

Common Form 61 – ORDER AUTHORISING PURCHASE OF TRUST PROPERTY

(Section 49 Trustee Act)

Judicial Officer(s): The Honourable Justice
His/Her Honour Judge
[Master of the Supreme Court]
Master

Date of application:[DD/MM/YYYY]

Application made by:[Party] [Name]

Date(s) of hearing [if any]:[DD/MM/YYYY]

Date of order:[DD/MM/YYYY]

Appearances:Solicitor/Counsel for the Plaintiff(s)
.....Solicitor/Counsel for the Defendant(s)
.....Solicitor/Counsel for [Other Parties]

Recitals [if any]:

[By consent] **THE COURT ORDERS that:**

1. The Plaintiff (s) be authorised to purchase for *[his/her/their]* own use and benefit portion of the trust property comprised in the intestate estate of *[Name, Address and Late Occupation]* deceased namely the land comprised in Certificate of Title Register Book Volume *[No]* Folio *[No]* for the sum of \$*[Amount]*.
2. The Plaintiff (s) pay that proportion of the purchase price as shall represent the share of the infant children beneficially entitled under the intestacy of the deceased to Public Trustee who shall hold the same and income thereof for the benefit of the infant children subject to the provisions of section 16 of the Public Trustee Act.
3. Upon payment by the Plaintiff (s) of the moneys referred to in paragraph 2 of this order the plaintiff (s) be discharged from compliance with section 65 of the Administration and Probate Act 1919.
4. *[Costs]*.
5. The parties and any person interested may apply for further orders and directions.

[Other text, as appropriate]

[Fit for counsel, if appropriate]

[Reproduction of Court Seal] This order is authenticated by.....
for Registrar

Computer File Reference.....