

CHAPTER 175

THE TRUSTEES LAW

Jamaica  
Cap. 393.  
S. 41, 42.  
Cap. 395.  
S. 23.

[Sections 2, 3 1st January, 1897]

[Section 4, 30th May, 1904]

1. This Law may be cited as the Trustees Law.

Short title.

2. Any trustee, executor or administrator shall be at liberty, without the institution of a suit, to apply to the Court for an opinion, advice or direction on any question respecting the administration or management of the trust money or the assets of any testator or intestate, such application to be served upon, or the hearing thereof to be attended by, all persons interested in such application, or such of them as the Court thinks expedient; and the trustee, executor or administrator acting upon the opinion, advice or direction given by the Court shall be deemed, so far as regards his own responsibility, to have discharged his duty as such trustee, executor or administrator in the subject matter of the said application:

Trustee or executor may apply to the Court for an opinion, advice, etc.

S. 41  
Cap. 393

Provided nevertheless, that this Law shall not extend to indemnify any trustee, executor or administrator in respect of any act done in accordance with such opinion, advice or direction as aforesaid, if such trustee, executor or administrator has been guilty of any fraud or wilful concealment or misrepresentation in obtaining such opinion, advice or direction, and the costs of such application as aforesaid shall be in the discretion of the Court.

3. Where an application is made under section 2, the Judge of the Court may require the petitioner to attend him by counsel either in Chambers or in Court, where he deems it necessary to have the assistance of counsel.

Form of application.

S. 42  
Cap. 393.

4. Where an executor or administrator has given such or the like notices as, in the opinion of the Court in which such executor or administrator is sought to be charged, would have been given by the Grand Court in an administration suit, for creditors and others to send in to the executor or administrator their claims against the estate of the testator or intestate, such executor or administrator shall, at the expiration of the time limited in the said notices or the

Distribution of assets of testator or intestate after notice by executor or administrator.

last of the said notices for sending in such claims, be at liberty to distribute the assets of the testator or intestate, or any part thereof, amongst the parties entitled thereto, having regard to the claims of which such executor or administrator has then notice, and shall not be liable for the assets or any part thereof so distributed to any person of whose claim such executor or administrator has not had notice at the time of the distribution of the said assets or part thereof as the case may be; but nothing herein contained shall prejudice the right of any creditor or claimant to follow the assets or any part thereof into the hands of the person or persons who may have received the same respectively.