



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY-GENERAL AND DEPARTMENT OF JUSTICE

DEPARTMENT OF ADMINISTRATOR-GENERAL (PUBLIC TRUSTEE)

CUSTOMER SERVICE DELIVERY CHARTER

Revised August, 2018

**VISION**

To be the trustee of choice through service excellence.

**MISSION**

To provide efficient and professional legal services in administration of estates and trusts.

**ADMINISTRATION OF ESTATES OF DECEASED PERSONS**

NO.	SERVICES OFFERED	REQUIREMENTS FROM CUSTOMERS	CHARGES	TIME LINE
1.	Opening of an estate file	<ul style="list-style-type: none"> <li>▪ Two certified copies of death certificate</li> <li>▪ Report of Death Form (Signed and witnessed)</li> <li>▪ Certified copies of National Identity Cards/Birth Certificates</li> <li>▪ Copies of title documents/Log Books/Share Certificates</li> <li>▪ Details of bank accounts and other investments</li> </ul>	KSh. 2,500.00 administration deposit for estates where no funds have been received by the Public Trustee	2 days
2.	Advertisement for notice of claims	<ul style="list-style-type: none"> <li>▪ Timely submission of list of heirs</li> <li>▪ Consent forms (Signed and witnessed)</li> <li>▪ Co-operation from the heirs</li> </ul>	Varied (Paid from the estate account)	30 days
3.	Preparation of Certificates of Summary Administration of estates whose gross value is KSh. 3,000,000/- and below	<ul style="list-style-type: none"> <li>▪ Requirements in (1) and (2) above</li> <li>▪ Full disclosure of the actual value of the estate</li> <li>▪ Valuation of immovable assets</li> <li>▪ Consent to the Mode of Distribution</li> </ul>	Nil	7 days
4.	Petition for Grants of Letters of Administration	<ul style="list-style-type: none"> <li>▪ Requirements in (1) and (2) above</li> <li>▪ Full disclosure of the actual value of the estate</li> <li>▪ Valuation of immovable assets</li> </ul>	An average of KSh. 1,200/- per estate paid from the estate account	7 days
5.	Application for Confirmation of Grants of Letters of Administration	<ul style="list-style-type: none"> <li>▪ Consent Forms for Confirmation of Grant (signed and witnessed)</li> <li>▪ Consent Forms to the mode of distribution (signed and witnessed)</li> </ul>	KSh. 825/-paid from the estate account	7 days
6.	Preparation of documents for transfer of assets	<ul style="list-style-type: none"> <li>▪ Original Title documents/Share Certificates/Log Books</li> <li>▪ Requirements in (3) or (5) above</li> </ul>	Varied and paid from the estate account	7 days
7.	Distribution of Estates	<ul style="list-style-type: none"> <li>▪ Discharge and Indemnity (signed and witnessed)</li> <li>▪ Requirements in (3) or (5) above</li> </ul>	12% on first KSh. 4,000/- 7% on next KSh. 6,000/- 5% on next KSh. 80,000/- 4% on next KSh. 300,000/- 2% on next KSh. 600,000/- 1% on the balance <b>(Public Trustee fees payable on finalization)</b>	A Distribution Account shall be drawn within 15 days
8.	Handing over of estates to Administrators	<ul style="list-style-type: none"> <li>▪ Indemnity and Discharge (signed and witnessed)</li> <li>▪ Certified copy(ies) of the National Identity Card of the administrator/s</li> <li>▪ Copies of Petition for Letters of Administration documents certified by the court of filing</li> <li>▪ Original Kenya Gazette Notice or copy of Gazette Notice certified by Government Printer</li> <li>▪ Letter from the administrator/s requesting for handing over</li> <li>▪ Certified copy of the Grant of Letters of Administration certified by issuing court</li> <li>▪ Report of Death Form (signed and witnessed)</li> <li>▪ 2 certified copies of Death Certificate</li> <li>▪ List of heirs from the Deputy County Commissioner</li> <li>▪ A copy of the receipt for filing the Petition certified by the issuing court</li> </ul>	<b>There is no fee charged but in cases where the heirs have consented to administration of the estate by the Public Trustee, fees is charged at half the rate indicated at (7) above</b>	A Handing Over Account shall be drawn within 15 days

## ADMINISTRATION OF TRUSTS

NO.	SERVICES OFFERED	REQUIREMENTS FROM CUSTOMERS	CHARGES	TIME LINE
1.	Opening of a Trust file	<ul style="list-style-type: none"> <li>▪ Two certified copies of Birth Certificate</li> <li>▪ Report from a Government Medical Practitioner for Trusts for Persons Living with Mental Disability</li> <li>▪ Trust Funds from institutions</li> <li>▪ Written instructions from a testator</li> <li>▪ Court order</li> <li>▪ Certified copy of parents/guardian Identification Card</li> </ul>	Nil	2 days
2.	Termination of a Trust	<ul style="list-style-type: none"> <li>▪ Certified copy of Identity Card of the beneficiary or;</li> <li>▪ A report from a Government Medical Practitioner confirming cessation of mental disability;</li> <li>▪ Discharge and Indemnity required in all instances (Signed and witnessed) ;</li> <li>▪ Certified copy of death certificate of beneficiary</li> <li>▪ Court order</li> </ul>	<p><b>Acceptance fees charged (only once)</b>            3% on KSh. 20,000/-            2% on KSh. 40,000/-            1.5% on balance</p> <p><b>Income fees (annually)</b>            6% on KSh. 20,000/-            3% on balance</p> <p><b>Investment fees</b>            3% on the original amount</p> <p><b>Distribution fees</b>            3% on original amount</p>	A final account shall be drawn within 10 days

## OTHER SERVICES OFFERED BY THE PUBLIC TRUSTEE

1.	Financial advances for school fees, maintenance, medical expenses etc	<ul style="list-style-type: none"> <li>▪ Written request for advance from the parent/ guardian/ widow/ widower/children</li> <li>▪ Documentary evidence to support request for payment</li> <li>▪ Certificate of Guardianship where a minor has no surviving parent</li> </ul>	Nil	5 days
2.	Custodian Trusteeship	<ul style="list-style-type: none"> <li>▪ Court Order</li> <li>▪ Written will or Trust Deed</li> <li>▪ Title documents</li> <li>▪ Letter of request</li> </ul>	1% on original amount on acceptance of Trust 2% of the gross income	Continuous
3.	Payment of Civil Servant Group Accident claims (CSGA) /accident Compensation/ insurance compensation/Work Injury Benefits under WIBA	<ul style="list-style-type: none"> <li>▪ Report of Death Form (signed and witnessed)</li> <li>▪ Two certified copies of death certificate</li> <li>▪ List of heirs from the Deputy County Commissioner</li> <li>▪ Letter from the employer confirming name and address of next of kin</li> <li>▪ 2 certified copies of ID cards/birth certificates</li> <li>▪ Appearance of all beneficiaries before an authorized officer and presentation of passport size photographs, original death certificate, ID cards and/or birth certificates for verification</li> </ul>	Nil	30 days
4.	Issuance of Estate Duty Certificates	<ul style="list-style-type: none"> <li>▪ Completed, signed and sworn estate duty forms</li> </ul>	KSh. 500.00	1 day

The Office of the Attorney-General and Department of Justice is a corruption free zone. It is an offence to compromise or give a bribe to a public servant for delivery of services.

### COMMITMENT TO COURTESY AND EXCELLENCE IN SERVICE DELIVERY

Any service that does not conform to the above standards or any officer who is not upto to the commitments to courtesy and excellence in service delivery should be reported to:

<p><b>The Solicitor-General/Accounting Officer,</b>            Office of the Attorney-General and Department of Justice,            Sheria House, Harambee Avenue,            P. O. Box: 40112-00200, Nairobi,            Tel. No.: 254 20 2227461/ 254 20 2251355            Cellphone: 254 700 072 929/ 254 732 529995            E-mail: ag@ag.go.ke/ info@ag.go.ke            Website: www.statelaw.go.ke.</p>	<p><b>The Commission Secretary/Chief Executive Officer,</b>            Commission on Administrative Justice,            West End Towers, 2nd floor,            P. O. Box 20414-00200,            Nairobi.            Tel.No.: 254 2 2270000            E-mail: complain@ombudsman.go.ke            Website: www.ombudsman.go.ke</p>
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**“HUDUMA BORA NI HAKI YAKO”**

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