

cerned, which assets are ultimately transferred or delivered in specie to such beneficiaries, and the carrying-on of a business pending realization: Such charge as is agreed on or as, in the absence of agreement, the Public Trustee fixes.

28. In addition to the foregoing charges there shall also be chargeable and payable 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.

29. With respect to the investigation and audit of 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 applicant may name a solicitor or accountant who he 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 21 (v) 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 as the occasion may require.

ADVISORY TRUSTEES.

30. 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.

RIGHT OF APPEAL.

31. Any person dissatisfied with the decision of the Public Trustee as to the application and extent of the foregoing regulations may appeal to a Judge of the Supreme Court under the provisions of section 61 of the Public Trust Office Amendment Act, 1921-22.

SCHEDULE.

Form No. 1 (Clause 4).

DECLARATION OF FIDELITY AND SECRECY.

I, [Full name], of [Address and occupation], do hereby solemnly and sincerely 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 Public Trust Office Board, or (2) a member of the staff of the Public Trust Office, or (3) an agent of the Public Trustee, or (4) a member of the Public Trust Office Investment Board, and that in the performance of my said duties I will hold myself bound to maintain and aid in maintaining the secrecy of all matters coming to my knowledge appertaining to the business of the Public Trust Office, or to the affairs of any estate under its administration, or in relation to the affairs of any person concerned therein, and will not divulge any information concerning such matters 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.

I am aware that if I wilfully act in contravention of the true intent of this declaration I am liable to a fine or imprisonment.

And I make this solemn declaration conscientiously binding myself to adhere to and observe the same, and by virtue of the Public Trust Office Amendment Act, 1921.

[Signature.]

Declared at _____, this _____ day of _____, 192 _____, before me,—
 _____, Public Trustee.
 or District Public Trustee for _____.

Form No. 2 (Clause 29).

APPLICATION FOR INVESTIGATION 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 of the condition and audit of the accounts of the said estate.
- 2. The trustees are [Full names and addresses 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 name [Name a solicitor or public registered accountant] as a person capable of conducting the audit or investigation.

[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 29).

INVESTIGATION OF PRIVATE ESTATE.

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 the condition and audit the accounts of [Name the private estate].

Dated at _____ the _____ day of _____, 19 _____.

A. B., Public Trustee.

Form No. 4 (Clause 29).

INVESTIGATION OF PRIVATE ESTATE.

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 the condition and audit the 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.

F. D. THOMSON,

Clerk of the Executive Council.

Vesting a Reserve in the Mackenzie County Council.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 20th day of August, 1923.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the land described in the Schedule hereto has been permanently reserved for plantation purposes: And whereas it is expedient to vest the said reserve in the Chairman, Councillors, and Inhabitants of the Mackenzie County:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in exercise of the powers and authorities conferred upon him by the fourth section of the Public Reserves and Domains Act, 1908, doth hereby declare that, from and after the day of the date hereof, the reserve described in the Schedule hereto shall become vested in the Chairman, Councillors, and Inhabitants of the Mackenzie County, in trust, for plantation purposes.

SCHEDULE.

CANTERBURY LAND DISTRICT.

RESERVE 4064, Block VII, Burke Survey District: Area, 57 acres 2 roods 6 perches.

F. D. THOMSON,

Clerk of the Executive Council.