

FAQs – Transfer of Financial Administration

The Attorney-General and Minister for Justice and Minister for Health has approved the transfer of financial administration of Represented Adults' estates from the Office of the Public Guardian to the Public Trustee.

The Office of the Public Guardian and the Public Trustee are working closely to ensure this function transitions seamlessly and to support Represented Adults' and their supporters through this change.

What does this mean?

- From 1 March 2019, the Northern Territory Civil and Administrative Tribunal (NTCAT) will appoint the Public Trustee as financial administrator for Represented Adults who do not have a family member or other private person to undertake this role.
- All financial administration orders currently appointing the Public Guardian are to be gradually transferred to the Public Trustee over the coming months. This process will be undertaken in stages to allow for an orderly transition.

Why is this transfer occurring?

- This change centralises the function with the Public Trustee and avoids duplication within the Northern Territory Government.
- The Public Trustee provides professional estate administration and trustee services to the Northern Territory community.
- The Public Trustee has a financial management and investment framework in place that is closely monitored and regularly audited.
- Management of Represented Adults' finances by the Public Trustee ensures a separation of decision-making authority between financial and personal matters when the Public Guardian is appointed.
- This transfer will bring the Northern Territory in line with other jurisdictions across Australia.

Will the transfer apply to all financial administration guardianship orders in the Northern Territory?

No. This will only apply to financial administration orders appointing the Public Guardian. NTCAT will continue to appoint Private Guardians as financial administrators.

Will the Public Trustee charge administration fees to manage funds?

The Public Trustee may charge fees/commission dependant on the circumstances of the Represented Adult. For further information contact the Public Trustee on 1800 517 223.

Adjustments to the Public Trustee's fees structure have also been made in relation to existing and new Public Trustee clients, so that any client in receipt of Federal Government (Centrelink based) issued pensions are not charged commission on those amounts.

Will this mean changes to the Guardianship Order?

Yes. The NTCAT will make a new Guardianship Orders appointing the Public Trustee. The Office of the Public Guardian will advise Represented Adults when this occurs and provide a copy of the new Guardianship Order.

Will there be changes to the way Represented Adults' finances are managed?

In most cases, there will not be major practical differences.

The Public Trustee staff will work with each individual client and their supporters to develop a financial management strategy that is best suited to meeting the client's needs and circumstances.

What will the Public Guardian do now?

The Public Guardian will still be responsible for health and personal matters when appointed by NTCAT.