

VISION

To ensure the trust extended to the Public Trustee by the Donors and/or Settlers of Charitable Trusts / Their Estates (Money and/or Property) with a view to upheld their final wishes and/or purposes within a legal framework for the utmost benefit of beneficiaries and/ or General Public.

MISSION

Administration of Trusts and Estates of deceased persons which are entrusted to this Department so as to provide an excellent service through the resources and skills of the Department with a view to satisfy all the relevant parties subjected to those estates including the beneficiaries.

OFFICE OF PUBLIC TRUSTEE AND LEGAL STATUS.

Office of the Public Trustee of Sri Lanka has been established as a corporate sole under that name, with perpetual succession and an official seal, and may sue and be sued under the above name like any other corporate sole under Ordinance No 01 of 1922 and has been amended by Ordinance No. 11 of 1931, No. 59 of 1938 and Law No.44 of 1973 ,No. 25 of 1975 and Act No. 41 of 1983,No. 61 of 1988.

LEGAL BACKGROUND

Office of Public Trustee of Sri Lanka has been incorporated under Ordinance No 01 of 1922 and has been amended by Ordinance No. 11 of 1931,No. 59 of 1938 and Law No.44 of 1973 , No.25 of 1975 and Act No. 41 of 1983,No. 61 of 1988 and The Public Trustee shall, subject to the provisions of this Ordinance and rules made hereunder, be capable of being appointed and of acting under that name.

Law of Trusts in Sri Lanka is being regulated under the Trust Ordinance, No. 09 of 1917 amended by Ordinance No. 04 of 1918, No. 01 of 1934 and Act No. 07 of 1968,No. 30 of 1971. Where there are no specific provision made under this ordinance or any other written law, shall be determined by the Law of Equity for the time being in force in the High Court of Justice in England.

GENERAL POWERS AND DUTIES OF THE PUBLIC TRUSTEE.

The Public Trustee shall, subject to the provisions of Public Trustee Ordinance, Civil Procedure Code, Judicature Act and other enactments and rules made there under, be capable of being appointed and of acting under following names.

1. As an ordinary trustee
2. As a custodian trustee
3. As a collector of estates under an order to collect
4. As a curator of the estate of a minor, as the next friend or guardian of any minor (When entrusted by the District Court)
5. As a manager of the estate of an insane person (When entrusted by the District Court)
6. As a manager of immovable property upon a contract on terms and conditions as may be mutually agreed upon. (Whereas the Public Trustee appointed as custodian trustee he is obligate to exercise of the powers of management or any other power of discretion vested in such board of Managing Trustees.)
7. As an attorney for persons absent from Sri Lanka for the purpose of receiving and paying money.
8. Under the Civil Procedure Code, the Public Trustee shall deemed to be a suitable person as a manager of an estate.
9. As an administrator of an intestate estate.
10. As a custodian trustee of properties of person who is serving a sentence in prison.
11. The Public Trustee may accept the custody for the purpose of safe keeping a Last will of any person.
12. Public Trustee as a trustee of the compensation given to the acquisition of temple property.

POWERS AND DUTIES VESTED ON PUBLIC TRUSTEE UNDER WRITTEN LAWS AND AMENDMENTS TO THE PUBLIC TRUSTEE ORDINANCE.

Under the provisions of other written laws and amendments made to the public trustee ordinance, following Powers and duties are being vested on Public Trustee.

- Under the Sec. 10 A of the Public Trustee Ordinance as amended by Act No. 61 of 1988, Public Trustee shall act as the body who distributes any compensation received upon their death while in overseas employment among their dependents and/or heirs. Further, any Sri Lankan citizen proceeding for employment outside Sri Lanka may register themselves with the Public Trustee to regulate and efficient distribution of

any compensation which shall be payable in the event of their death while in employment.

- Implementation of Temple Compensation Ordinance No.28 of 1944
- Implementation of Activities vested under Buddhist Temporalities Ordinance No.19 of 1931 which was amended by the Act No. 42 of 1981.
- Under the Associated Newspapers of Ceylon Limited (Special Provisions) Law, No. 28 of 1973, hold the shares of the Associated Newspapers of Ceylon Limited on behalf of the Government of Sri Lanka.

SERVICES OF THE DEPARTMENT OF PUBLIC TRUSTEE.

The Department of Public Trustee serves on public in accordance with objectives of Trusts and Last Wills or decisions and/or directions of Court.

- Awarding scholarships to skilled children who are facing financial difficulties in their studies.
- Providing medical assistance to needy patients for their essential medical treatments.
- Providing financial assistance to maintain and develop the Religious Places according to the objectives of trusts and/or Last wills.
- Providing Charities for needy persons and/or institutions.
- Providing donations to persons who are in need due to various reasons and to such institutions.
- Management of the Trusts and Estate properties.
- Distribution of compensations under the Buddhist Temporalities Ordinance according to the directions of Commissioner General of Buddhist Affairs.
- Directing the functions of the Associated Newspapers of Ceylon Limited as the holder of shares on behalf of the Government of Sri Lanka.
- Distribution of Foreign Compensation to the dependents and Legal heirs.
- As a Government institution remitting a percentage of the income earned to the General Treasury.

Number of Trusts and Estates managed by the Department of Public Trustee.

Number of Trusts and Estates managed by the Department of Public Trustee during the last five years are as follows.

Year	Number of Active Trusts	Number of Active Estates
2012	999	126
2013	1019	130
2014	1034	134
2015	1044	137
2016	1067	140

Amount of money remitted to the General Treasury.

According to the Public Trustee Ordinance the Capital Fees, Investment Fees and other Fees charged from the Trusts and Estates remitted to the General Treasury are as follows.

Year	Contribution (Rs:)
2012	6,543,360.52
2013	6,396,102.51
2014	6,675,487.77
2015	10,188,334.08
2016	14,986,797.37

Progress of the Government Allocations.

Object Code	Description	Total Allocation (Rs.)	Actual Expenditure up to 31.12.2016 (Rs)
1001	Salaries and Wages	14,275,000.00	14,225,930.61
1002	Over Time and Holiday Payments	620,000.00	593,588.90
1003	Other Allowance	15,900,000.00	15,772,435.67
1101	Travelling – Domestic	400,000.00	398,346.00
1102	Travelling – Foreign	-	-
1201	Stationery and office Requisites	969,352.00	968,297.25
1202	Fuel	1,400,000.00	1,102,540.53
1203	Diets and Uniforms	24,000.00	24,000.00
1301	Vehicle Maintenance	1,000,000.00	996,486.92
1302	Plant and Machinery Maintenance	600,000.00	593,587.04
1401	Transport	22,700.00	18,700
1402	Postal and Communication	1,180,000.00	1,151,785.35
1403	Electricity and Water	730,945.00	730,944.66
1404	Rents and Local Taxes	5,400,000.00	5,400,000.00
1405	Others	2,150,000.00	2,149,360.87
1506	Property Loan interest to Public Servant	343,003.00	343,002.28
Total Recurrent Expenditure		45,015,000.00	44,469,006.08
Capital Expenditure			
2001	Building and structures	865,000.00	864,962.00
2002	Plant, Machinery and Equipment	200,000.00	170,836.00
2003	Vehicles	400,000.00	400,000.00
2102	Furniture and Office Equipment	300,000.00	299,241.35
2103	Plant, Machinery and Equipment	500,000.00	499,993.00
2401	Staff Training	80,000.00	76,800.00
Total Capital Expenditure		2,345,000.00	2,311,832.35
Total Expenditure		47,360,000.00	46,780,838.43

Advanced Accounts Activities.

	Maximum Limit of Expenditure	Minimum Limits of Receipts	Maximum Limits of Debit Balance
Prescribed Limit	2,500,000.00	1,300,000.00	10,000,000.00
Actual Limit	2,496,996.00	2,311,428.00	6,498,062.49

Actual Physical and Finance Performance against Annual Action Plan Target

	Activity	Estimate Value		Actual Value	
		No. of Beneficiaries	Value (Rs.)	No. of Beneficiaries	Value (Rs.)
1	Payment for the Scholarships.	994	6,357,116	851	6,357,837
2	Payment for the Medical Donation.	196	6,400,661	165	6,730,351
3	Payment for the Maintenance and Development of Religious places.	388	19,189,427	410	23,191,184
4	Payment for the Religious Affairs.	182	4,074,457	147	4,443,138
5	Payment for the Relief Donation.	89	999,920	104	1,890,551
6	Other Payment in accordance with Trust Objective	191	75,417,706	157	35,469,531
7	Release of compensation for Buddhist Temples.	-	-	56	87,729,288
8	Release of Foreign compensation	-	-	122	249,283,483
9	Trust and Estates Management (No. of Estates/Net Profit)	12	9,784,680	12	6,137,309

CARDER INFORMATION OF THE DEPARTMENT OF PUBLIC TRUSTEE AS AT 31.12.2016

Designations	Approved staff Number	Number That are employing	vacancies	Action taken to fill the vacancies	Progress of the Action
Public Trustee	01	01	-	-	-
Deputy Public Trustee	02	-	02	Scheme of Recruitment had been approved on 11.08.2016	Necessary action had been taken
Chief Accountant	01	01	-	-	-
Accountant	01	01	-	-	-
Chief Internal Auditor	01	01	-	-	-
Administration Officer	01	-	01	Director General of Combined Services had been informed.	Still No Officers an appointed
Translator	01	-	01	Since this post is not very important to this department, no action has been taken to fill the vacancy.	-
Development Officer	07	05	02	Director General of Combined Services had been informed.	Still No Officers are appointed
Development Assistant	07	05	02	Director General of Combined Services had been informed.	Still No Officers are appointed
Public Management Assistant	28	23	05	Director General of Combined Services had been informed.	Still No Officers are appointed
Management Assistant (Non Technical)	04	02	-	Since the Officers to this post had been recruited on personal basis it can't re-recruited to this post.	-
Management Assistant (Non Technical)	* 15	* 15	-	-	-
Drivers	04	02	02	Director General of Combined Services had been informed.	Still No Officer is appointed
Office Assistant	13	11	02	Director General of Combined Services had been informed.	Still No Officers are appointed
Total	<u>86</u>	<u>67</u>	<u>17</u>		

- ❖ Even though those 15 posts which had been given according to the Public Administration Circular No.25/2014 had not been approved on 31.12.2016, all those are approved by the letter dated 05.01.2017 and no. DMS /1155 of Management Services Department.