolvent, and in which the ordinary charges would be inadequate, or in estates having assets realization of which may have been attempted by the Public Trustee prior to their transfer or delivery in kind to beneficiaries and in respect to which the charge made under section 31 (j) is considered not to provide adequate remuneration.

35. In addition to the foregoing charges there shall also be chargeable and payable the following:—

(a.) All expenses and disbursements incurred by the Public Trustee in postages, exchange, telegrams, legal assistance, 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 it is necessary or expedient to provide for or incur in the administration of the estate or property to which the charge relates.

(b.) Such charges as the Public Trustee may fix for the services of Rangers, Inspectors, and other special officers in cases where by reason of their expert knowledge it is considered necessary or expedient in the interests of an estate to employ them.

INVESTIGATION AND AUDIT OF PRIVATE ESTATES.

36. 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 31 (t) 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.

37. 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.

[Signature.]

Declared at this day of 19 , before me—, a Justice of the Peace or Solicitor of the Supreme Court.

Form No. 2 (Clause 36).

APPLICATION FOR INSPECTION OF PRIVATE ESTATE.

In the matter of the Public Trust Office Amendment Act, 1913, and of a certain private estate, to wit, the estate of [Name of private estate—e.g., John Brown, deceased; William White's marriage settlement; or as the case may be].

1. I, [Full name], of [Address and occupation], being a beneficiary in the above-mentioned private estate, hereby apply to the Public Trustee for an investigation and audit of the conditions and accounts of the said estate.

2. The trustees are [Full name of all the trustees so far as known].

3. I am not satisfied on the following points [Set out briefly the points].

4. I will give security to the Public Trustee's satisfaction to cover the costs and expenses involved.

5. I suggest that the auditor be [Name a solicitor or public registered accountant].

[Or]

I will accept as auditor any solicitor or public registered accountant approved by the Public Trustee.

Dated at the day of 19 .

[Signature of applicant.]

Form No. 3 (Clause 36).

INSPECTION OF PRIVATE ESTATES.

In the matter of, &c. [as in form No. 2].

Appointment of Auditor.

To [Name of auditor].

Pursuant to the above-mentioned Act I hereby appoint you as auditor to investigate and audit the condition and accounts of [Name the private estate].

Dated at the day of 19 .

A. B.,
Public Trustee.

Form No. 4 (Clause 36).

INSPECTION OF PRIVATE ESTATES.

In the matter of, &c. [as in form No. 2].

Notice of Appointment of Auditor.

To [Name of applicant for investigation], and to [Name of the private trustee].

Please note that, pursuant to the above-mentioned Act, [Full name] has been appointed as auditor to investigate and audit the condition and accounts of the above-mentioned estate.

Notice of the auditor's appointment was given to him by me on [Date].

Dated at the day of 19 .

A. B.,
Public Trustee.

C. A. JEFFERY,
Acting Clerk of the Executive Council