



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 employ specialist solicitors, accountants and taxation experts, genealogists, investment and property managers, Wills officers and estate and trust managers who can help you or your loved ones with:

- Wills and Will storage
- Enduring Powers of Attorney
- Deceased Estate Administration
- Executor Assistance
- Trustee services

Can the Public Trustee write my Will?

Yes. As this is part of our core business, we are familiar with the many and sometimes complex issues that can arise when deciding how to divide your estate. The Public Trustee also prepares Enduring Powers of Attorney, which you may also wish to create when you have your Will written.

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 help 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 Will is a simple or complex Will, and whether the Public Trustee, or someone else, is named as the executor. A specific set of criteria is used to determine whether the Will is a simple or complex Will. For example, a complex Will may be one where a gift is being made to an overseas organisation, there is provision for a family trust to be continued or wound up or where the person has an interest in a private company or a farm. Our Client Service Officers can inform you of the range of criteria and help you determine whether you are likely to have a simple or complex Will.

Simple Wills have fixed fees, while the preparation of complex Wills is charged at an hourly rate and is subject to a minimum fee. Pensioners receive discounts on all fees.

Simple Will:

	Public Trustee as executor	Private executor
Pensioner	\$40	\$308
Not a pensioner	\$50	\$385
Couple (at least one is a pensioner)	\$65	\$396
Couple (non-pensioners)	\$80	\$495

Complex Will:

	Public Trustee as executor	Private executor
Pensioner	\$148 per hour (minimum fee \$40)	\$148 per hour (minimum fee \$308)
Not a pensioner	\$185 per hour (minimum fee \$50)	\$185 per hour (minimum fee \$385)
Couple (at least one is a pensioner)	\$148 per hour (minimum fee \$65)	\$148 per hour (minimum fee \$396)
Couple (non-pensioners)	\$185 per hour (minimum fee \$80)	\$185 per hour (minimum fee \$495)



Your Last Will and Testament



Note: To be treated as a couple, the Wills need to be substantially similar. At times, fees might be charged in six minute units. Public Trustee as executor includes when the Public Trustee is nominated as a substitute executor.

What is the process?

Arrange an appointment by calling 1300 746 116. When you arrive for your appointment, one of our Wills Officers will discuss your wishes and provide advice on the best way to outline these in your Will. Please bring some photo identification and a list of your assets, as well as the full names, dates of birth and addresses of your beneficiaries. At the meeting, you will be provided with an estimate of how much it will cost to prepare your Will. It will then be prepared and retained by our legal team.

After-hours appointments are available on the first Tuesday of every month. Our Wills team also visits the Peel Community Legal Services centre every third Friday. A mobile Wills service is available to visit people who live within 50kms of the Perth CBD and are house-bound. Translators are available for non-English speaking people and assistance can be provided for those with a hearing impairment.

Where do I store my Will?

The Public Trustee's **WA Will Bank** is a free 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 – a copy of the death certificate and approved identification (or written legal authorisation) is required.

If you'd like to store your Will in the WA Will Bank, please complete the lodgement form (available on our website or by calling 1300 746 166) and bring it along with your original signed Will and two types of identification to the Public Trustee.

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

Trusts

Your Will might specify that a trust be established (for example a trust that holds assets for a child or disabled beneficiary or gives a beneficiary a life tenancy in a property) 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 at your meeting.

Investments

When 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. 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 and are strategic common accounts under the *Public Trustee Act 1941*.



Public Trustee

Public Trustee

565 Hay Street, Perth
Western Australia 6000

Office hours: 8:30am – 4:15pm
(Mon – Fri)

Postal Address GPO Box M946, Perth
Western Australia 6843

Tel: 1300 746 116

Fax: (08) 9325 2663

public.trustee@justice.wa.gov.au

www.publictrustee.wa.gov.au