STATUTORY INSTRUMENTS

1962 No. 163 (L. 2)

TRUSTEES

The Judicial Trustee (Amendment) Rules, 1962

Made - - - -	*25th January*, 1962
Laid before Parliament	*1st February*, 1962
Coming into Operation	*1st March*, 1962

I, David Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred on me by section 4 of the Judicial Trustees Act, 1896(a), and with the consent of the Lords Commissioners of Her Majesty's Treasury, hereby make the following Rules :—

1. The Interpretation Act, 1889(b), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2.—(1) The Schedule to these Rules shall be substituted for the Schedule to the Judicial Trustee Rules, 1897(c).

(2) The fees specified in the second column of the Schedule to these Rules shall be payable in respect of the items specified in the first column thereof.

3. These Rules may be cited as The Judicial Trustee (Amendment) Rules, 1962, and shall come into operation on the first day of March, 1962.

4. Nothing in these Rules shall affect any fee paid or payable before the coming into operation thereof.

Dated the twenty-fifth day of January, 1962.

Kilmuir, C.

We consent.

John Hill,

W. S. I. Whitelaw,

Lords Commissioners of Her Majesty's Treasury.

(a) 59 & 60 Vict. c. 35. (b) 52 & 53 Vict. c. 63.
(c) S.R. & O. 1897/708 (Rev. 1903, XII, p. 911: 1897, p. 634).

SCHEDULE

No. of Fee	First Column	Second Column
		£ s. d.
1	On any matter for which a fee is provided under the orders for the time being in force relating to Supreme Court, Palatine Court or County Court fees, as the case may be	The fee so provided.
2	On a request to the Court for (*a*) directions, or (*b*) approval of any step taken, or to be taken, in relation to the administration of a trust	0 10 0
3	On filing a statement of trust property, for every £100 or fraction of £100 of the estimated value of the property then in possession (subject to a minimum fee of £1)	0 2 6
4	On filing an amended statement of trust property, for every £100 or fraction of £100 of the estimated value of the property in possession shown therein (subject to a minimum fee of 10s.):— Provided that, in estimating the value of the property for the purpose of calculating this fee, there shall be excluded any asset (or the proceeds thereof or any property acquired with such proceeds) on which Fee No. 3 has been paid.	0 2 6
5	On filing:— (*a*) the accounts of a trust ... ... (*b*) any other document relating to a trust	0 10 0 0 5 0
6	On (*a*) auditing the accounts of a trust when audited by an officer of the Court, or (*b*) referring the accounts of a trust to a professional accountant for report, for every £100 or fraction of £100 of the gross amount of the income without allowing for any deduction therefrom	0 2 6
7	On the inspection of filed accounts, for each hour or part of an hour occupied (subject to a maximum fee of £1 10s. in respect of any one day)	0 5 0

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules amend the Judicial Trustee Rules, 1897, by substituting a new scale of fees payable on proceedings to which those Rules apply. The principal changes effected by the new Rules are, first, the substitution of a scale fee for the fixed fees previously payable on filing statements of trust property, and, secondly, the provision for calculating the audit fee on the whole of the gross income of the trust instead of on the income actually received.