

Queensland



ANNO TRICESIMO SEPTIMO

ELIZABETHAE SECUNDAE REGINAE



No. 73 of 1988

**An Act to amend the Public Trustee Act 1978-1985 in certain
particulars**

[ASSENTED TO 28TH OCTOBER, 1988]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Public Trustee Act Amendment Act 1988*.

(2) In this Act the *Public Trustee Act 1978-1985* is referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Public Trustee Act 1978-1988*.

2. Amendment of s. 48. General powers. Section 48 of the Principal Act is amended by—

(a) in provision (b), omitting the expression "\$20 000" and substituting the expression "\$30 000";

(b) omitting provision (g).

3. Amendment of s. 59. Compromise of actions by or on behalf of persons under a legal disability claiming moneys or damages valid only with sanction of judge or Public Trustee. Section 59 of the Principal Act is amended in subsection (1) by—

(a) omitting the words "other person unless" and substituting the words "person other than the Public Trustee unless";

(b) in provision (b), omitting the expression "\$6 000" and substituting the expression "\$10 000";

(c) in provision (c), omitting the expression "\$750" and substituting the expression "\$1 250".

4. Amendment of s. 76. Amendments. Section 76 of the Principal Act is amended in subsection (1) by—

(a) in provision (b), omitting the expression "," and substituting the expression ".";

(b) omitting provision (c).

5. Amendment of s. 88. Disposal of property on death where value under \$5 000. Section 88 of the Principal Act is amended by—

(a) in the note appearing in and at the beginning of the section, omitting the expression "\$5 000" and substituting the expression "\$10 000";

(b) in subsection (1), omitting the words from and including the words "\$5 000," to and including the words "to a person—" and substituting the words—

"\$10 000,

the Public Trustee may, without requiring the production of a grant of administration, pay such money or deliver such property

or pay such money and deliver such property, as the case requires, to a person—”.

6. Amendment of s. 117. Public Trustee may pay claimant. Section 117 of the Principal Act is amended in subsection (1) by omitting the words “, with the approval of the Minister,”.

7. Amendment of s. 142. Regulations etc. Section 142 of the Principal Act is amended in subsection (1) by inserting after provision (h), the following provision:—

“(ha) the remission by the Public Trustee of all or part of any fees or other charges provided for under this Act;”.

8. Amendment of First Schedule. The First Schedule of the Principal Act is amended by omitting Part G.

9. Alteration of amounts. The Principal Act is amended by, in each provision or form referred to in the first column of the following Table, omitting the amount specified in the second column of the Table opposite the reference to that provision or form and substituting the amount specified in the third column of the Table opposite the reference to that provision or form.

TABLE

Section 30 (in the note appearing in and at the beginning of the section)	\$20 000	\$25 000
Section 30 (1)	\$20 000	\$25 000
Form 1 of the Second Schedule	twenty thousand dollars	\$25 000
Section 30 (2)	\$20 000	\$25 000
Form 2 of the Second Schedule	twenty thousand dollars	\$25 000
Section 31 (2)	\$20 000	\$25 000
Form 3 of the Second Schedule	\$20,000	\$25 000
Section 33 (2)	\$25 000	\$30 000
Section 35	\$5 000	\$10 000
Section 43 (2)	\$5 000	\$10 000
Section 51	\$5 000	\$10 000

TABLE—*continued*

Section 54 (1)	\$2 000	\$5 000
Section 70 (1)	\$5 000	\$10 000
Form 8 of the Second Schedule	five thousand dollars	\$10 000
Section 73 (1) (a)	\$7 000	\$13 000
Form 10 of the Second Schedule	seven thousand dollars	\$13 000
Section 80 (2) (c)	\$20 000	\$30 000
Section 80 (3) (d)	\$10 000	\$20 000
In provision (i) of Section 80 (3)	\$20 000	\$50 000
In provision (ii) of Section 80 (3)	\$20 000	\$50 000
Section 100 (3)	\$50	\$100
Section 100 (3)	\$100	\$200
Section 104 (2)	\$5 000	\$10 000
Section 104 (3) (c)	\$500	\$1 000