

form 13

GUARDIANSHIP AND ADMINISTRATION BOARD

gifts and settlements

Name of person for whom you have been appointed as Administrator:

Please provide

as much information as you can for each of the questions in this application form. Providing insufficient information may delay the processing of this application. If you need more space to answer questions in this application, attach as many extra pages as you need. You may also attach copies of any relevant reports or documents.

If you need further information, please phone:
Tasmania
1300 799 625
Outside Tasmania
6165 7500
email: **guardianship@justice.tas.gov.au**
or visit our website at **www.guardianship.tas.gov.au**

Office Use
CMS:
EG:
EPA:

What is a gift or settlement?

An administrator may only use funds in the represented person's estate for the benefit of that person. In circumstances where it may be appropriate for another person/entity to benefit from the represented person's estate, the administrator is required to make an application to authorise the gift or settlement upon that person.

Only an administrator may make an application for a gift or settlement. Other persons seeking gifts or settlements from the represented person's estate must refer their enquiries to the administrator.

For further information, see *Information for Private Administrators: A Handbook for Private Administrators* available on the Boards website.



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1. Whose estate do you administer?

Title _____ Surname _____

Given Names _____

(this form refers to this person as "the person" in all questions)

Date of order made by the Board: _____

2. Who is the administrator making this application?

Organisation _____

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Please note: to be completed by the person's administrator

3. Who will benefit or be maintained by this gift or settlement?

Given Name _____

Relationship to person _____

Given Name _____

Relationship to person _____

Given Name _____

Relationship to person _____

4. What are the person's wishes?

4.1 Have you told the person that you are making this application?

Yes Date _____

No Why not? _____

4.2 What views has the person expressed about this application?

5. Is this the first application for a gift or settlement from this estate?

Yes

No please provide details of previous applications:



6. Do you anticipate future applications for a gift or settlement from this estate?

No

Yes - please provide details

7. What is the purpose of the settlement or gift?

(i.e. how will the gift benefit or maintain the proposed beneficiary?):

8. What evidence exists to suggest that the represented person supports or would have supported the purpose outlined above?

9. Are there any alternative means to effect the purpose of the gift or settlement other than from this estate?

(e.g. could the proposed beneficiary support a personal loan, or enter into a loan agreement with the administrator of the estate?)

10. What financial affect will the gift or settlement have upon the person's estate?

(Please calculate any interest lost or any reduction in pension benefits)



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11. Evidence to support the application

11.1 Who is the person's primary carer?

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Relationship to the person _____

11.2 Are there other persons who are concerned for the welfare of the person? (Please name all relevant persons, including persons who do not agree with you or with this application). If you need more space, please attach an additional sheet of paper.

Person 1

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Relationship to the person _____

Person 2

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Relationship to the person _____

Person 3

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Relationship to the person _____

Person 4

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Relationship to the person _____

Person 5

Title _____ Surname _____

Given Names _____

Address _____

_____ Postcode _____

Telephone _____

Email/Fax _____

Relationship to the person _____



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12. Financial details for the person

Source of income (eg salary, Centrelink, DVA, superannuation, etc)

Estimated fortnightly income

Estimated savings or investments (including superannuation, please provide names of financial institutions where known)

Institution	Amount
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

Real estate: (please provide addresses)

Other assets: (real estate, vehicles, shares or interest in a business etc)

Estimated fortnightly expenses: (rent, board, Aged Care fees, utilities, etc)

Estimated liabilities: (credit card debt, mortgage, outstanding accounts, maintenance of dependents etc)

13. Arrangements for the hearing:

It is very important that the person attends the hearing wherever possible

13.1 Is there any reason why the person cannot attend the hearing?

13.2 Are there any dates in the next 6 weeks where you are unable to attend a hearing?

13.3 Does any person who may attend the hearing require an interpreter or other assistance with communication?

- No
- Yes – please complete this section

Name _____

Type of assistance required

- Interpreter language/dialect
- Other – please specify _____

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▼ All applicants must sign the declaration

14. Compulsory declaration by applicant

I declare that, to the best of my knowledge, all information provided in this application is true and accurate, that it is not misleading and that no details relevant to the application have been omitted.

I consent to the release of the contents of this application to any person named in this document and any person the Board deems to be relevant to the application. If you do not consent to release of documents, please explain why not.

Signed _____

Dated _____

Information about lodging the application

Before you lodge this form, make sure you have

Signed and dated the declaration in Question 14.

How to lodge the application:

You can lodge the completed application form and attachments by:

- Delivering it in person to the:
Guardianship and Administration Board,
Level 1, 54 Victoria Street,
HOBART

OR

- Mailing it to the:
Guardianship and Administration Board
GPO Box 1307,
HOBART, TAS 7001

OR

- Emailing it to:
guardianship@justice.tas.gov.au

What happens next?

When the application is received the Board's staff:

- will write to you acknowledging receipt of the application;
- may contact you by telephone or mail to obtain more information (if necessary);
- may release the application and documents provided to persons relevant to this application;
- will conduct an investigation to obtain further information which may assist the Board in making a decision; and
- will schedule a hearing for the application and will write to you and all other interested parties letting you and them know when and where the hearing will take place.

Thank you for your time in completing this application. Your assistance is greatly appreciated.