



# AUSTRALIAN CAPITAL TERRITORY

Regulations 1991 No. 36

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## Guardianship and Management of Property Regulations

The Australian Capital Territory Executive, in accordance with section 5 of the *Subordinate Laws Act 1989*, hereby makes the following Regulations under the *Guardianship and Management of Property Act 1991*.

Dated 30 December 1991.

TERRY CONNOLLY  
Attorney-General

ROSEMARY FOLLETT  
Minister

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**Citation**

1. These Regulations may be cited as the Guardianship and Management of Property Regulations.

**Interpretation**

2. In these Regulations—

“Act” means the *Guardianship and Management of Property Act 1991*.

**Corresponding laws of foreign countries**

3. For the purposes of the definition of “corresponding law” in subsection 12 (4) of the Act, the following countries are prescribed:

Antigua and Barbuda	Liechtenstein
Argentina	Luxembourg
Austria	Malawi
Bahamas	Malta
Belgium	Mauritius
Botswana	Netherlands
Brunei Darussalam	New Zealand
Canada	Norway
Cyprus	Portugal
Federal Republic of Germany	Seychelles
Fiji	Spain
Finland	Surinam
France	Swaziland
Greece	Switzerland
Hungary	Tonga
Ireland	Turkey
Israel	United Kingdom
Italy	United States
Japan	Yugoslavia.
Lesotho	

**Applications to Tribunal**

4. An application to the Tribunal shall be in writing and shall be lodged with the President.

## **Fees**

**5.** Subject to regulation 7, an application made to the Tribunal by a person, other than the Community Advocate or the Public Trustee, shall be accompanied by a fee of \$20.

## **Manager's accounts**

**6. (1)** For the purposes of subsection 26 (1) of the Act, the following documents are prescribed:

- (a) a statement of the income of the represented person on the relevant day, including income from the following:
  - (i) pensions;
  - (ii) employment;
  - (iii) superannuation;
  - (iv) investments;
  - (v) rent;
- (b) a statement of the estimated value of the assets of the represented person on the relevant day, including—
  - (i) amounts standing to the credit of an account with a bank or other financial institution;
  - (ii) real property;
  - (iii) personal property; and
  - (iv) investments;
- (c) a statement of the liabilities of the represented person on the relevant day, including details of the creditors, the types of liabilities and the value of the liabilities.

**(2)** For the purposes of subsection 26 (1), documents are filed in accordance with these Regulations if they are filed within 28 days after the relevant day.

**(3)** In this regulation—

“relevant day”, in relation to a manager, means—

- (a) the day of the appointment of the manager;
- (b) where the manager has acted as manager for a continuous period exceeding 1 year—each anniversary of the appointment of the manager; and

- (c) where the Tribunal directs the manager to file prescribed documents before a specified day—that day.

**Waiver of fees**

7. A fee that would, but for this regulation, be payable by a person under subsection 27 (4) of the Act or under these Regulations, is not payable if the Tribunal is satisfied that—

- (a) in relation to an application to the Tribunal—
  - (i) the person is a legally assisted person within the meaning of the *Legal Aid Act 1977*; or
  - (ii) legal aid has been granted to the person from a legal aid scheme or service approved by the Attorney-General; or
- (b) in any case—payment of the fee would impose hardship on the person.

**Seal of the Tribunal**

8. The seal of the Tribunal shall be of a design approved by the President and shall include the name of the Tribunal.

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**NOTE**

1. Notified in the ACT Gazette on 8 January 1992.