Trustee any property (not arising from the accumulation of income of the trust property) shall become subject to the trust, in addition to the property comprised therein at the date of the acceptance thereof, there shall be paid in respect of such additional property a further fee of such amount as would have been payable upon the acceptance of a trust comprising such additional property only.

5.—(1) Where it appears to the Public Trustee, upon accepting a trust, that the trust property consists wholly or partially of reversionary interests, or other property not in possession or not readily realizable (all which interests and property are in this clause referred to as "the reversionary property") he may charge an additional fee, not exceeding one pound, upon acceptance of the trust.

(2) Where such additional fee is charged, then—

(a.) Upon the acceptance of the trust the reversionary property shall be excluded from the trust property for the purpose of ascertaining the amount of the fee payable in pursuance of the Schedule hereto upon such acceptance, and the said fee shall be calculated and paid as if the trust property (if any) other than the reversionary property were alone comprised in the trust; and

(b.) So far as regards the reversionary property, or any part thereof, the date on which the same falls into possession or is realised shall, for the purpose of ascertaining the amount of any capital fee payable in pursuance of the Schedule hereto, be deemed to be the date of the acceptance of the trust, and the fee payable on such acceptance shall be payable at the first-mentioned date; and

(c.) For the purpose of ascertaining the amount of the fee payable on such acceptance in respect of the reversionary property or any part thereof, the gross capital value of that property or part at the date at which such fee is payable shall be aggregated with the gross capital value of any other part of the trust property in respect of which the fee on acceptance has been previously paid.

6.—(1) In any case in which it appears to the Public Trustee that the circumstances of a trust or estate in course of administration, or proposed to be administered, by him are, or probably will be, such as to render his duties in relation thereto exceptionally onerous, he may, with the approval of the Treasury, charge a special fee in respect of the performance of such duties, in addition to the fees payable in pursuance of the Schedule hereto.

(2) The Public Trustee may make the payment of, or agreement to pay, such special fee a condition of his accepting a trust or undertaking to administer an estate.

7. In any case in which it appears to the Public Trustee that the circumstances of a trust or estate in course of administration, or proposed to be administered, by him are, or probably will be, such as to render his duties in relation thereto exceptionally simple, or are otherwise of an exceptional character, he may with the approval of the Treasury remit any part (not exceeding one-half) of any fee payable in respect of the performance of such duties in pursuance of the schedule hereto.

8. The Public Trustee may, in his discretion, upon the application of any person appearing to be interested in the capital of the trust property, commute any fee which in pursuance of the schedule hereto would, but for the commutation, become payable upon the withdrawal or distribution of the whole or any part of that capital for a certain sum to be presently paid. and for determining that sum he shall cause a present value to be set on that fee, regard being had to the circumstances and contingencies affecting the rate at which, and the occasion upon which, such fee would, but for the commutation, be payable, and interest being reckoned at three per cent.

9. The Public Trustee may, with the approval of the Treasury, agree to any mode of payment of any fee payable in pursuance of the schedule hereto which shall seem to him just and reasonable.

10. For the purposes of the Schedule hereto— (a) the value of any property (other than cash) shall be the price which in the opinion of the Public Trustee such property would fetch if sold in the open market; and (b) income where the same is derived from the carrying on of any trade or business shall mean the gross receipts of such trade or business.

11. This Order may be cited as "The Public Trustee (Fees) Order, 1907."

SCHEDULE.

I.—Capital Fees.

A.—*In respect of the duties of the Public Trustee acting in the administration of a small estate under section 3 of the Act.*

1. Upon the acceptance of the trust—a fee at the rate of 10s. for every £100 of the gross capital value of the estate as proved for the purposes of section 3 (1) of the Act.

2. Upon the making of an order under section 3 (5) of the Act—a fee at the rate of 10s. for every £100 of the gross capital value the estate at the date of the order.

3. Upon the withdrawal (whether upon distribution amongst the beneficiaries or otherwise) of any capital from the estate—a fee at the rate of 10s. for every £100 of the value of the capital withdrawn.

B.—*In respect of the duties of the Public Trustee acting as ordinary trustee or executor or administrator (except in cases provided for under heads* A *or* D).

1. Upon the acceptance of the trust—a fee at the following rates:—

(a) If the gross capital value of the trust property at the date of such acceptance does not exceed £1,000—15s. per cent. in respect of that value; and

(b) If such gross capital value at the said date exceeds £1,000 then—

15s. per cent. in respect of that value up to £1,000.

5s. 0d. per cent. in respect of any excess of that value over £1,000 up to £20,000.

2s. 6d. per cent. in respect of any excess of that value over £20,000 up to £50,000.

1s. 3d. per cent. in respect of any excess of that value over £50,000.

2. Upon the withdrawal (whether upon distribution amongst the beneficiaries or otherwise) of any capital from the trust property—a fee at the rate, for every £100 or part of £100, of the value of the property withdrawn, equal to the rate per cent. at which the fee upon the acceptance of the trust was payable in respect of the entire trust property.

3. Provided that the fees chargeable under the two preceding clauses of this head shall be so regulated that the total fees so chargeable in respect of a trust shall not be less than £5.

C.—*In respect of the duties of the Public Trustee acting as Custodian Trustee only (except in cases provided for under head* D).

Upon any occasion mentioned under head B,