

# Executors' Commission



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It seems to be a widely known anecdote that the executor of an estate can claim commission for their work – though in actual practice, it occurs relatively infrequently. But executors should be aware that they are entitled to claim commission for their “pains and troubles” in administering an estate. Under Queensland law, claiming executors’ commission is actually the rule – not the exception.

Executors’ commission is not precisely calculated through some mathematical formula. There is a wealth of case law as to general rules that may be applied, but there is no agreed formula to be applied, and so each claim for executors’ commission will be based on its facts.

Robbins Watson has successfully claimed executors’ commission for our executor clients. Where possible, we seek the agreement of estate beneficiaries to the award of commission – however if a court application is required, we stand ready to file proceedings and obtain court orders for executors’ commission on behalf of our clients.

By Thomas Ashton  
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