



Wills, WA Will Bank and Enduring Powers of Attorney

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
- Enduring Powers of Attorney
- Deceased Estate Administration
- Trustee Services
- Financial Administration
- Give2Good Foundation

Can the Public Trustee write my Will?

Yes. Our solicitors and paralegal can prepare your Will and know about issues that can arise when deciding how to divide your estate. Depending on your circumstances, you may be referred to a specialist for complex legal, taxation or family law advice that is outside the scope of our Wills service.

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.

Wills nominating a Private Executor

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

Enduring Powers of Attorney

The Public Trustee drafts Enduring Powers of Attorney that appoint the Public Trustee or your spouse (or de facto partner) as attorney.

What are the fees?

Will drafting fees are calculated based on whether the Public Trustee, or someone else, is named as the executor. Discounts apply to one Will per 12 month period for some concession card holders.

Straightforward Wills can often be completed and signed during the initial consultation. Fees for the initial consultation are:

	Public Trustee as executor	Private executor	Enduring Power of Attorney *
Concession holders	\$50	\$334	\$50 (each)
Non-concession holders	\$334	\$334	\$113 (each)
Couple (at least one is a concession holder)	\$39 (each)	\$223 (each)	\$50 (each)
Couple (non-concession holders)	\$223 (each)	\$223 (each)	\$113 (each)

* Conditions apply.

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 disbursements and other out-of-pocket expenses incurred by the Public Trustee on your behalf may also be payable (e.g. Landgate & charity search fees).

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 or de facto partners nominate each other as executor and then the Public Trustee is nominated as a substitute executor.

In exceptional circumstances, such as where a hospital or home visit is made for a Will appointing the Public Trustee as Executor, a travelling fee of \$28 per visit will apply.

Cancellation fees of up to \$50 may also apply.

Refer to our [2017-18 Scale of Fees](#) for a comprehensive list of our fees and charges.

What is the Process?

Arrange an appointment by calling 1300 746 116. If you live outside the metropolitan area your appointment can be conducted by telephone. Please plan and prepare for your scheduled appointment as we have waiting lists and changing an appointment can significantly add to your waiting time.



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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.

Note: We regret that we cannot always accommodate requests for a specific Officer.

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 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.

Independent interpreters are available for non-English speaking people and assistance can be provided for those with a hearing impairment or accessibility problems. If you are a couple and need an interpreter, you and your spouse or de facto partner are usually seen separately.

Trusts

Your Will might specify that a trust be established (e.g. a trust that holds assets for a child, disabled beneficiary or gives a beneficiary a life interest in all or part of your estate). You may wish to 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. You can also refer to the Public Trustee's Scale of Fees for more information.

Where do I store my Will?

The Public Trustee's **WA Will Bank** is a community service that keeps Western Australian's Wills safe from loss, theft or damage. Original Wills are stored in a purpose-built, fireproof vault and are also scanned and electronically stored for added security.

There is no charge for people who deposit their own Wills in the **WA Will Bank**. While alive, normally only the testator or their lawyer can retrieve the original Will. After death, the executor (or another authorised person) can retrieve the original Will on production of a copy of the death certificate and approved identification (or written legal authorisation). There are no charges to retrieve the Will but all requests for Wills must be made in writing.

If you would like to store your Will in the [WA Will Bank](#), please complete the [lodgement 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. You do not need to complete a lodgement form if the Public Trustee prepares your Will.

Note: The Public Trustee does not give legal advice related to privately prepared Wills or on Deceased Estates where the Public Trustee is not the administrator.

Investments

If necessary, (e.g. when managing a trust set up under a Will) the Public Trustee may choose to place some of the trust funds in a Public Trustee Investment Fund as well as in the Common Account. Management fees apply. Money held in the Common Account earns interest calculated daily and is credited to the trust 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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