



Public Trustee

Your Last Will and Testament

Information about the Public Trustee's Will drafting services and safe storage in the WA Will Bank

The Public Trustee provides quality will-drafting, trustee and asset management services to all Western Australians. We can assist you or your loved ones with:

- Wills and Will Storage
- Deceased Estate Administration
- Executor Assistance
- Trustee Services
- Financial Administration

Can the Public Trustee write my Will?

Yes. As this is part of our core business, we are familiar with many of the issues that can arise when deciding how to divide your estate. The Public Trustee also prepares Enduring Powers of Attorney in some circumstances.

Wills nominating the Public Trustee as executor

The Public Trustee drafts Wills that nominate the Public Trustee as your executor. Our expert team of estate managers provide a professional, reliable and impartial service when carrying out this important role.

Private Wills

The Public Trustee also drafts Wills for people who nominate someone else, such as a family member or friend, as their executor.

In addition our Executor Assist service is also available to assist private executors with certain parts of their role, such as obtaining the grant of probate. Telephone the Public Trustee on 1300 746 116 to find out more about executor services and Executor Assist.

What are the fees?

Will drafting fees are calculated based on whether the Public Trustee, or someone else, is named as the executor, with discounts for concession holders. Straightforward Wills can often be completed during the initial consultation. Fees for the initial consultation are:

| | Public Trustee as executor | Private executor |
|--|----------------------------|------------------|
| Concession holders | \$45 | \$240 |
| Non concession holders | \$300 | \$300 |
| Couple (at least one is a concession holder) | \$35 (each) | \$160 (each) |
| Couple (non-concession holders) | \$200 (each) | \$200 (each) |

If subsequent work is required, it will be charged at our standard hourly legal rate. Total fees will not exceed \$1650. Additional incidental charges for out-of-pocket expenses incurred by the Public Trustee on your behalf may also be payable.

Note: To be treated as a couple, your individual circumstances and intended Wills need to be substantially similar. "Public Trustee as executor" includes couple Wills when spouses nominate each other as executor and then the Public Trustee is nominated as a substitute executor.

In exceptional circumstances, such as where hospital or home visits are made, a travelling fee of \$25 will apply.

Cancellation fees may also apply.

What is the process?

Arrange an appointment by calling 1300 746 116. If you live outside the metropolitan area your appointment will be conducted by telephone. You will receive a Will Application Form that needs to be completed and returned to the Public Trustee before your appointment. When you arrive for your appointment, one of our professionals will discuss your wishes and provide advice on the best way to deal with these in your Will. You will need to provide at least two approved identification documents and a list of your assets, as well as the full names, dates of birth and addresses of your beneficiaries.



Your Last Will and Testament



Your Will will be prepared, signed, witnessed and retained by the Public Trustee in the WA Will bank. You will be provided with a copy of your Will.

Translators are available for non-English speaking people and assistance can be provided for those with a hearing impairment or accessibility problems.

Trusts

Your Will might specify that a trust be established (for example a trust that holds assets for a child, disabled beneficiary or gives a beneficiary a life interest in all or part of your estate) and name the Public Trustee as trustee of that trust. Fees for acting as trustee of these types of trusts include an annual transaction fee, an annual asset management fee and may also include an annual residence and property management fee.

A fee for the cessation of the trust will also apply. These fees will be further explained during your appointment.

Where do I store my Will?

Public Trustee's **WA Will Bank** is a community service that keeps Western Australian Wills safe from loss, theft or damage. Original Wills are stored in a purpose built, fire-proof vault and also scanned and electronically stored for added security. There is no charge for people who deposit their own Wills in the WA Will Bank, however, a fee may apply when a third party deposits a Will on behalf of another person. While alive, only the testator or their lawyer can retrieve the Will. After death, only the executor (or other authorised person) can access the Will and a copy of the death certificate and approved identification (or written legal authorisation) is required to do so.

If you would like to store your Will in the WA Will Bank, please complete the lodgment form (available on our website or by calling 1300 746 116) and bring it with your original signed Will and approved identification to the Public Trustee.

Please note: The Public Trustee does not check the content of Wills that are lodged in the WA Will Bank and therefore takes no responsibility for the Will's validity or interpretation. If you would like your Will professionally written by us, you will need to make an appointment with our Wills service. Standard Will drafting fees will apply.

Investments

If necessary, for example when managing a trust set-up under a Will, the Public Trustee may choose to place the trust's funds in one of the four Public Trustee Investment Funds as well as in the Common Account or superannuation. Management fees are applicable but these are deducted from the funds before interest payments are credited back to the trust's account. Individual fees are not charged. Money held in the Common Account earns interest calculated daily and is credited to the trust's account on a twice-yearly basis. The Public Trustee Investment Funds are sometimes also called Strategic Investment Accounts which are strategic common accounts under the *Public Trustee Act 1941*.



Public Trustee

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