# Private Administrator’s Instructions for preparing annual accounts

## Why do I have to file an account?

The *Guardianship and Administration Act 1990* requires administrators to report to the Public Trustee about the financial affairs of the person they represent by completing the annual accounts. Those accounts detail the income, expenditure, assets and liabilities of the represented person for the period of the accounts. The accounts are the means by which the Public Trustee ensures that the financial affairs of the represented person are in order and that the administrator is carrying out his or her responsibilities in the best interests of the represented person.

## What is the accounting period?

Each account normally covers a one-year period starting from the day you were appointed as administrator. This is called the accounting period. The Public Trustee may allow a different accounting period following receipt of a written request.

## When do I file my accounts?

You have an additional 30 days after the end of the accounting period to complete the forms and file them with the Public Trustee. It is very important that you file on time or request, in writing, an extension of time. **Please retain a copy of the completed account forms for your own records.**

## Can I request an extension of time?

If you cannot meet the deadline, you should contact to the Public Trustee requesting an extension of time. You must explain, in writing, why you are unable to complete the forms on time and estimate the additional time that you will require. If the Public Trustee grants an extension, you will be notified in writing. If you fail to lodge accounts and do not contact the Public Trustee, the State Administrative Tribunal may review the order appointing you and you may be served with a formal summons to attend that review hearing.

## What happens once the Public Trustee receives the accounts?

You will be advised in writing if the accounts are allowed. If there are queries about the accounts, you will be contacted initially by the Private Administrators’ Support Team from the Public Trustee. The Public Trustee may ask you for more information or further documentation. If the Public Trustee is not satisfied with the details provided, an application may be made to the State Administrative Tribunal to review the accounts and/or to review the order appointing you as administrator.

Some accounts lodged by administrators **may be subject to fees payable to the Public Trustee**. The Public Trustee’s fees are prescribed by Parliament and are payable from the represented person’s estate.

# Instructions relating to the Statutory Declaration (Form C)

You are required to submit a statutory declaration with your accounts. Without the statutory declaration the accounts have no effect and will be returned. **When you sign the statutory declaration, you are declaring that the information in the accounts is true and correct**.
If there is more than one administrator, all administrators must sign the statutory declaration and have their signatures witnessed.

Your signature must be witnessed by a qualified witness, which also should indicate the title or qualification of the witness. If you are having problems locating an appropriate person to witness the document, please contact the Private Administrators’ Support Team.

# Instructions relating to the Statement of Accounts (Form B – Abstracts 1, 2, 3 and 4)

## Signature

* You must sign at the bottom of each page of the accounts.
* Once the form is completed, please sign and scan it.
* Please send the scanned forms B and C, abstracts 1 to 4 to the email address provided to you on the top left hand corner of any letter you would have received from the Private Administrator Support team.
* If you do not have an email address, please mail to the GPO box address provided in the letter from the Private Administrator Support team.

## Functions covered by the administration order

If you are a **limited** administrator, you are only required to report on the functions specified in the order. For example, if you were appointed administrator and your functions are limited to managing funds that the represented person is entitled to receive as an inheritance, the accounts would only report on those funds. In this case, you would not be required to report in relation to any pension or other income the person receives.

If you are a **plenary** administrator, you must report on **all** assets, income, expenditure and liabilities of the represented person during the period.

## Grouping income and expenditure

You may group together the same kind of items of income or expenditure but you must be in a position to itemise the amounts and provide supporting documentation if the Public Trustee asks for it. For example, you may report expenditure for “clothing” “$350” but you should be able to produce receipts for any items over $400 and to itemise what items have been purchased and when they were purchased. It will assist the Public Trustee if you provide copies schedules/cashbook sheets of those amounts.

**You must lodge the following documents with the accounts**

(Unless you are otherwise directed please **only provide A4 size single sided photocopies** of these documents. If **originals are required** the Public Trustee will request them).

* copies of all bank statements, term deposit certificates (including renewal statements), copies of all bank passbook entries covering the entire accounting period and which clearly shows the opening and closing balances for the period.
* where real property forms part of the estate, copies of all rates and taxes and confirmation of insurance of the property. If the property is rented, a copy of the rental agreement.
* where the represented person has an interest in a trust or business or is a member of a self-managed or retail or industry superannuation fund, a copy of the financial statements issued by the entity during the accounting period.
* where a motor vehicle is owned or sold, copies of the annual registration papers and confirmation of current motor vehicle insurance and copies of vehicle transfer papers.
* where property is subject to a mortgage, copies of all statements for the mortgage account.
* where a property is sold or purchased, a copy of the sale/purchase contract and settlement statement.
* where a tax return has been lodged during the relevant period, a copy of the ATO tax assessment (Notice of Assessment).
* where the represented person resides in a care facility/supported home/hostel, copies of three invoices selected at random during the relevant period that were issued by the provider, a statement confirming the balance of the accommodation bond or Refundable Accommodation Deposit (RAD), Daily Accommodation Deposit (DAC) paid and /or balance owing.
* where the represented person has a credit card in his or her name, copies of all statements during the relevant period.
* where the represented person owns shares, a copy of a dividend advice slip or other confirmation of the shareholding as at the last day of the accounting period. A copy of a shareholding statement issued by a broker or share registry.
* copies of all supporting documentation for all individual items and payments over $400. Do not provide individual receipts issued by a retailer for grocery items or personal purchases relating to the personal maintenance of the person unless requested to do so.
* The Public Trustee may otherwise request in writing any receipts or documentation.
* Copy of formal loan documents or other evidence of loan arrangement.

# Abstract 1—Income and other receipts

All income and other amounts received by the represented person during the accounting period must be entered on this page. The examination of the accounts by the Public Trustee will be simplified if the income or other receipts are easily identifiable as deposits in the bank statements of the represented person. These will include such things as:

* Commonwealth pensions and allowances, salary/wages, superannuation payments, workers compensation payments or income protection
* interest on bank accounts and term deposits
* dividends paid on shareholdings, cash distributions from trusts, partnership or other entity
* amounts paid to the person as a result of legal claims (eg compensation payments or inheritance entitlements)
* rent received from the rental of the represented person’s property
* the proceeds of the sale of any assets
* amounts received in payment of a loan made by the represented person to another person
* refunds received (medical/tax/retail).

# Abstract 2—Expenditure

All funds paid by you on behalf of the represented person during the accounting period must be entered on this page. The examination of the accounts by the Public Trustee will be simplified if the items of expenditure are easily identifiable against withdrawals shown on the bank statements. Expenditure will include payments for such things as:

* aged accommodation, support home accommodation, hostel fees or transitional care or home care fees
* rent, council and land tax, property maintenance/repairs/improvements
* income tax, accountancy/professional bookkeeping fees, legal costs
* medical insurance, medical expenses, prepaid funeral expenses
* purchase of assets
* repayments of moneys borrowed by the represented person from another person or institution (such as mortgage repayments)
* life, property (house and contents) or vehicle insurance, vehicle registration/transfer
* utility or telephone bills.

# Abstract 3—Assets

You must enter **all** assets owned by the represented person or where the person has an interest as at the last date of the accounting period. Assets include real property (land/house) owned by the represented person. If the property is held as joint tenants or tenants-in-common, this should be specified on Abstract 3 and the name of the co-owner shown. Other assets might include:

* monies held in bank accounts or term deposits (including overseas)
* monies owed to the represented person by another person
* refundable accommodation deposit or accommodation bond
* shares/investment portfolios
* superannuation or annuity funds
* pending workers compensation claim, personal injuries compensation claim, total and permanent disability claim, criminal injuries compensation claim
* interest in a business, trust, partnership, joint venture, deceased estate, Family Provision Act claim, life interest/right to reside
* motor vehicles or boats
* household items, jewellery, items of art and or collectable items of value.

# Abstract 4—Liabilities

You must enter here any debts or other monies owed by the represented person as at the last date of the accounting period. Liabilities might include:

* a mortgage
* outstanding balance of a credit card account or personal loans
* amounts owing under a court judgment or outstanding legal fees.