



BELIZE

**PUBLIC TRUSTEE ACT
CHAPTER 199**

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CHAPTER 199

PUBLIC TRUSTEE

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CHAPTER 199

PUBLIC TRUSTEE

Ch. 227,
R.L., 1958.
CAP. 161,
R.E. 1980-1990.
40 of 1963.
14 of 1982.
22 of 1987.

[9th May, 1953]

PART I

Preliminary

1. This Act may be cited as the Public Trustee Act.

Short title.

2. In this Act, unless the context otherwise requires,

Interpretation.

“court” means the Supreme Court or any judge thereof;

“estate” includes every description of real and personal property, goods, chattels, money, securities for money, and all writings relating to or evidencing any right or title to any property, and all rights of action and claims;

“private executor or administrator” means an executor or administrator other than the Public Trustee;

“private guardian or committee, or receiver” means a guardian or committee, or receiver, other than the Public Trustee;

“rules” means rules made under this Act;

“trust” includes every case where any person acts as executor, guardian, committee, administrator, receiver or sequestrator, and every case where any person is appointed by the court, or under the provisions of any Act, to administer the property of another person for his benefit;

“will” includes a testamentary disposition, a codicil and an appointment by will or by writing in the nature of a will in the exercise of a power.

PART II

Appointment, Powers and Duties, etc., of Public Trustee

Office of Public Trustee.

3.—(1) The Governor-General may appoint a fit and proper person Public Trustee under this Act.

(2) The Public Trustee shall be a body corporate with perpetual succession, and may sue and be sued in that name.

The Registrar to be Public Trustee till other appointment made.

4. Unless and until the Governor-General appoints some other person to be the Public Trustee, the Registrar shall be the Public Trustee, and any person lawfully discharging the duties of Registrar shall have all the rights, powers and liabilities, and may discharge any of the duties, of the Public Trustee.

General powers and duties.

5.—(1) Subject to and in accordance with the provisions of this Act and the rules, the Public Trustee may, if he thinks fit,

- (a) act as executor or administrator in the administration of the estates of deceased persons;
- (b) act as custodian trustee;
- (c) act as ordinary trustee;
- (d) be appointed a judicial trustee;
- (e) act as guardian or committee, or receiver, of the property of any infant or other person under disability, as the case may be;
- (f) take possession of and administer the estate of any person who is absent from Belize and who is not fully represented by any attorney in Belize, and who has left debts unpaid.

(2) Subject to this Act and to the rules, the Public Trustee may act either alone or jointly with any person or body of persons in any capacity to which he may be appointed in pursuance of this Act, and shall have all the same powers, duties and liabilities, and be entitled to the same rights and immunities and subject to the control and orders of the court, as a private person acting in the same capacity.

(3) The Public Trustee may decline, either absolutely or except on the prescribed conditions, to accept any trust, but he shall not decline to accept a trust on the ground only of the small value of the trust property.

(4) The Public Trustee shall not accept any trust which involves the management or carrying on of any business, except when acting under section 14 of this Act, or except in the cases in which he may be authorised to do so by the rules, or any trust under a deed of arrangement for the benefit of creditors.

6. The Public Trustee, by that name or any other sufficient description, may be appointed executor of a will by the testator, in the same manner as if he were a private executor, and in that case he shall have the same powers as if he were a private executor.

Appointment as executor

7.-(1) Any person who, in the opinion of the Public Trustee, would be entitled to apply to the court for the appointment of an administrator of the estate of a deceased person, may apply to the Public Trustee to administer the estate, and the Public Trustee shall administer the estate, unless he sees good reason for refusing to do so.

Administration of estates.

(2) On the Public Trustee undertaking by declaration in writing, signed by him and deposited in the Supreme Court Registry, to administer the estate, he shall have the same power as if he had been appointed by a last will of the deceased person to be executor.

(3) For the purposes of the administration, the Public Trustee may exercise those administrative powers and authorities of the Supreme Court which may be conferred upon him by the rules, subject to the conditions imposed by the rules.

(4) Rules shall be made under this Act for enabling the Public Trustee to take the opinion of the court on any question arising in the course of any administration without judicial proceedings, and otherwise for making the procedure under this section simple and inexpensive.

(5) Where an application is made to the court for a grant of probate or letters of administration in the estate of any deceased person, or proceedings have been instituted in the court for the administration of the estate, and by reason of the small value of the estate, it appears to the court that the estate can be more economically administered by the Public Trustee than by any other person, or that for any other reason it is expedient that the estate should be administered by him instead of by any other person, the court may order that the estate shall be administered by him, and thereupon, subject to any directions by the court, this section shall apply as if the administration of the estate had been undertaken by him in pursuance of this section.

Granting probate to Public Trustee.

8.-(1) Where, in pursuance of the rules, the Public Trustee is authorised to accept by that name probates of wills or letters of administration, the court may grant such probate or letters to the Public Trustee by that name, and for that purpose the court shall consider the Public Trustee as in law entitled equally with any other person or class of persons to obtain the grant of letters of administration, except that the consent or citation of the Public Trustee shall not be required for the grant of letters of administration to any other person, and that, as between the Public Trustee and the widower, widow or next-of-kin of the deceased, the widower, widow or next-of-kin shall be preferred, unless for good cause shown to the contrary.

(2) Any executor who has obtained probate or any administrator who has obtained letters of administration, and notwithstanding he has acted in the administration of the deceased's estate, may, with the sanction of the court and after such notice to the persons beneficially interested as the court may direct, transfer such estate to the Public Trustee for administration either solely or jointly with the continuing executors or administrators, if any.

(3) The order of the court sanctioning such transfer shall, subject to this Act, give to the Public Trustee all powers of such executor and administrator, and such executor and administrator shall not be in any way liable in respect of any act or default in reference to such estate subsequent to the date of such order, other than the act or default of himself or of persons other than himself for whose conduct he is in law responsible.

9.-(1) Subject to the rules, the Public Trustee may, if he consents to act as such and whether or not the number of trustees has been reduced below the original number, be appointed to be custodian trustee of any trust,

Custodian trustee.

- (a) by order of the court made on the application of any person on whose application the court may order the appointment of a new trustee;
- (b) by the testator, settlor or other creator of any trust; or
- (c) by the person having power to appoint new trustees.

(2) Where the Public Trustee is appointed to be custodian trustee of any trust,

- (a) the trust property shall be transferred to the custodian trustee as if he were sole trustee, and for that purpose vesting orders may, where necessary, be made under any Act relating to trusts;
- (b) the management of the trust property and the exercise of any power or discretion exercisable by the trustees under the trust shall remain vested in the trustees other than the custodian trustee (which trustees are in this Act referred to as “managing trustees”);
- (c) as between the custodian trustee and the managing trustees, and subject and without prejudice to the rights of any other persons, the custodian trustee shall

have the custody of all securities and documents of title relating to the trust property, but the managing trustees shall have free access thereto and be entitled to take copies thereof or extracts therefrom;

- (d) the custodian trustee shall concur in and perform all acts necessary to enable the managing trustees to exercise their powers of management or any other power or discretion vested in them, including the power to pay money or securities into court, unless the matter in which he is requested to concur is a breach of trust, or involves a personal liability upon him in respect of calls or otherwise but, unless he so concurs, the custodian trustee shall not be liable for any act or default on the part of the managing trustees or any of them;
- (e) all sums payable to or out of the income or capital of the trust property shall be paid to or by the custodian trustee,

Provided that the custodian trustee may allow the dividends and other income derived from the trust property to be paid to the managing trustees or to such person as they direct, or into such bank to the credit of such person as they may direct and, in such case, shall be exonerated from seeing to the application thereof and shall not be answerable for any loss or misapplication thereof;

- (f) the power of appointing new trustees, when exercisable by the trustees, shall be exercisable by the managing trustees alone, but the custodian trustee shall have the same power of applying to the court for the appointment of a new trustee as any other trustee;
- (g) in determining the number of trustees for the purposes of any law relating to trustees, the custodian trustee shall not be reckoned as a trustee;

- (h) the custodian trustee, if he acts in good faith, shall not be liable for accepting as correct and acting upon the faith of any written statement by the managing trustees as to any birth, death, marriage or other matter of pedigree or relationship, or other matter of fact, upon which the title to the trust property or any part thereof may depend, nor for acting upon any legal advice obtained by the managing trustees independently of the custodian trustee;
- (i) the court may, on the application of either the custodian trustee, or any of the managing trustees, or of any beneficiary, and on proof to its satisfaction that it is the general wish of the beneficiaries, or that on other grounds it is expedient to terminate the custodian trusteeship, make an order for that purpose, and the court may thereupon make such vesting orders and give such directions as under the circumstances may seem to the court to be necessary or expedient.

10.—(1) The Public Trustee may by that name, or any other sufficient description, be appointed to be trustee of any will or settlement or other instrument creating a trust or to perform any trust or duty belonging to a class which he is authorised by the rules to accept, and may be so appointed whether the will or settlement or instrument creating the trust or duty was made or came into operation before or after the passing of this Act, and either as an original or as a new trustee, or as an additional trustee, in the same class, and in the same manner, and by the same persons or court, as if he were a private trustee, with this addition, that, although the trustees originally appointed were two or more, the Public Trustee may be appointed sole trustee.

Appointment of Public Trustee to be trustee, executor, etc.

(2) Where the Public Trustee has been appointed a trustee of any trust, a co-trustee may retire from the trust under and in accordance with the provisions of any Act relating to trustees, notwithstanding that there are not more than two trustees, and without such consents as are required by any such provisions.

(3) The Public Trustee shall not be so appointed either as a new or additional trustee where the will, settlement or other instrument creating the trust or duty contains a direction to the contrary, unless the court otherwise orders.

(4) Notice of any proposed appointment of the Public Trustee either as a new or additional trustee shall where practicable be given in the prescribed manner to all persons beneficially interested who are resident in Belize and whose addresses are known to the persons proposing to make the appointment or, if such beneficiaries are infants, to their guardians.

(5) Where any person to whom such notice has been given, within twenty-one days from the receipt of the notice applies to the court, the court may, if having regard to the interests of all the beneficiaries it considers it expedient to do so, make an order prohibiting the appointment being made.

(6) A failure to give any such notice shall not invalidate any appointment made under this section.

11. The Public Trustee may, by that name or any other sufficient description, be appointed by will or by order of the court guardian, or committee, or receiver, of the property of any infant or other person under disability, in the same manner as if he were a private person and in those cases he shall have the same powers as if he were a private guardian, or committee, or receiver.

12.—(1) Any creditor of a person absent from Belize and not represented by any attorney in Belize appointed under a duly registered power of attorney, may apply to the Public Trustee to take possession of and administer the estate of the absent person.

(2) Upon the application being made, and upon the Public Trustee being satisfied that the person is so absent and unrepresented as mentioned in subsection (1) of this section and that the applicant is *bona fide* his creditor, the Public Trustee may take possession of the estate.

As guardian, committee, etc.

Creditor may apply to Public Trustee to administer estate of absentee.

(3) The Public Trustee shall not take possession of the estate unless he is satisfied that the assets thereof are probably sufficient to defray the cost of taking possession thereof and administering it.

13. The Public Trustee, before taking possession under this Act of the property of an absent person who is known and with whom he can communicate, shall communicate in writing with that person, and shall not interfere, except in case of an emergency which in his opinion makes it necessary to take possession of the estate for the protection of the creditors of the absentee, and in that case he shall take immediate possession.

Absentee to be communicated with, if possible.

14.-(1) Where the Public Trustee takes possession of the estate or property of the absent person, he shall give immediate intimation thereof by notice published in the *Gazette* and in one newspaper at least three times, with an interval of a week between each publication.

Proceedings on taking possession of estate of absent owner.

(2) The Public Trustee shall use due diligence to ascertain where the absent person is and his place of residence and address and, if they can be ascertained, shall use due diligence to inform him that the Public Trustee has so taken possession, and shall require him to appoint an attorney in Belize to represent his interests.

(3) Where the place of residence and address of the person cannot be ascertained, the Public Trustee shall apply to the court for directions.

(4) Where the person refuses or neglects, without sufficient cause, to appoint an attorney in Belize within a reasonable time after being required to do so, the Public Trustee shall apply to the court for directions.

(5) Where the Public Trustee applies to the court under this section, the court, if satisfied,

- (a) that the place of residence and address of the person cannot be ascertained; or
- (b) that he has been afforded sufficient opportunity to enable him to appoint an attorney in Belize and neglects to do so;

shall direct that the estate or property shall be forthwith realised, and after the expiration of the time fixed by the court, the Public Trustee shall deal with the proceeds and distribute them amongst the creditors of the person in the same manner as if he had been adjudged bankrupt.

(6) Where the court is not so satisfied, or where the person is under any disability, the court shall give any directions the circumstances may require.

(7) Until the Public Trustee receives directions from the court, he shall administer the estate or property according to the usual legal course of administration in Belize by attorneys of absent parties,

Provided that, where it appears that the owner has committed an act of bankruptcy or that the claim on the estate exceeds the assets, the Public Trustee shall forthwith apply to the court, and the court, if satisfied of the fact, shall thereupon adjudge the estate to be bankrupt, and it shall then be administered not under this Act but under and in accordance with any law relating to bankruptcy as if the owner thereof had been adjudged bankrupt.

Liability of Public Trustee a charge on Consolidated Revenue Fund.

15. There shall be charged upon the Consolidated Revenue Fund all sums required to discharge any liability which the Public Trustee, if he were a private trustee, would be personally liable to discharge, except where the liability is one to which neither the Public Trustee nor any of his officers has in any way contributed and which neither he nor any of his officers could by exercise of reasonable diligence have averted, and in that case the Public Trustee shall not be subject to any liability nor shall any sums be charged upon the Consolidated Revenue Fund.

Publication of list of moneys unclaimed for six months.

16.—(1) The Public Trustee shall, in the months of February and August in each year, prepare and publish a list of all moneys in his hands which have been unclaimed for six months and upwards, and shall publish therewith a notice calling on all persons desiring to claim any of those moneys to establish their claim within five years from the date when the moneys came into the hands of the Public Trustee, and that date shall be expressed and set forth in the notice.

(2) If no claim to any of the moneys is made and established within the time specified, they shall be paid to the Financial Secretary.

(3) All moneys so paid over by the Public Trustee to the Financial Secretary shall be paid into the Consolidated Revenue Fund and any right, title and interest of every person in and to them shall be barred.

(4) Nothing contained in this section shall be construed as in any way affecting the power of the National Assembly to authorise the payment of any sum of money paid over to the Financial Secretary under this Act to any person whom it may consider to have a moral claim thereto, notwithstanding that all claims to payment of the money may be barred in law.

17.-(1) All moneys received by the Public Trustee on behalf of any trusts or estates administered by him, shall, as soon after the receipt thereof as is practicable, be paid into the bank or banks from time to time directed by the Minister.

Money received by Public Trustee to be paid into bank.

(2) All payments by the Public Trustee of those moneys shall be made in the manner from time to time directed by the Minister in general instructions or regulations.

40 of 1963.

18.-(1) Where it becomes necessary to sell at public auction any property belonging to an estate, trust or company, which is being administered by the Public Trustee under any Act other than an Act relating to bankruptcy, the property may be sold by the Public Trustee personally, or by any officer or clerk of his department authorised by him.

Sales at public auction.

(2) The Public Trustee may charge a commission of six *per centum* on the proceeds of the sale.

19.-(1) Subject to the rules and unless the court otherwise orders, the condition and accounts of any trust shall, on an application being made and notice thereof given in the prescribed manner by any trustee or beneficiary, be investigated and audited by such attorney or public accountant as may be agreed on by the applicant and the trustees or, in default of agreement, by the Public Trustee or some person appointed by him,

Investigation and audit of trust accounts.

Provided that (except with the leave of the court), such an investigation or audit shall not be required within twelve months after any such previous investigation or audit, and that a trustee or beneficiary shall not be appointed under this section to make any investigation or audit.

(2) The person making the investigation or audit (in this Act called the auditor), shall have a right of access to the books, accounts and vouchers of the trustees, and to any securities and documents of title held by them on account of the trust, and may require from them such information and explanation as may be necessary for the performance of his duties.

(3) Upon the completion of the investigation and audit, the auditor shall forward to the applicant and to every trustee a copy of the accounts, together with a report thereon, and a certificate signed by him to the effect that the accounts exhibit a true view of the state of the affairs of the trust and that he has had the securities of the trust fund investments produced to and verified by him or, as the case may be, that such accounts are deficient in such respects as may be specified in such certificate.

(4) Every beneficiary under the trust shall, subject to the rules, be entitled at all reasonable times to inspect and take copies of the accounts, report and certificate and, at his own expense, to be furnished with copies thereof or extracts therefrom.

(5) The auditor may be removed by order of the court and, if any auditor is removed, or resigns, or dies, or becomes bankrupt or incapable of acting before the investigation and audit is completed, a new auditor may be appointed in his place in like manner as the original auditor.

(6) The remuneration of the auditor and the other expenses of the investigation and audit shall be such as may be prescribed by the rules, and shall, unless the Public Trustee otherwise directs, be borne by the estate and, in the event of the Public Trustee so directing, he may order that such expenses be borne by the applicant or by the trustees personally or partly by them and partly by the applicant.

(7) Where any person having the custody of any documents to which the auditor has a right of access under this section fails or refuses to allow

him to have access thereto or in anywise obstructs the investigation or audit, the auditor may apply to the court, and thereupon the court shall make such order as it thinks just.

(8) Subject to rules of court, applications under or for the purposes of this section to the court shall be made to a judge in chambers.

(9) Any person who in any statement of accounts, report or certificate required for the purposes of this section wilfully makes a statement false in any material particular is liable,

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years;
- (b) on summary conviction, to imprisonment for a term not exceeding six months, and in either case to a fine *in lieu* of or in addition to such imprisonment.

20.—(1) A person aggrieved by any act or omission or decision of the Public Trustee in relation to any trust or administration may apply to the court, and the court may make any order in the matter it thinks just.

Appeal from decision of Public Trustee.

(2) Subject to rules of court, an application under this section shall be made to a judge in chambers.

21.—(1) The Public Trustee shall not, nor shall any of his officers, act under this Act for reward, except as provided by this Act.

Powers of Public Trustee.

(2) The Public Trustee, subject to the rules, may employ for the purposes of any trust or administration the attorneys, bankers, accountants and brokers, or other persons, whom he considers necessary.

(3) Where a bond or security would be required from a private person upon the grant to him of administration, or upon his appointment to act in any capacity, the Public Trustee, if administration is granted to him, or if he is appointed to act in that capacity, shall not be required to give such bond or security, but shall be subject to the same liabilities and duties as if he had given such bond or security.

(4) The entry of the Public Trustee by that name in the books of a company shall not constitute notice of a trust, and a company shall not be entitled to object to enter the name of the Public Trustee on its books by reason only that the Public Trustee is a corporation, and in dealings with property the fact that the person or one of the persons dealt with is the Public Trustee shall not of itself constitute notice of a trust.

22. The Minister may make rules for carrying into effect the objects of this Act, and in particular for all or any of the following purposes,

- (a) establishing the office of Public Trustee and prescribing the trusts or duties he is authorised to accept or undertake, and the security, if any, to be given by the Public Trustee and his officers;
- (b) the transfer to and from the Public Trustee of any property;
- (c) the accounts to be kept and an audit thereof;
- (d) the establishment and regulation of any branch office;
- (e) excluding any trusts from the operation of this Act or any part thereof;
- (f) the classes of corporate bodies entitled to act as custodian trustees;
- (g) the form and manner in which notices under this Act shall be given.

Rules.
40 of 1963.

PART III

*Unrepresented Estates
and Official Administrator*

23. In the Belize administrative district, the Public Trustee and in other administrative districts, the magistrate of that judicial district, shall collect the personal estate and effects in Belize of persons dying within their respective districts intestate and without next-of-kin leaving such personal estate and effects only, and to apply the same in a due course of administration, and to pay over into the Consolidated Revenue Fund from time to time the sums which come into their hands, and finally any surplus which remains after payment of the costs and expenses of administration, funeral expenses and any lawful debts.

Collection of estates of persons dying intestate and without next-of-kin and leaving personal property only.

24.—(1) Where a person dies, or is reasonably believed by the Public Trustee to have died, intestate and without next-of-kin or without having appointed any executor resident or duly represented in Belize, and leaves real estate only or real and personal estate and effects, the Public Trustee shall file with the Registrar an information setting forth the circumstances and praying for letters of administration to administer the estate of such deceased person, and such letters shall thereon be immediately granted.

Administration of estates of persons dying intestate and without next-of-kin and leaving real property only or real and personal property.

(2) The Registrar shall forthwith notify, in like manner as he may be required to notify applications for letters of administration, the grant of such letters, and that at the end of one month from the date of their grant the Public Trustee may proceed, and he is hereby authorised and required to proceed to administer the estate, unless in the meantime letters of administration shall be granted to some other person.

(3) The Public Trustee shall stand possessed of all real and personal property, remaining un-disposed of after the administration of any such estate in terms of the letters of administration granted to him, for the benefit of the person or authority to whom the same belongs in law.

25. Neither the Public Trustee nor a magistrate shall be required to enter into bond in respect of the performance of his duties under section 23 or section 24 of this Act.

Security in each case not required.

Case where it is subsequently discovered that the deceased did not die intestate or without next-of kin.

26. If, before the Public Trustee or magistrate, as the case may be, has finally accounted for and paid over into the Consolidated Revenue Fund the surplus of any particular estate, it is proved that any person, whose estate he has dealt with, did not die intestate or without next-of-kin, he shall duly account to the next-of-kin or legal personal representative of such person, and shall pay and deliver to him all moneys, goods and chattels which have come into his hands, and remain in his possession or under his control.

Returns, when and how to be made. 40 of 1963.

27.—(1) The Public Trustee or the magistrate shall return into the Supreme Court Registry all such inventories, appraisements and accounts as other administrators are required to return, and all such returns shall be regularly filed in the same office.

(2) In the month of January in every year the Public Trustee or magistrate shall furnish to the Minister an account made up to the last day of the preceding month of all receipts and disbursements on account of each and every estate being administered by him under sections 23 to 30 of this Act during the twelve preceding months, and shall pay into the Treasury to deposit accounts for the several estates such sums as upon the examination of the accounts the Minister shall direct.

Advertisement of notice of intention to distribute assets. 14 of 1982.

28.—(1) The Public Trustee or magistrate shall cause an advertisement to be published in the *Gazette* and in a newspaper circulating in Belize in the form set out in the Schedule to this Act.

(2) Upon the expiry of ninety clear days from the publication of such advertisement the Public Trustee or magistrate shall distribute the assets among the various claimants thereto, having regard to claims of which he has then had notice and neither the Public Trustee nor the magistrate nor the Consolidated Revenue Fund shall be liable for the assets or any part thereof so distributed to any person of whose claim such Public Trustee or magistrate had no express notice at the time of distribution of the assets or any part thereof, as the case may be.

(3) The costs of such advertisement shall be paid out of the assets in priority to any claims whatsoever.

(4) Nothing in this Part shall prejudice the rights of any creditors or claimants to follow the assets or any part thereof into the hands of the person or persons who have received them respectively.

29.-(1) The Public Trustee may, in case of any doubt or difficulty, make application to the court which may, on an affidavit of the facts filed by the Public Trustee, make such order or give such directions as it thinks right under the circumstances.

Application may be made to the court in case of doubt.

(2) Any order made under subsection (1) of this section, shall protect the Public Trustee acting thereunder from all actions and suits, and may be pleaded in bar thereto, if the facts set forth in his affidavit are substantially correct.

30. No fee shall be payable in respect of the administration under this Act of any estate of less value than two hundred and fifty dollars, but on the total receipts of any estate so administered of the value of two hundred and fifty dollars and upwards the Public Trustee shall pay into the Consolidated Revenue Fund a commission at the rate of five *per centum*, and shall next, and before, satisfying any other claims against the estate, pay to the Registrar the same fees as would be payable in respect of the estate if it were being administered under the law relating to the administration of the estates of deceased persons.

Fees, when and to whom payable.

31. This Act shall not apply to the personal estates and effects of citizens of the United States of America dying within Belize.

Provisions not to apply to estates of citizens of United States.

SCHEDULE
PUBLIC TRUSTEE ACT

Notice of Advertisement
[Section 28]

In re
(deceased)

TO ALL WHOM IT MAY CONCERN:

TAKE NOTICE that by virtue of the powers conferred upon me by section 28 of the Public Trustee Act, Cap. 199, I, (Public Trustee or magistrate, (as-----
the case may be), intend on or after the-----day of-----
-----next to distribute the assets of the aforesaid-----
-----of-----in the-----
district among such claimants of whose claims I shall then have notice.

AND FURTHER TAKE NOTICE that all claims against the estate of the said
must be delivered to me before the day of next.

AND FURTHER TAKE NOTICE that neither I nor the Consolidated Revenue Fund will be liable in respect of any assets distributed by me without express notice of any such claim at the time of distribution.

*Public Trustee or
Magistrate.*

Date