# TRUSTEE

## 1953 No. 1875

## The Public Trustee (Fees) Order, 1953

*Made* - - - - 18*th December*, 1953
*Coming into Operation* 1*st January*, 1954

We, the undersigned, being two of the Lords Commissioners of Her Majesty's Treasury, with the sanction of the Lord Chancellor, in pursuance of the provisions of the Public Trustee Act, 1906(a), Section 9, and of all other powers, and for the purpose of fixing the fees to be charged in respect of the duties of the Public Trustee, do hereby order as follows:—

**1.** This Order may be cited as the Public Trustee (Fees) Order, 1953, and shall come into operation on the first day of January, 1954.

**2.** The Schedule to the Public Trustee (Fees) Order, 1948(b), shall be amended by substituting the following paragraph for paragraph 2 of Division II thereof (which prescribes the rates of capital fees on withdrawal):—

"2. The withdrawal fee shall be at the rate of £2 per £100 where the gross capital value of the trust property on acceptance is less than £201,000 and where such gross capital value is £201,000 or more, then at a rate calculated on the basis of £2 per £100 on the first £200,000 of the gross value of the trust property on acceptance, and of £5 per £1,000 for every complete £1,000 above such value in all trusts, except (*a*) those specified in paragraphs 6 and 8 of Division I in which the rate of withdrawal fee shall be one-half of the rates previously specified in this paragraph, and (*b*) those specified in paragraph 10 of Division I in which the withdrawal fee shall be such sum (not being less than £2) as the Public Trustee shall determine having regard to the extent of his duties in each particular case. Provided that in so far as the property withdrawn consists of Settled Land or heirlooms a nominal fee of £20 shall be substituted in respect of such property and upon each such withdrawal for the aforesaid percentage fee."

**3.** Where the Public Trustee has entered into any special arrangement or undertaking concerning the fees to be charged by him in respect of a particular trust or estate (being an arrangement or undertaking in force at the date on which this Order comes into operation), this Order shall take effect without prejudice to such arrangement or undertaking.

*Hendrie D. Oakshott,*
*Edward Heath,*
Lords Commissioners.

*Simonds*, C.
Lord Chancellor.

### EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

Section 9 of The Public Trustee Act, 1906, requires the fees of the Public Trustee to be adjusted from time to time to produce sufficient amount to discharge the salaries and other expenses incidental to his office and no more. This Order increases the rate of the fee taken on withdrawals from trust property administered by the Public Trustee to provide an amount sufficient to meet the increase in salaries and other expenses.

(a) 6 Edw. 7. c. 55. (b) S.R. & O. 1947/2720 ; Rev. XXIII, p. 322 ; 1947 I, p. 2193.