



Public Trustee (Fees) Act 1957

1957 CHAPTER 12

2 Transitional and supplementary provisions.

- (1) Nothing in the preceding section shall be construed as affecting the validity of any order or other instrument made for the purposes of subsection (1) of section nine of the principal Act before the passing of this Act.
- (2) Where, in the case of a trust fund,—
 - (a) a judgment or order of the court has been given or made before the commencement date, whether before or after the passing of this Act, whereby provision is made as to the incidence, as between the capital and income of the fund, of any fee chargeable by the public trustee, or
 - (b) any fee chargeable by the public trustee in respect of the fund or the income thereof has been commuted before the commencement date, whether before or after the passing of this Act, or
 - (c) by reason of any other special circumstances existing before the commencement date it appears to the public trustee to be expedient to exclude or suspend the operation of any new fees order in relation to that fund or the income thereof,the public trustee shall direct that, notwithstanding the coming into operation of any fees order made after the passing of this Act, the fees in force under subsection (1) of section nine of the principal Act immediately before the commencement date shall continue after that date to apply to that trust fund and the income thereof, and that the provisions of any such fees order shall not apply in relation thereto.
- (3) A direction under the last preceding subsection may be given either before or after the commencement date; and, where such a direction is given after the commencement date, it may be made so as to have effect as from that date.
- (4) Any direction given by the public trustee under this Act may be given so as to be in force either for a period specified in the direction or indefinitely until the direction is revoked by him.