NSW Trustee & Guardian
Justice & Attorney General

PRIVATE MANAGER ACCOUNTS

NSW Trustee and Guardian Act 2009

Version 6

About this form.

- This form is designed to assist the appointed financial manager to complete the reporting of the annual accounts of the managed person's estate.
- The form enables the Manager to report financial information about the managed person's estate and inform NSW Trustee and Guardian on how the Manager proposes to manage the managed person's finances in the future.

What do I have to do?

- All Manager/s must complete Questions 1 to Question 9;
  - **In addition, for Full Accounts please complete *ATTACHMENT A & B* [refer Question 7 (i) & 7 (ii)]**.
- All Manager/s need to provide copies of all bank account passbooks/statements showing transactions covering the whole of the accounting period for each of the managed person's bank/building society etc accounts.
- If you need extra space to give any details requested, please attach separate sheets and number your answers with reference to the question number.
- Please use a **black pen** to complete this form and write in BLOCK letters.
- Where there are 'yes' or 'no' questions, please tick the appropriate box ☑
- If you have any questions about the form or about the Financial Management Order, you may contact NSW Trustee and Guardian on (02) 8688 2600 or visit out website at www.tag.nsw.gov.au
- Further general information for Manager/s is provided on Page 6 of this form.

1.

What is the Client Reference Number?	Date of Financial Management Order (FMO)?

2. **What is the accounting period?**

From: **To:**

3 **Who is the person you are making financial decisions for?**

Family name (surname)	Given names	Date of birth
		/ /

Current residential address of managed person (PO Boxes are not accepted)	
	Postcode

Is this the managed person's:
own home ☐ rented accommodation ☐ or supported accommodation (eg nursing home)? ☐

4 **Details of Manager**

i	Family name (surname)	Given names
	Current residential address	
		Postcode
	Postal address (if different from residential)	
		Postcode
	Home Telephone number	Work Telephone number
	Mobile Telephone number	Email Address
	Relationship to managed person	

Is there more than one Manager?
No ☐▶ Go to **question 5** on the next page
Yes ☐▶ Please list the details of the other Managers in **(ii) & (iii)** on the next page

4. Details of Manager continued

ii	Family name (surname)	Given names
	Current residential address	
	Home Telephone number	Work Telephone number
	Mobile Telephone number	Email Address
	Relationship to managed person	

iii	Family name (surname)	Given names
	Current residential address	
	Home Telephone number	Work Telephone number
	Mobile Telephone number	Email Address
	Relationship to managed person	

This series of questions is about the managed person's financial position during the accounting period.

5. Assets

Funds at Banks, Credit Unions & Building Societies (including Term Deposits)

Provide photocopies of all bank account passbooks/statements showing transactions covering the whole of the accounting period for each of the managed person's bank/building society etc accounts.

	Institution	*BSB and Account Number*	*Account Type*	*Balance at (Start Date)*	*Balance at (End Date)*
	Example: Westpac	*123456789*	*Savings*	*$12,345.00*	*$23,456.00*
i				$	$
				$	$
				$	$
				$	$
				$	$
				$	$
			Total	$	$

Funds held with NSW Trustee and Guardian (if held)

	Fund Name	*Account No.*	*Value at (Start Date)*	*Value at (End Date)*
	Example: John Smith	*123456*	*$12,345.00*	*$23,456.00*
ii			$	$
			$	$
			$	$
			$	$
		Total	$	$

Investments (shares, managed funds, superannuation, life policies etc) (if applicable)

Provide photocopies of Investment/Shares statements covering the whole of the accounting period.

**** Consult accountant if in doubt especially for Superannuation and Annuity income.***

	Institution	*Investment Type*	*No. of Shares/ Units*	*Value at (Start Date)*	*Value at (End Date)*	** Income (taxable) derived from Investment*
	Example: BHP Billiton Pty Ltd	*Shares*	*1145*	*$12,345.00*	*$23,456.00*	*$11,111.00*
iii				$	$	$
				$	$	$
				$	$	$
				$	$	$
				$	$	$
				$	$	$
				Total	$	$

5. Assets continued

Real Estate (if applicable)

Provide copies of Insurance, Rates & other Real Estate related expenditure/s.

Does the managed person own real estate? No ☐▶ Go to **(v)**
Yes ☐▶ Please list details in **(iv)**

	Address of Property	Rent (R) Vacant (V)	Insurance	Occupancy	Estimated Value
iv		R ☐ V ☐			$
		R ☐ V ☐			$
				Total	$

Accommodation Bond or similar (if applicable)

	Paid to	Balance
v		$
	Total	$

Debts due to Managed Person (if applicable)

Provide copies of Loan Statements/Agreement etc.

	Debtor	Reason	Term	Amount Outstanding
vi				$
				$
			Total	$

Other Assets (cars, furniture, jewellery etc) (if applicable)

	Item	Insurance held	Estimated Value
vii			$
			$
			$
		Total	$

6. Liabilities

Mortgages & Loans (if applicable)

Provide copies of Loan Statements/Agreement etc.

	Lender	Type of Loan	Term	Amount Outstanding
i				$
				$
			Total	$

Other Debts (if applicable)

Provide copies of Loan Statements/Agreement etc.

	Description	Payable to	Amount Outstanding
ii			$
			$
		Total	$

7. Income and Expenditure

(List all funds received/paid by the managed person during the accounting period)

Income received for the accounting period

*Summary taken from **7(i) Statement of Receipts ATTACHMENT A***

Provide copies of Centrelink Statements and all other Income payment details.

		Previous year	Current year
i	Annuity	$	$
	Centrelink/DVA Pension	$	$
	Dividends ie Shares	$	$
	Interest	$	$
	Managed Funds ie Distributions	$	$
	Other Income	$	$
	Other Pension (eg overseas pension)	$	$
	Rent	$	$
	Superannuation	$	$
	Total	$	$

7. Income and Expenditure continued

Expenditure for the accounting period

Summary taken from ***7(ii) Statement of Payments ATTACHMENT B***

Provide copies of Nursing Home Statements and all other payment details.

		Previous year	Current year
ii	Accommodation	$	$
	Income Tax	$	$
	Insurance (Property)	$	$
	Mortgage	$	$
	Other Payments	$	$
	Personal Expenses	$	$
	Rates/Property Taxes	$	$
	Repair/Maintenance	$	$
	Total	**$**	**$**

Capital Movement

		Previous Year	Current Year
iv	IN – Capital receipts	**$**	**$**
	OUT – Capital payments	**$**	**$**

8. Manager's Report to the NSW Trustee and Guardian

Income Tax	Have you lodged an income tax return on the managed person's behalf?	Yes ☐ ▶ if yes, please provide a copy No ☐ ▶ if no, please provide comment
	Have you maintained Capital Gains Tax records? *(information can be obtained from the ATO on 13 28 65)*	Yes ☐ No ☐ ▶ if no, please provide comment
Insurance	Have you taken out insurance over the managed person's property, house, unit, jewellery, contents, motor vehicle &/or any other significant items?	Yes ☐ No ☐ ▶ if no, please provide comment
Real Estate	*If the property is let.* Have you reviewed the rent in the last 12 months? Have you taken out all insurances required as a landlord?	Yes ☐ No ☐ ▶ if no, please provide comment Yes ☐ No ☐ ▶ if no, please provide comment
	If the property is vacant. Have you advised the insurance company, and is cover still current?	Yes ☐ No ☐ ▶ if no, please provide comment
	Land Tax Have you established if the managed person is liable to pay land tax? *(Enquiries can be made at the Office of State Revenue on Tel 1800 061 163)*	Yes ☐ No ☐ ▶ if no, please provide comment
Employment of Carers	Is anyone employed to care for the managed person? Are the carers employed through an Agency? Have you obtained professional advice to ensure that all employer obligations are being met and the the managed person's interests are protected and any conflict of issues has been addressed? For further details refer to the Private Manager's Handbook.	Yes ☐ ▶ if yes, please answer the following No ☐ Yes ☐ No ☐ ▶ if no, please answer the following Yes ☐ No ☐ ▶ if no, please provide comment
Pensions	Is the managed person receiving the correct Pension entitlements and has all necessary information been disclosed to Centrelink, DVA etc to ensure this is so? *(If you require assistance Centrelink can be contacted on 13 23 00 or DVA on (02) 9213 7777)*	Yes ☐ No ☐ ▶ if no, please provide comment
Income and Expenses	Have all entitlements and rebates been claimed? *e.g. Medicare, Councils Rates etc.*	Yes ☐ No ☐ ▶ if no, please provide comment

8. *Manager's Report to the NSW Trustee and Guardian continued*

Investments	Have you reviewed the performance of the managed person's investments and are you satisfied that the current investments disclosed in the accounts meet the requirements of Section 14C of the *Trustee Act 1925*?	Yes ☐ No ☐ ▶ if no, please provide comment
	Have any changes to investments during the accounting period been made having regard to the requirements of Section 14C of the *Trustee Act 1925*?	Yes ☐ No ☐ ▶ if no, please provide comment
Changes in Circumstances	Do you anticipate any significant changes in income or payments for the coming year?	Yes ☐ ▶ if yes, please provide comment No ☐
Care	Are you satisfied that everything possible is being done for the comfort and welfare of the managed person?	Yes ☐ No ☐ ▶ if no, please provide comment
Other	Are there any other matters concerning the managed person which you feel should be brought to the attention of the NSW Trustee and Guardian?	Yes ☐ ▶ if yes, please provide comment No ☐

9. Declaration and signature of Manager/s

Statutory Declaration
NSW Oaths Act 1900

Verification of Accounts

I/we _____

of _____

do solemnly and sincerely declare and affirm that;

1. I/we are the manager of the estate of _____
2. The information in the accounts for the period from _____to_____ is correct and complete to the best of my knowledge and belief
3. The information provided in these accounts lists all income received and expenditure paid out during the accounting period together with all assets and liabilities as at the end of the account period.

And I make this solemn declaration, as to the matter (or matters) aforesaid, according to the law in this behalf made – and subject to the punishment by law provided for any wilfully false statement in any such declaration.

Declared at: _____ on _____
[place] *[date]*

_____
[signature of declarant]

in the presence of an authorised witness, who states:

I, _____ a _____
[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it: *[* please cross out any text that does not apply]*

1. *I saw the face of the person *OR* *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. *I have known the person for at least 12 months *OR* *I have confirmed the person's identity using an identification document and the document I relied on was_____
[*describe identification document relied on]*

_____
Signature of authorised witness] [date]

10. How to lodge this form

Send the completed form to:
NSW Trustee and Guardian
Private Management Branch
Locked Bag 5115
PARRAMATTA NSW 2124

What can I spend money on?
The *Directions and Authorities* document gives you the power to spend defined amounts of money for the managed person on:

- living costs such as food, clothing, housing and medicine
- costs connected with the managed person's property such as rates, taxes, repairs, maintenance and insurance
- items which will enhance the managed person's lifestyle for example, holidays
- fees for professional services such as accountants and solicitors.

What is a conflict of interest?
A conflict of interest occurs when a Manager wants to act in a way that is to their benefit, but not necessarily to the benefit of the managed person – for example, wanting to invest some of the managed person's money in a business which the manager owns. Such conflicts make impartial decision making extremely difficult.
If you believe that a conflict of interest may arise, discuss the situation as soon as possible with your Liaison Officer.
For further details refer to the Private Manager's Handbook

What happens to my power of attorney now that I'm a Manager?
Your power of attorney is suspended for as long as the financial management order appointing you as Manager is in force.

What needs to be included in the Annual Accounts?
The format you need to follow depends on the complexity of the estate you manage. Regardless of the format, you must sign a statutory declaration saying that the accounts as presented by you are correct.
Accounting forms and guidelines on how to complete the forms are available from the NSW Trustee and Guardian. You can also view and download the forms and guidelines at www.tag.nsw.gov.au or by contacting the NSW Trustee and Guardian on (02) 8688 2600.

What happens when the managed person dies?
Your role as a Manager ends. When this happens, you must send the NSW Trustee and Guardian a certified copy of the death certificate and the final accounts.

Why does the NSW Trustee and Guardian require security?
The NSW Trustee and Guardian may ask Managers to lodge various forms of security, such as the title deeds to property owned by the managed person, in order to protect the managed person's assets. The level of security required is decided on an individual basis.
For further details refer to the Private Manager's Handbook

Why does the NSW Trustee and Guardian charge fees?
The NSW Trustee and Guardian has a legal right under the NSW Trustee and Guardian Act 2009 and the NSW Trustee and Guardian Regulation 2008 to charge fees. It does so to meet a portion of the costs incurred in overseeing the management of the managed person's estate. For further details refer to the Fees – Private Management.

What proposals do I need to send?
As a Manager, you have set powers under the *Directions and Authorities*. Before spending money on something not authorised in the document or acting in a way not authorised, you must send the NSW Trustee and Guardian a proposal and recommendation about your plans. The NSW Trustee and Guardian then consider's your proposal and may authorise it.

The NSW Trustee and Guardian has guidelines on how to prepare proposals for specific additional powers as a Manager.

Can I invest money through the NSW Trustee and Guardian?
Yes. NSW Trustee and Guardian's in house financial planners can work with the Manager to prepare a financial plan suited to the individual needs of the managed person. For more information go to our financial planning and investment page for managers.

What do I need to know about Accommodation Bonds and Fees for aged care facilities?
Accommodation bonds and accommodation fees for aged care facilities are a complicated and often confusing financial area. For further information please contact Centrelink on 13 23 00 or visit their website at www.centrelink.gov.au and/or Department of Health and Aging on (02) 6289 1555 or visit their website at www.health.gov.au

What happens if I can't lodge the accounts on the due date?
Manager/s will need to contact the NSW Trustee and Guardian and give reason/s as to why the accounts will be late. Upon receiving this advice, NSW Trustee and Guardian may extend the lodgement date.

Can I change the Accounting Period?
Yes. Where the NSW Trustee and Guardian agrees there is sufficient reason to alter the period such as where a managed person has investments and at times Trustees can only provide statements at the end of a calendar etc.

7 (i) STATEMENT OF RECEIPTS — ATTACHMENT A

Estate of _____

Bank _____ **Account No.** _____ **From** _____ **To** _____

Entries should mirror the entries in the Bank (or other) Account Statements

Date	Annuity		Centrelink/ DVA Pension		Dividends		Interest		Managed Funds		Other Income		Other Pension (eg overseas pension)		Rent		Superannuation		• Name of Company paying dividends/interest • Property Address for Rent (if applicable) • Details of Other only
	$	c	$	c	$	c	$	c	$	c	$	c	$	c	$	c	$	c	
TOT																			

7 (ii) STATEMENT OF PAYMENTS

ATTACHMENT B

Estate of _____

Bank _____ **Account No.** _____ **From** _____ **To** _____

Entries should mirror the entries in the Bank (or other) Account Statements

Date	Accommodation		Income Tax		Insurance (Property)		Mortgage		Other Payments		Personal Expenses		Rates/Property Taxes		Repairs/ Maintenance		• Name of Company paying dividends/interest • Property Address for Rent (if applicable) • Details of Other only
	$	c	$	c	$	c	$	c	$	c	$	c	$	c	$	c	
TOT																	