

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

TESTAMENTARY GUARDIANSHIP (AMENDMENT) ORDINANCE 1987

No 15, 1987

The purpose of this Ordinance is to amend the Testamentary Guardianship Ordinance 1984 (the 'Principal Ordinance') to specify the powers and obligations of a testamentary guardian with respect to the property of his or her ward.

The amendment derives from work undertaken on Imperial laws in force in the ACT. Relevant Imperial legislation remains in force pending separate legislation relating to guardians other than testamentary guardians.

Details of the Ordinance are as follows:

Section 1 provides that the Ordinance may be cited as the Testamentary Guardianship (Amendment) Ordinance 1987.

Section 2 defines the Principal Ordinance to be the Testamentary Guardianship Ordinance 1984.

Section 3 amends section 7 of the Principal Ordinance to provide that a testamentary guardian may take into his or her custody and manage property of the ward during the period of guardianship and may bring proceedings in relation to the property.

The section also amends section 7 to provide that the guardian holds any such property as trustee for the ward and is responsible for accounting to the ward when the ward attains the age of 18 years.

Authorised by the
Attorney-General

Ord. 82/86