

WHO WE ARE WHAT WE DO

Everything you need
to know about the services provided
by the Public Trustee.



PUBLIC TRUSTEE



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About this booklet

This booklet introduces the services of the Public Trustee and explains the many benefits to be gained from using us.

About one in five of all Western Australians choose to nominate the Public Trustee as the independent executor of their will, ensuring complete impartiality when those wishes are carried out.

The Public Trustee provides a comprehensive range of financial and asset management services for people who, through age or disability, are unable to manage their financial affairs. The Public Trustee acts as Administrator or Trustee for 5,000 people.

In dealing with these matters all documents prepared by the Public Trustee are written in plain, easy-to-understand English. There are however, a few special terms that may require some explanation.

Administrator. The person or entity appointed by the State Administrative Tribunal to make financial and property decisions on behalf of the beneficiary and to act in the best interests of that represented person.

Beneficiary. Any person or organisation, such as a charity, left something in a will, or a person who benefits from a trust.

Court Appointed Trusts. The Public Trustee is appointed by the Court to act as Trustee for compensation payments that are awarded to individuals as a result of an accident or negligence.

Donee. The person appointed to manage your financial affairs under an Enduring Power of Attorney.

Enduring Power of Attorney. A legal document that enables you to give another person or organisation the legal authority to make financial and property decisions on your behalf.

Estate. This term is used to describe a person's assets and liabilities.

Executor. The title given to a person or organisation who you nominate to manage and distribute your estate in the manner you describe in your Will.

Testamentary Trust. This is the type of Trust that is created within a will, eg. when monies are set aside and held for children until they reach adulthood.

Trustee. A person or organisation given the responsibility of holding the assets of an estate in trust for distribution to the beneficiaries.

Will. A Will is a document that describes how you want your assets (and other things) to be dealt with after your death.

“What does the Public Trustee do?”

The Public Trustee is a statutory body that operates under the authority of Parliament. It employs specialist solicitors, accountants and highly experienced trust managers who represent the interests of the less advantaged in the community, beneficiaries of a Will or a trust and of the deceased.

Its aim is to provide a community service which is totally independent, effective and thoroughly professional.

The Public Trustee offers a range of trustee services –

- We administer deceased estates
- We act as trustee for court appointed trusts
- We act as trustee for minors (people under 18 years)
- We prepare and give advice on making Wills
- We manage the personal financial and legal affairs for people who are incapacitated, infirm, or who have intellectual disabilities
- We prepare Enduring Powers of Attorney and, as donee, provide a personal asset administration service
- We manage investments

The Public Trustee has provided trustee services to Western Australians for over 65 years and has developed a wealth of experience in dealing with the many varied and complex issues that arise. This is why many Western Australians choose to appoint the Public Trustee as executor, administrator or trustee.

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“Why should I consider appointing the Public Trustee?”

If you appoint the Public Trustee as the executor of your Will, donee, trustee or administrator of your affairs, you are assured the estate or trust will be administered by an experienced, professional and independent organisation.

Experience

The Public Trustee has over 65 years experience in the administration of estates and trusts. Every year the Public Trustee administers around one in five of all deceased estates in Western Australia where a formal grant of administration is required. The Public Trustee holds more than 100,000 Wills in safe custody and acts as Administrator or Trustee for 5,000 people.

Efficiency

The Public Trustee specialises in deceased estate administration, trust management and the preparation of Wills. Staff includes experienced senior management, highly trained trust and estate managers, solicitors and accountants. All necessary administration procedures are constantly being streamlined to ensure that matters are settled in the shortest possible time.

Independence

As the Public Trustee is an independent body established by Parliament, it has no personal beneficial interest in the estates or trusts administered.

Accessibility

Public Trustee staff are always available to discuss estate matters and to provide information. Customers are provided with direct telephone line access to the trust or estate manager looking after their accounts. More information can be obtained by visiting our website at www.publictrustee.wa.gov.au or telephoning 1800 642 777.

Sympathetic administration

Where possible beneficiaries are consulted about the disposal of estate assets before anything is sold or transferred, to ensure they understand the consequences and have the opportunity to purchase at a fair price.

When acting as Administrator appointed by the State Administrative Tribunal, the Public Trustee will take into consideration as far as possible the issues of the represented person and their closest next of kin.

Minor beneficiaries

The Public Trustee holds all funds for minor beneficiaries (under 18 years). All reasonable requests for advances for maintenance, education and advancement of the minor are considered.

Confidentiality

All information that is received by the Public Trustee is confidential, subject to the confidentiality provisions of the relevant legislation. Some information may be available to the closest next of kin, with regard to estate administration, and the beneficiaries.

Reliability

By appointing the Public Trustee you can be certain that your chosen executor or administrator will be available at all times to act upon your wishes where possible.

An individual or family member executor on the other hand, may be unable to act for a variety of reasons such as health problems, availability of time or location. This could result in additional expense and may cause delay in the administration of an estate.

Trust

As a totally impartial body, the Public Trustee administers your estate or trust without the slightest hint of family fear or favour. At all times its business ethic is beyond reproach.

“Why is it important to have an independent executor?”

There is a common misconception that it is a compliment to appoint a friend or relative as your executor and that it is a position of privilege. Many people believe that appointing a friend also means significant savings in the cost of administering the estate.

Sometimes this may be true, although the duties expected of an executor can be difficult, demanding and time-consuming. In some cases, being an executor is a daunting task.

In most cases, an executor will require legal representation or advice, which involves costs and liabilities to the estate. He or she should be aware of the legal responsibilities and have some understanding of accounting, business practices and taxation, particularly where capital gains tax is applicable.



A Question of Trust

While most people would like to think of their relatives as being extremely trustworthy, it is precisely at the time of a loved one's death that this trust can be most severely tested.

Family squabbles and petty jealousies can often come into play, resulting in accusations of favouritism towards some family members over others. This adds unnecessary pressure, which could result in questionable judgements, especially during a period of grief.

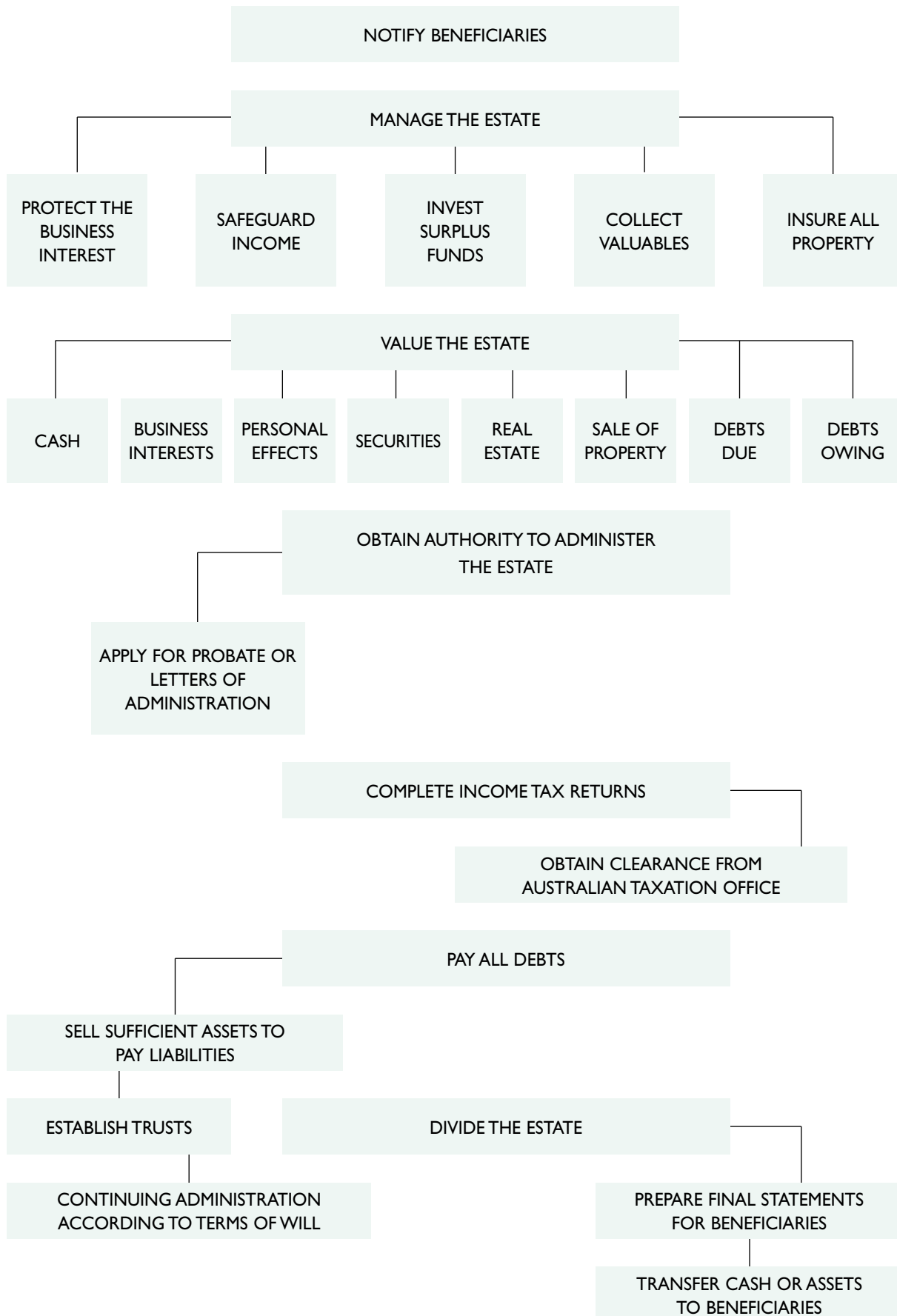
For these reasons it is recommended you appoint a completely independent executor who is totally impartial to all parties and is conversant with all aspects of administering an estate.

The Public Trustee processes over 5,000 Wills and administers over 3,000 deceased estates annually in its role as an independent executor.

“How do you find out when I've died?”

Death Notices are checked every day against the Public Trustee's Wills Index.

The duties of an executor



“What does an executor do?”

Even in the simplest cases, executors can be required to provide the following services themselves, or by arranging for them to be completed by the relevant professionals. Seriously consider whether you should entrust these tasks to a family member or friend, who do not have either the time or the expertise to perform the following tasks:

Notify beneficiaries

When a person dies, the executor locates the Will and immediately contacts the beneficiaries and any relevant business associates.

Look after the estate

It is important that the executor makes sure that all assets are secure and arranges insurance protection when needed.

If the deceased has left property, a business or investments that need managing, it is the executor's job to arrange for them to be looked after.

The immediate needs of the family must also be assessed and steps taken to ensure they do not suffer any unnecessary financial hardship.

Value the estate

The executor must identify all assets and liabilities.

Each item is then checked to see if it is correct by obtaining written confirmation from banks, financial institutions, insurance companies, share registries, titles offices and creditors etc.

Obtain authority to administer the estate

Before an estate can be administered, the executor must apply to the Supreme Court for the right to deal with the deceased's estate.

Complete income tax returns

Before an estate can be distributed, it is necessary to obtain a clearance from the Australian Taxation Office. This means that the executor will have to give details of all income earned during the current financial year and past years, if the deceased has failed to lodge a return. In many cases the calculation of capital gains tax is involved.

“Everything is jointly owned so why do I need a Will?”

In some cases partners can die at the same time. You should provide inheritance instructions, that will cover this eventuality.

Pay all debts

Creditors, funeral expenses, income tax, fees for administering the estate and out-of-pocket expenses must all be paid. This often requires the executor to sell some assets. Beneficiaries may choose to provide funds to cover these expenses to keep the assets intact.

Divide the estate

When all debts have been paid, the executor is then free to distribute the remaining assets according to the directions laid down in the Will.

Establish trusts

Executors are responsible for setting up trusts for beneficiaries. Trusts are required if the beneficiary is under 18 years of age or intellectually handicapped, or if there are specific instructions in the Will. Such trusts need ongoing administration, often over many years. The Public Trustee manages hundreds of long-term trusts of this nature.

“Why do I need to make a Will?”

Protect your loved ones

Most of your life is spent working to build up assets. A home, car, boat, superannuation, insurance policies and other investments provide the lifestyle and security you want for yourself and your family.

Making a Will is the best way to ensure that a lifetime's work is passed on to the people you choose. It means security for those you love and those for whom you are responsible.

Secure your children's future

If your children are under the age of 18, you may choose to nominate guardians for them and make arrangements for their maintenance and education.

“Do you sell my furniture and personal effects after I've gone?”

Only if you state it in the Will, or if we are instructed to do so by the beneficiaries. Otherwise, it is up to them to dispose of these items to their mutual satisfaction.

Marriage

It is not commonly known that marriage may revoke (cancel) a previous Will. So if you made a Will before you married and still want to provide for those beneficiaries or make arrangements to cater for your new circumstances, you must review your Will and make a new Will if necessary.

Divorce

Due to changes in legislation, divorce may revoke (cancel) a Will in Western Australia. A divorced former spouse could still inherit your estate under a previous Will unless you make a new one.

De facto relationships

If you die without a Will your de facto partner might not automatically be entitled to your estate. He or she might stand to lose the assets and treasured mementos that you want them to have.

Early distribution of your estate

A professionally drawn and executed Will greatly assists the cost efficient administration of your estate and the early distribution of your assets. Many lengthy delays and court cases over Wills occur because the Will was drawn up without professional advice.

You decide who benefits

If you die intestate – that is without leaving a Will – your estate is divided according to the law. This means that you will have no say in how your assets are distributed.

You choose the executor

When you make a Will, you appoint an executor whose job it is to look after your estate and distribute your assets according to the instructions contained in your Will. Most people choose a relative, but due to potential mistrust or family bias, this is not always the best course of action to take.

“When selling a house of a deceased person, do you sell it for any price you can get?”

Real estate properties are usually transferred to the beneficiaries. If they request us to sell it, or even if they don't request it, a sworn valuation is obtained before the house is sold.

“Can I change my Will at any time?”

Your Will needs to be altered as your circumstances change. A marriage, the birth of a child, the acquisition of new assets or a divorce are just some of the events which may cause you to want to change your Will.

The Public Trustee is happy to offer expert advice and practical help when it comes to making any alterations.

“Who can dispute my Will?”

The following people are entitled to claim under the *Inheritance Act* for provision from your estate:

Spouse Children Parents De facto partner

In certain cases grandchildren, former spouses and former de facto partners are also entitled to claim.

If a claim is made, it is up to the Supreme Court to decide whether the Will (or if there is no Will, the law relating to intestacy) has made adequate provision for the claimant. If not, the Court may order that provision be made out of the estate.

If you are excluding any of these people from your Will it is important that you advise your executor. If so, a clause containing your reasons may be included in the Will or a separate signed statement may be placed with the Will.

In the event of a claim, the Court when making its decision will consider your views. However, the Court's powers in such cases are in part discretionary.

If you appoint the Public Trustee as your executor, we will take a neutral role and leave it to the court to make a decision. It is the usual practice of the court to join the beneficiaries as parties to the action. They are then given the opportunity to oppose the claim.

Claims must be made within six months from the date administration or probate is granted. In some circumstances the Court may accept an application outside the six months.

Even if I leave my children something in my Will can they still make an Inheritance Act claim?

Yes, if you leave them something it may not be adequate and they can still challenge that provision.

CASE STUDY

Jack and Olive, a middle-aged couple, visited the Public Trustee to update their Wills after their recent re-marriage. Jack had two children from his previous marriage and Olive had three children from her previous relationship.



Jack and Olive wanted to leave everything to each other, and failing that, Jack was to leave his estate to his children and Olive to leave her estate to her children.

The Wills Officer who interviewed Jack and Olive asked a number of routine questions, and found out that their recently purchased home was in their names as 'joint tenants'.

He let Jack and Olive know that if one of them died, their new home would go to the surviving spouse. The final result would be that the survivor's family could end up with the entire house, not just the half purchased by their parent. This would disadvantage the family of the spouse who died first.

Several options were offered to Jack and Olive, including:

- Changing the ownership of the house to 'tenants in common', and then creating a life tenancy in the Will for each surviving spouse. In this way the surviving spouse could live in the house until they also died, at which point the house would be divided between Jack's children and Olive's children;*
- Keeping the house as 'joint tenants' and leaving everything to the surviving spouse, with the estate to be divided between all five of the children on the death of the surviving spouse. This option may also prevent the deceased's children making an Inheritance Act claim, but does rely on each spouse maintaining the terms of the Will.*

The first option was favoured by Jack and Olive, and they reorganised their ownership of the house as 'tenants in common'. A subsequent visit to the Public Trustee resulted in Wills being drawn to protect and ensure the inheritance of both families.

“Do I need an Enduring Power of Attorney?”

Enduring Power of Attorney is an expression you've probably heard from time to time without knowing exactly what it means. Accidents, sudden illness or disability can occur at any time and may seriously disrupt your lifestyle. At these times, you may need someone to help manage your financial and property affairs.

What is an Enduring Power of Attorney?

An Enduring Power of Attorney enables you to give another person or organisation the legal authority to make financial and property decisions on your behalf. However, you can only make an Enduring Power of Attorney while you are still capable of making those decisions yourself.

It can take effect straight away or at a later time, and continues in force after a person loses intellectual capacity, hence the term 'enduring'.

What services does the Public Trustee provide?

The Public Trustee will do such things as pay your rates and taxes, hospital, medical and other personal and household accounts, look after your banking and manage your real estate and investments, as well as a range of other administrative tasks.

- *Collection of income*
As required, the Public Trustee will collect and account for all income, including dividends from shares, rents, pensions, entitlements and interest from bonds, debentures and investments in the Public Trustee's Common Account or any other source.
- *Payment of accounts and bills*
The Public Trustee methodically attends to the payment of all bills, including accommodation, rents, rates, insurance, repairs to properties, gas, phone, electricity, medical, hospital and nursing home charges.
- *Real estate management*
The Public Trustee provides a complete property management service when real estate is placed in its care. This includes rent collection, body corporate representation, attending to local authorities as well as arranging property inspections, repair and maintenance, valuations and sales.
- *Preparation of taxation documents*
The administration of financial affairs requires a specialised knowledge of law and accounting, especially as it relates to taxation. With many years of experience the Public Trustee's qualified staff will complete all necessary taxation documents, including income tax and other returns for an hourly fee of \$110.
- *Provision of legal services*
You will have access to the Public Trustee's in-house legal services, subject to the approval of the Public Trustee. There may be some charge to the estate if legal work is required.
- *Investment management*
The Public Trustee may arrange suitable financial planning advice and will purchase and sell investments on your behalf, depending upon the size of your estate and your future needs.

These services may be provided by the Public Trustee's in-house specialist staff or external service providers.

Why sign an Enduring Power of Attorney?

The time to consider an Enduring Power of Attorney is when you are healthy, aware and in full control. Remember, apart from old age, most situations where you might need an Enduring Power of Attorney happen quickly and without warning.

An Enduring Power of Attorney must be signed while you still have legal capacity and will remain effective even though you may subsequently suffer loss of capacity due to disability or illness.

Once you lose capacity through disability or illness, an Enduring Power of Attorney cannot be signed.

When does an EPA begin to operate?

An Enduring Power of Attorney can be signed and subsequently activated if you become incapacitated.

Should the State Administrative Tribunal declare that you are no longer capable of making financial or property-related decisions yourself, the Enduring Power of Attorney is activated.

Alternatively, you can request the Public Trustee to commence handling your financial affairs immediately, relieving you from the burden of collecting any income, managing assets and paying your accounts while leaving you free to enjoy your life.

Why should you appoint the Public Trustee?

The Public Trustee has been administering and safeguarding the financial assets of Western Australians since 1942.

Appointing the Public Trustee to handle your financial affairs gives you the peace of mind that they are being handled with proven experience, sound judgement and with your best interests at heart. It acts independently, impartially and its permanence ensures continuity in the administration of the authority entrusted to it.

Specialist managers maintain close contact with organisations whose activities affect their clients' well being. These include state and local government departments, banks, financial institutions, investment houses and other commercial organisations.

"How do I have my Enduring Power of Attorney made?"

Simply telephone the Public Trustee on Freecall
1800 642 777 to arrange an appointment.

“What about people who need help managing their finances?”

Some people are unable to make the important decisions that life often demands. This could be due to some sort of intellectual disability, a psychiatric disorder, age or infirmity.

Many people are fortunate enough to be able to call upon family members or friends to assist them in these matters. However, this is not always possible as their family may not be able to properly fulfil these duties. This could be due to location or time constraints. It could be that elderly parents or carers can no longer take on the responsibility and the burden such a role can create.

Without help, these vulnerable people can end up making incorrect or poor decisions, which could result in substantial losses. Worse yet, these situations can give rise to the possibility of exploitation by unscrupulous people who may take advantage of the situation.



The solution is the appointment of the Public Trustee as the individual's administrator or trustee.

The Public Trustee has a number of qualified staff with many years of experience in this field. They have a responsibility to ensure that the person's estate is properly managed and maintained.

Most importantly, when someone is faced with decisions relating to their financial stability, the Public Trustee can assist by ensuring that those decisions are made in the person's best interest.

The Public Trustee's main services in this area include:

- Receipt of all income and benefits to which the person is entitled.
- Paying any accounts for which the client is liable (including accommodation expenses).
- Taking care of taxation, Centrelink and investment matters.
- Financial maintenance of the person, their spouse and dependents.
- The sale or purchase of property.
- Organising and managing investments.
- Providing security and the comforts of life.

“What happens with Court-Appointed Trusts?”

The Public Trustee may be appointed by the Court to act as trustee for compensation payments that are awarded to individuals as a result of an accident or negligence. In many instances, the term of the trust will be for the life of the beneficiary of the award, in others it may be created for the minority of the beneficiary.

The Public Trustee administers over 1,600 court-appointed trusts. It is the responsibility of the Trustee to ensure, where possible, that the trust is managed in such a way that the money lasts for the life expectancy of the beneficiary.

There are many responsibilities of a trustee. It may be that the beneficiary will require a purpose built house, therefore the trustee will organise for the design and building or purchase of such. It may be that a modified motor vehicle is required and the Public Trustee will purchase that vehicle for the beneficiary. All assets are purchased in the name of the trustee to ensure that the asset is protected.

As trustee we may support a carer who will be paid for out of the trust. In doing so we must take into consideration such matters as the payment of superannuation guarantee levy, workers indemnity insurance, PAYG deductions and primary carers insurance.

The trustee has a responsibility to protect the trust and is accountable by requesting quotes and receipts for all purchases made by the beneficiary or the beneficiary's primary carers or family.

The Public Trustee will safeguard the assets of the trust and ensure that the day-to-day living expenses of the beneficiary are catered for which, in some cases, could be for more than 50 years.

CASE STUDY

“Cherie” and her parents were referred to the Public Trustee by their lawyer just before Cherie received a substantial award for a car accident in which she was permanently injured. At only nine years of age, Cherie is wheelchair-bound for the rest of her life, and will never be able to attend school.

The Public Trustee was appointed as trustee of the award and had already met with Cherie’s parents to discuss how to make sure Cherie receives the care she needs, both now and in the future when her parents are no longer able to care for her.

Once the award was received and the trust established, the Public Trustee quickly took control of the situation, taking the following actions:

- Because the award was not paid within the specified time, the Public Trustee successfully claimed for interest and received an extra \$9,000, which was added to the trust.*
- Cherie’s parents had purchased a home, hoping to make renovations to suit Cherie’s special access needs. The Public Trustee took the place of Cherie’s parents, thus ensuring that the trust owned the home so that Cherie would be entitled to live in the home for the rest of her life.*
- Cherie’s parents were then repaid the value of the home, allowing them to settle their personal debts. As Cherie’s parents were of modest means, this released them from a great burden.*
- The Public Trustee noticed that Cherie’s parents had paid full stamp duty on the purchase of the home and successfully sought the discretion of the Commissioner to apply a minimal rate of duty for the purchase, saving the trust thousands of dollars.*
- The Public Trustee also successfully applied for a First Home Buyers Grant of \$7,000, which was a saving to the trust.*
- After consultation with medical advisers, the Public Trustee purchased a new vehicle specifically modified to suit Cherie’s transportation needs.*
- The Public Trustee established accounts for Cherie with a chemist, petrol station and other local suppliers so that Cherie’s parents were not ‘out of pocket’ for authorised trust expenditure.*
- The Public Trustee arranged for Cherie’s parents to be employed by the trust as full-time carers. Through salary packaging and superannuation, both parents are entitled to substantial taxation savings.*

- *Once these matters had been attended to, the Public Trustee conducted an audit of Cherie's expenses prior to the creation of the trust. Several companies had supplied Cherie's parents with goods and services at substantial cost. After the Public Trustee's audit, the expenses were reduced by \$17,000, as some of the suppliers could not properly substantiate their charges. Again, this saving was retained in the trust for Cherie's benefit later in life.*
- *The Public Trustee's Trust Manager and Investments Manager had already estimated Cherie's capital requirements and established a budget for ongoing expenditure. They then proceeded to develop an investment plan using a reputable financial planner, taking into account Cherie's anticipated cash requirements, life expectancy, future capital needs, inflation and other matters, so that Cherie's investments will grow and provide a continuous income flow for the rest of her life.*
- *The amount budgeted for cash requirements was retained in the Public Trustee's Common Fund, which earns a very competitive rate of interest for cash 'on call', and is backed by the State Government.*
- *Cherie's details were also noted by the Public Trustee's Taxation Manager, who will take responsibility for the lodgment of annual tax returns, which are expected to be quite complex given the trust's investment portfolio.*

The renovations to Cherie's home have since been completed to the delight of Cherie's mother and father. The Public Trustee was also able to use some of the money it had saved the trust to construct a swimming pool for Cherie's exercise and therapy.



“What is a State Administrative Tribunal appointment?”

The Public Trustee may be appointed administrator to the estates of people who are deemed incapable of managing their financial affairs (represented persons). The extent of the Public Trustee's authority is at the discretion of the State Administrative Tribunal and may be all encompassing or limited to one or more specific matters. The appointment is always subject to review as set by the Tribunal.

Any decision required to assist the represented person is only made by the Public Trustee after consultation with all concerned parties and taking into account the person's financial resources, lifestyle, obligations and any commitments made prior to becoming incapacitated, including any intention expressed in a Will.

The State Administrative Tribunal may also appoint a guardian who is responsible for making 'lifestyle' decisions for the represented person – such as decisions about medical procedures, education, or housing. The Public Trustee will rely on the recommendations of a legally appointed guardian when considering requests for expenditure.

In the absence of a legally appointed guardian, the trust manager will consult with parents and/or family members, or with the individual most involved in the care of the represented person when making decisions about expenditure, investments and other matters relating to the client's interests.

With over 65 years experience and government-backed security, the service and security provided by the Public Trustee is efficient, reliable and above all independent. It is also highly cost effective.

CASE STUDY

“Mr William is an elderly gentleman who was deemed incapable of handling his own affairs by the State Administrative Tribunal. The Public Trustee was appointed as plenary administrator of Mr William’s estate.

Upon her appointment, the Public Trustee set about examining Mr William’s financial situation to determine what action, if any, needed to be carried out to protect and preserve Mr William’s financial property.

Upon investigation it was revealed that Mr William’s assets included three investment properties and a residential property.

One of the investment properties had been sold prior to the Public Trustee’s appointment and was due to be settled soon after the Public Trustee was appointed. The Trust Manager’s investigations revealed that there were two outstanding Supreme Court judgment debts against the property as well as two caveats lodged on the property. The Public Trustee proceeded to deal with these matters. The caveats were removed, the judgment debts were settled, an extension of the settlement date was obtained without any penalty interest being incurred and a valuation was obtained to ensure the property was being sold for a realistic amount. The Trust Manager also obtained medical evidence confirming that Mr William had capacity to enter into the sale contract in the first place.

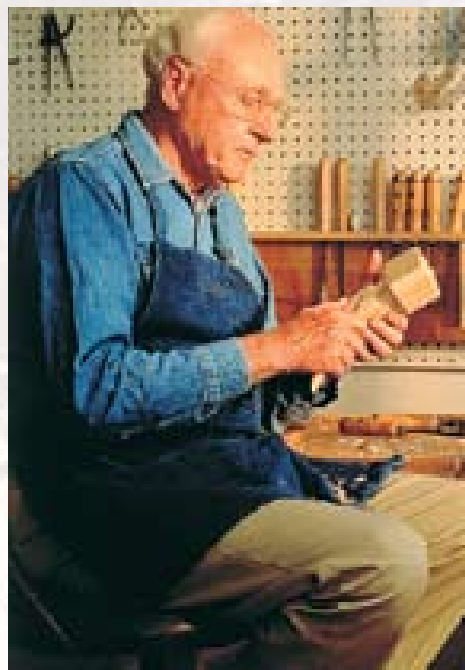
The residential property that Mr William had been living in had a work order placed on it by the local council. The Public Trustee proceeded to comply with the terms of the order including removing years of accumulated rubbish from the house and gardens.

Due to our investigations we were also able to locate a substantial sum of money hidden away in a bank account that belonged to Mr William.

As a result of a life threatening illness Mr William was admitted to hospital. The Public Trustee arranged for a registered nurse and carer to take Mr William out of the hospital on excursions. The Trust Manager also arranged for the purchase of some suitable furniture for use by Mr William to make his life more comfortable.

Unfortunately Mr William passed away as a consequence of his illness. As Mr William did not have any known immediate family the Public Trustee conducted investigations to locate relatives to enable them to make some decisions about the administration of Mr William's estate.

After obtaining details of possible relatives from the back of old photographs found in Mr William's possessions, the Public Trustee sent 24 letters to different people in New Zealand. We have now been successful in finding a beneficiary to Mr William's estate.



Date:

WILL INSTRUCTIONS

Mr, Mrs, Ms, Miss _____

Mr, Mrs, Ms, Miss _____

Address: _____

Postcode: _____

Telephone: Work (M): _____ (F): _____ Home: _____

Mobile phone number _____ Email address _____

Occupation (M) _____ (F) _____

Date of Birth (M)_____ (F) _____

Single, Married, De Facto, Separated, Divorced, Widow/er (circle one that applies) Date of marriage_____

Has the State Administrative Tribunal made an order concerning you? **NO/YES**

Please state the details _____

Have you lodged a previous Will with the Public Trustee? **YES/NO**

Are you interested in making an Enduring Power of Attorney with the Public Trustee? **YES/NO.**

ASSETS

Please circle ownership details:

_____ Jointly/Solely

_____ Jointly/Solely

_____ Jointly/Solely

_____ Jointly/Solely

_____ Jointly/Solely

_____ Jointly/Solely

Jointly/Solely

_____ Jointly/Solely

Name of your superannuation fund _____

Have you nominated beneficiaries to whom you wish the funds be paid? **YES/NO**

Are you involved in any family trust companies or partnership? **YES/NO**

If **YES**, please give details _____

Where are title deeds, documents, etc kept? _____

Persons to benefit under the proposed Will are:

[illegible]

Do you wish to appoint guardians for your children: **YES/NO** If so, who do you wish to appoint?

Has a family member (for example a spouse, child, parent, de facto partner) or anyone else who may claim under the *Inheritance Act* been omitted?

YES/NO (see page 9)

If **YES**, please give details: _____

Directions and terms included in the Will and manner in which estate is to be disposed:

Funeral instructions eg: Burial/Cremation etc: _____

I state that:

- (i) the instructions written on this document have been given with my full knowledge, approval and understanding, and that no person has exercised any undue influence over me in regard to the making of my Will; and
- (ii) the details, including ownership of the assets listed above, are to the best of my knowledge true and correct and I do not require the Public Trustee to make further enquiries in relation to those assets.
- (iii) I am aware of the Public Trustee's fees with respect to the administration of my estate.

USUAL SIGNATURE

USUAL SIGNATURE

When completed send this instruction form to the Public Trustee and
you will be contacted regarding the preparation and signing of your Will(s)



PUBLIC TRUSTEE

Public Trustee 565 Hay Street Perth WA 6000 Postal Address: Box M946 GPO Perth WA 6843
Freecall: 1800 642 777 Fax: (08) 9222 6617 Website: www.publictrustee.wa.gov.au Hours: Monday to Friday 8am - 5pm

April 2008

Any questions?

This booklet has been produced for the purpose of informing you of the broad areas of responsibility of the Public Trustee. It is not designed to show every step involved in finalising a deceased estate or managing a trust.

If you have not yet made a Will and would like the Public Trustee to prepare one for you, it will be necessary to make an appointment with one of our Wills officers. A Will instruction form is attached to assist you and we recommend that it be completed and brought to the meeting.

If you have any questions about our services or would like to discuss appointing the Public Trustee please call our office on Freecall 1800 642 777 or visit our website on www.publictrustee.wa.gov.au





PUBLIC TRUSTEE

Public Trustee 565 Hay Street Perth WA 6000 Postal Address: Box M946 GPO Perth WA 6843

Freecall: 1800 642 777 Fax: (08) 9222 6617 Web site: www.publictrustee.wa.gov.au Hours: Monday to Friday 8am-5pm

PT20A April 2008

