

# Let's talk about **Executors**

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A guide to understanding the  
important role of an executor





## We care about your rights

The Public Trustee places the human rights of individuals at the heart of our service delivery.

## How can the Public Trustee help?

### We give peace of mind.

The Public Trustee has more than 100 years of experience in Wills and estate law.

Whether you’ve been named as an executor of an estate, or need to name your executor in your Will, the Public Trustee can assist you.

We understand the law and our expertise has been gained from a century of helping Queenslanders over the emotional and legal hurdles that come with administering deceased estates.

### Make an appointment

You can book an appointment with a professional at a network of offices across the State.

Visit our website at [www.pt.qld.gov.au](http://www.pt.qld.gov.au) or call us on **1300 360 044**.

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## What is an executor?

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An executor is who you nominate in your Will to finalise (administer) your estate when you die.

An executor is responsible for the completion of a variety of tasks when managing your estate.

## What an executor does

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Duties of an Executor may include:

- making sure the deceased person's wishes are carried out as per their Will
- obtaining probate (the legal authority to handle the estate) from the Supreme Court of Queensland
- locating and notifying beneficiaries
- verifying and protecting assets
- confirming insurance of assets
- collecting valuables and income
- determining claims and debts
- preparing tax returns
- obtaining income tax clearances
- transferring assets
- preparing financial statements and distributing the estate.

## An executor is legally responsible and liable


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Being an executor is a big role and there is a lot involved, including following certain processes and Acts.

As an executor, you can be held personally liable if something were to go wrong. You could also have legal claims made against you as a result.

## Did you know?

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**Executors must act immediately to protect the estate.**

There have been cases where executors haven't renewed insurance in time, and assets have been damaged by fire or theft—making the executor personally liable for the loss.

## What to consider when choosing your executor

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Choosing the executor of your Will is almost as important as the Will itself.

### Some things to consider include:

- Does your executor have the necessary skills, which may include:



conflict management



an understanding of law, accounting, taxation and business practices



the ability to act as trustee?

- If you appoint a family member or loved one as your executor, you may place an extra burden on them at a time of grief and loss.
- Will your choice of executor cause conflict among your beneficiaries?
- Is your executor willing and able to administer your estate—and will they be there when needed?

## Renouncing executor duties

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If you've been named executor, but don't believe you have the time or ability to fulfil the role, you can choose to renounce the position.

You can request the Public Trustee to administer the estate on your behalf. We will act impartially and professionally to ensure we carry out the wishes of your loved one.

## Benefits of appointing the Public Trustee as your executor

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Whether you are choosing an executor for your own Will, or have been named executor in someone else's Will and wish to renounce, the Public Trustee can assist you.

- We are experienced, independent and impartial. We've been doing this for over 100 years.
- Our staff are compassionate, empathetic and skilled at managing estates during times of grief and family conflict—and they're supported by a team of lawyers, accountants and investment professionals.
- We charge a competitive fee based on the work involved, **not a percentage commission** to finalise your estate. By law (the *Public Trustee Act 1978*), our fees **must be reasonable**.

## I've been named executor— can I get some help?

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As one of the largest administrators of estates in Queensland, we can help by:

- administering the estate on your behalf, or
- assisting you with probate.

## Other times the Public Trustee may handle an estate

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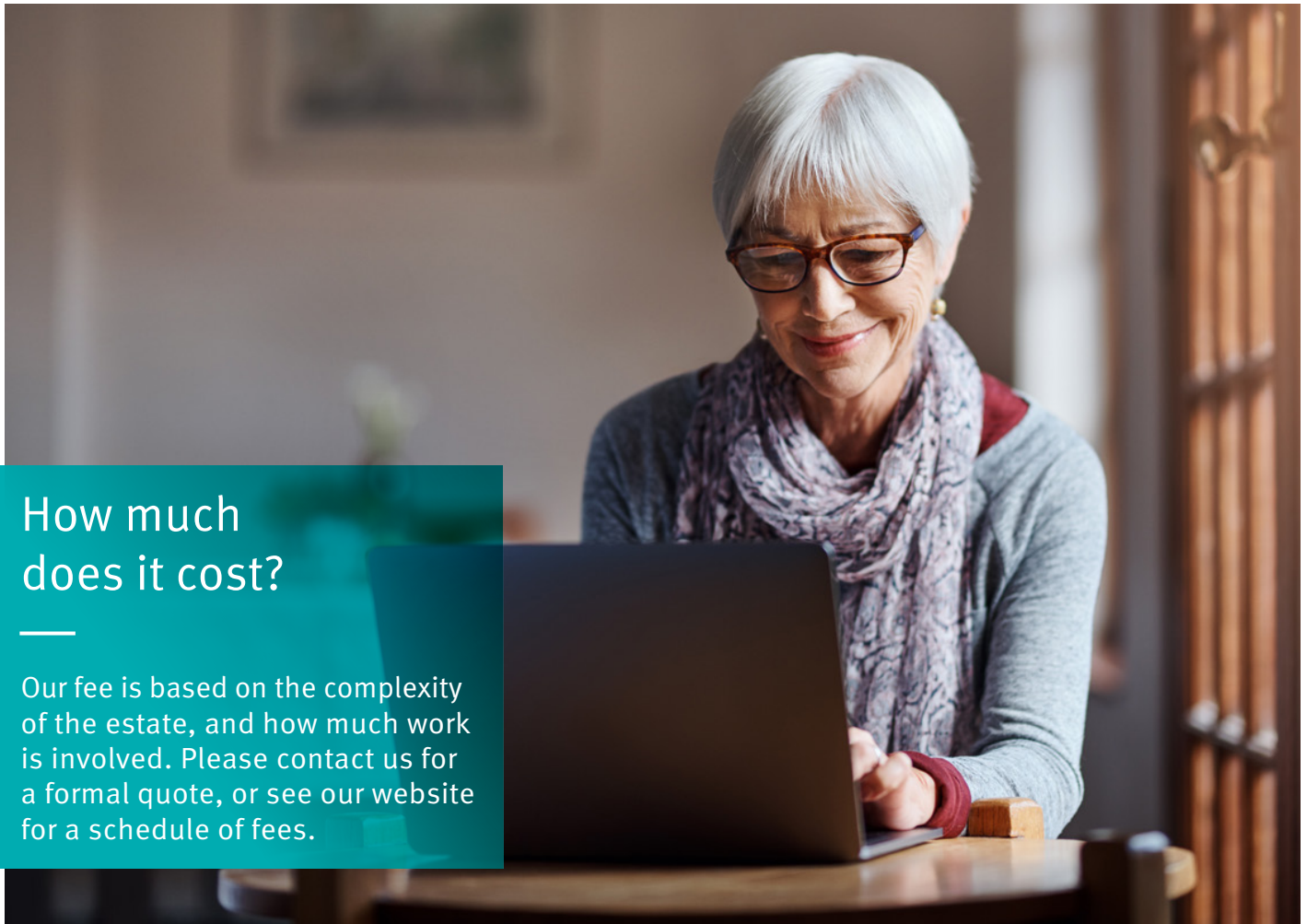
We may also handle estates where:

- the executor is not a resident in Queensland, has died or **does not act within three months**, and
- there is no Will and the Public Trustee is requested to do so by the next of kin.

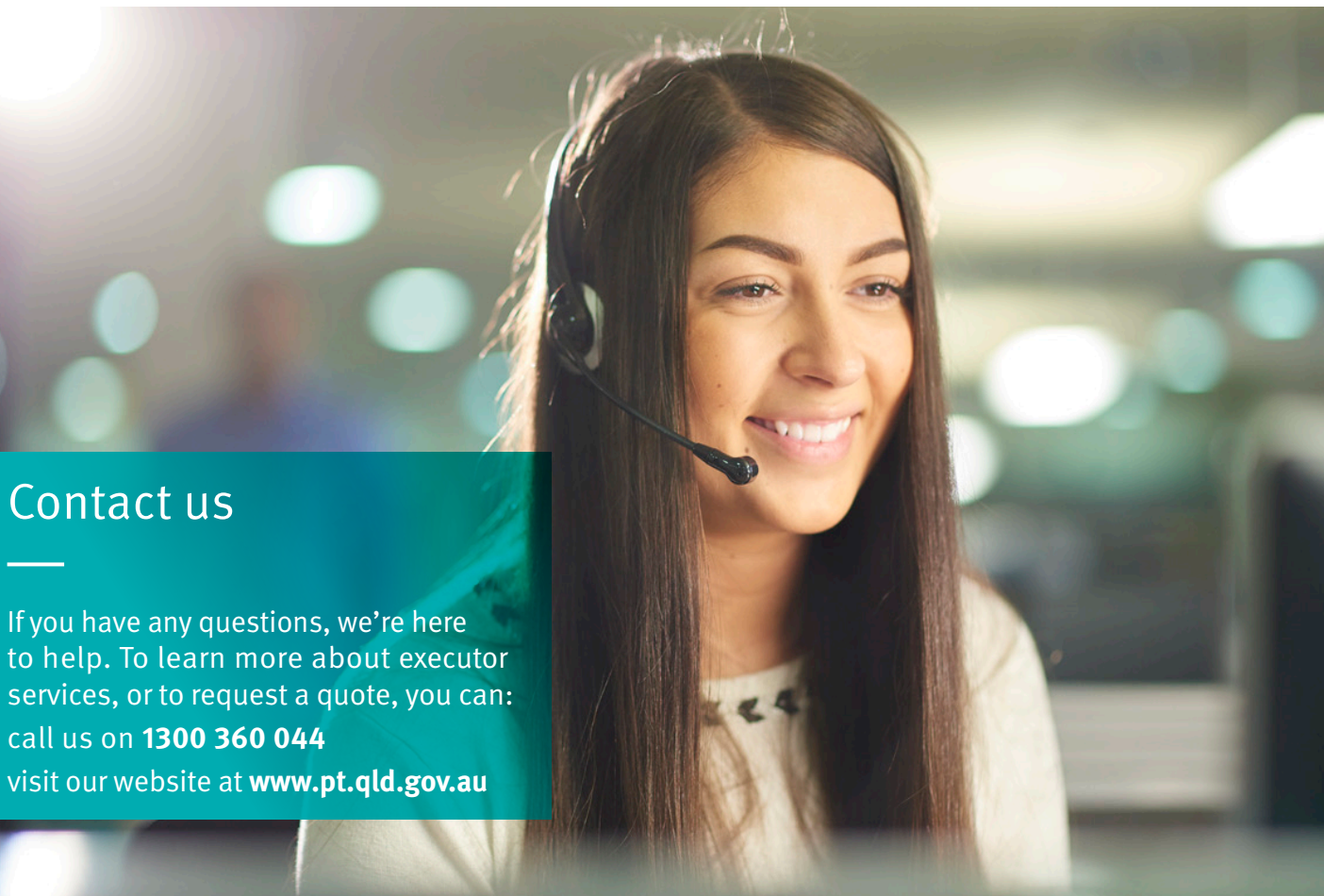
## How much does it cost?

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Our fee is based on the complexity of the estate, and how much work is involved. Please contact us for a formal quote, or see our website for a schedule of fees.







## Contact us

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If you have any questions, we're here to help. To learn more about executor services, or to request a quote, you can:  
call us on **1300 360 044**  
visit our website at **[www.pt.qld.gov.au](http://www.pt.qld.gov.au)**

## Protecting your privacy

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The Public Trustee collects and manages personal information in the course of performing its activities, functions and duties in accordance with the *Public Trustee Act 1978*.

The way in which the Public Trustee manages personal information is governed by the *Information Privacy Act 2009*.

This means there are restrictions on how we can use, and when we can disclose, your personal information.

We do not disclose your personal information outside of the Public Trustee unless we are required to do so by law or unless you have given us your consent to such disclosure.

If you would like to read our Privacy Statement, please visit our website at:  
**[www.pt.qld.gov.au/site-footer/privacy](http://www.pt.qld.gov.au/site-footer/privacy)**

## Your nearest Public Trustee office

Birtinya

Brendale

Brisbane

Bundaberg

Cairns

Gladstone

Ipswich

Mackay

Maryborough

Mount Isa

Redcliffe

Rockhampton

Southport

Toowoomba

Townsville

We also offer a range of outreach services in other areas of Queensland. Go to **[www.pt.qld.gov.au/contact/locations](http://www.pt.qld.gov.au/contact/locations)** to find your nearest service location.

To learn more about Wills, probate, executor services, or to book an appointment, you can:

call us on

**1300 360 044**

visit our website

**[www.pt.qld.gov.au](http://www.pt.qld.gov.au)**

**Human Rights**

Respect · protect · promote