

Public Trustee and Guardian (Disposal of Unclaimed Deceased Person) Guidelines 2021

Disallowable instrument DI2021–282

made under the

***Public Trustee and Guardian Act 1985*, s 13A (Appointment as person responsible for disposal of unclaimed deceased person)**

EXPLANATORY STATEMENT

Section 13A of the *Public Trustee and Guardian Act 1985* (the Act) provides that the Minister may make guidelines for the disposal of the body of an unclaimed deceased bodies in the ACT.

Section 13A (2) of the Act provides that the Public Trustee and Guardian's powers in relation to the disposal of the body of an unclaimed deceased person may include making arrangements for the disposal of the body, investigating whether there is a solvent estate and upon election administering the estate as necessary.

This instrument provides guidelines for the execution of these powers. Specifically, the guidelines make provision for the:

- role of the Public Trustee and Guardian following reasonable efforts made by ACT Policing to locate a next of kin (where applicable);
- relevant time periods for the notification of an unclaimed deceased person to the Public Trustee and Guardian by Canberra Health Services, ACT Policing, Forensic Medicine Centre and other relevant government organisations;
- arrangements for disposal of the body of the unclaimed deceased person;
- costs of arrangements and limitation on expenses payable by the Public Trustee and Guardian for the disposal of the body of an unclaimed deceased person;
- power of the Public Trustee and Guardian to investigate and administer the estate of the unclaimed deceased person.