

# Estate customer engagement charter



## Introduction

Public Trust is a professional trustee services organisation that provides a wide range of products and services designed to support you and your whānau throughout every stage of life. These include estate administration and creating wills and enduring powers of attorney. As executor or administrator of an estate, Public Trust acts for the deceased and carries out their estate administration in line with any last will and testament (services). This includes any intestate court appointments. Public Trust cannot take sides between beneficiaries or give legal or financial advice to beneficiaries.

### Purpose

The purpose of this engagement charter is to set out our commitment to you and our expectation about how you will engage with Public Trust, as a beneficiary of an estate.

### Our commitment to you

We will:

- > Act competently, in a timely way, and in accordance with the information you provide.
- > Provide you with information about the work to be done and the way the services will be provided.
- > Explain the reasons for our actions.
- > Protect your privacy and ensure appropriate confidentiality.
- > Treat you fairly, respectfully and without discrimination.
- > Give you clear information and advice.
- > Keep you informed about the work being done and advise you when it is completed.
- > Charge a fee that is fair and reasonable for the services we provide and let you know how and when the estate will be charged.
- > Have a clear process for you to raise any concerns you may have (which is clearly outlined on our website and below under “Disputes Resolution”) and address these promptly and fairly.

### Your obligations to us

You agree that you will:

- > Provide in a timely way, all information and assistance we require to enable us to perform our services.
- > Provide information that is true, accurate, complete and not misleading. We may rely on the information you provide and will not be liable or responsible for any costs or other losses that result from the inaccuracy of that information.
- > Advise us if you become aware that any document or information previously provided is inaccurate or incomplete.
- > Treat us with respect.
- > Cooperate with our process.
- > Act in good faith.

### Working together

You can help us to provide you with a service that is fair and efficient by:

- > Giving us clear instructions.
- > Asking if there is anything you are not sure of.
- > Telling us if you have any important time limits.
- > Dealing promptly with any questions we have.
- > Letting us know if you: have a sight, speech, or hearing impairment, would like to speak with us through an interpreter, or have a health or wellbeing challenge you want us to know about.

## Unreasonable conduct

We understand that losing a loved one can be a difficult time that can cause stress and sometimes frustration as we work through the legalities of the estate administration process. However, we do not tolerate unreasonable conduct.

We expect our customers to treat us with respect and to cooperate with our process.

Unreasonable conduct includes:

- > not cooperating with our process,
- > withholding relevant information,
- > unnecessary or excessive emails or telephone calls,
- > making unreasonable demands, or
- > rude, aggressive, abusive, discriminatory or threatening behaviour.

## How Public Trust responds to unreasonable conduct

If a customer or third party does not meet our expectations under this engagement charter, we will advise them this is the case and take appropriate action. For example, we may decide to:

- > change or limit the way we communicate,
- > limit which Public Trust employees you can contact,
- > no longer respond about matters we have already dealt with, and
- > in exceptional circumstances, we may decide that we will no longer assist or communicate with you unless we deem it necessary to do so.

We take threats of violence and self-harm seriously. If we believe a person or property is at risk, we will call the Police. We can disclose personal information to the Police (and other law enforcement agencies) if we have reasonable grounds to believe this is necessary to prevent or lessen a serious threat to public health or safety or the life or health of a person.

## How we handle complaints

We will respond to any complaints or concerns promptly and fairly. All concerns or complaints may be raised with your Public Trust relationship manager. Alternatively, you can contact us by:

Phone: **0800 371 471**

Email: **feedback@publictrust.co.nz**

Mail: **Public Trust Customer Feedback,  
Private Bag 5902, Wellington 6140**

We will review your complaint and work with you to address your concerns as quickly as possible. Both parties must use their best efforts to resolve any dispute through good-faith negotiation.

If we are unable to resolve matters through our internal process, you may wish to contact Financial Services Complaints Limited (FSCL) who are our external disputes resolution provider and a Financial Ombudsman Service. They are a free and independent service. We abide by FSCL's ruling in all cases. FSCL can be contacted by:

Email: **info@fscl.org.nz**

Phone: **0800 347 257**

Website: **www.fscl.org.nz**

Mail: **Financial Services Complaints Limited,  
PO Box 5967, Wellington 6145**

## Service schedule

If you are a legatee beneficiary our services will be set out to you in our "Giftee letter" which differ from what has been outlined below. For residual beneficiaries, the services described below provide a general outline of what services Public Trust will provide. The work required to be carried out is set out in more detail in our "Plan of Administration" or "Letter of Administration" document. This may change depending on the situation and such changes will be promptly communicated to you.

- > **Estate reporting:** We will meet with you for a "First estate reporting meeting". At this meeting we will read through the will and take you through the different steps in the administration process. Our Trustee will also set out what it is we require from you as beneficiaries of the estate. A copy of what was discussed will be set out for you in a "Plan of Administration" document.
- > **Price indication:** At the conclusion of the consultation, you will be provided with an indication of the cost based on the assets we are aware of at the time and work required to administer the estate. This will be provided, either verbally or through our Plan of Administration (or both).
- > **Delivery of work:** Public Trust will undertake work as outlined in our Plan of Administration.

## Verification of identity

Prior to being able to commence providing the services to you, Public Trust must verify your identity. You can view what information is required for verification, online at [ptnz.nz/identity](https://ptnz.nz/identity).



**Public  
Trust**

If you cannot provide all requested information, we may not be able to continue engaging with you.

Public Trust retains the right to not act on the instructions from a third party on your behalf until such time as we have verified the identity of that third party, in the same manner and with the same rights of termination as for your identity.

### **Fees, charges and billing**

Our fees, charges and billing practices vary depending on the services we provide. All fees and charges are either outlined on our website (<https://www.publictrust.co.nz/resources/fees-and-charges/>) and in our Plan of Administration.

Public Trust may vary our fees and charges at any time without notice, including once services have commenced. We will update you if this occurs.

All fees and charges are payable in New Zealand dollars and are inclusive of GST unless we agree otherwise. Public Trust will require all outstanding fees to be paid prior to the finalisation of our services.

You may be required to pay an initial amount at the commencement of Public Trust's administration of the estate. We will advise if this is the case.

The hourly rates (where applicable) for the work we perform are listed on the Fee Page of our website (<https://www.publictrust.co.nz/resources/fees-and-charges/>).

If any invoice is not paid by the due date, we may charge interest at the rate of 15% per annum.

Public Trust may engage third-party legal providers or debt collectors to pursue recovery of unpaid invoices. You will be liable for all legal and debt collection costs we may incur (including solicitor/client costs) in obtaining or attempting to obtain payment of our invoices, together with interest.

If, at any time, our services are terminated, Public Trust may invoice you for the fees and charges incurred up until the date of termination as well as for any additional costs that Public Trust incurs that are associated with ceasing to provide the services.

### **Conflicts of interest**

In the event that we become aware of any likely conflict between your interests and those of Public Trust, we will disclose the potential conflict to you and take all steps that we are legally obliged to.

### **Confidentiality**

We will hold in confidence all information concerning you and your business and affairs that we acquire in the course of providing you services.

Subject to the privacy clause below, we will not disclose this information to any person, unless you expressly authorise us to do so, except to the extent required to provide you services or if the information is already public knowledge.

### **Privacy**

In providing services Public Trust will need to collect your personal information for the purposes of undertaking customer due diligence, the ongoing management of your relationship with Public Trust and updating any existing personal information we have about you.

Public Trust may use your personal information to provide you updates in relation to your services as well as providing you general, promotional or marketing information regarding Public Trust and our other services.

You authorise us to use any email address or phone number that you give us to communicate with you about the work we do for you. We may occasionally email you information we feel is relevant to you. If you do not want to receive that information, please let us know.

Your personal information will be stored, used and disclosed in accordance with the Privacy Act 2020. Any personal information you provide may be used or disclosed by Public Trust to assist us in complying with our legal obligations. For more information refer to our Privacy Policy online at [ptnz.nz/privacy](https://www.ptnz.nz/privacy).

If you do not provide the personal information requested by Public Trust, we may be unable to provide the services to you.

You are welcome to ask for, have access to and check the personal information that we hold about you and if you believe that any of it is incorrect, you can ask us to correct it.

Ways to contact us:

Phone: **0800 371 471**

Email: **[privacy@publictrust.co.nz](mailto:privacy@publictrust.co.nz)**

Or, visit a Public Trust customer centre