



Australian Capital Territory

Guardianship and Management of Property Regulation 1991

SL1991-36

made under the

Guardianship and Management of Property Act 1991

Republication No 5

Effective: 10 September 2024

Republication date: 10 September 2024

Last amendment made by [SL2024-24](#)

About this republication

The republished law

This is a republication of the *Guardianship and Management of Property Regulation 1991*, made under the *Guardianship and Management of Property Act 1991* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 10 September 2024. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 10 September 2024.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



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made under the

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Guardianship and Management of Property
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1 Name of regulation

This regulation is the *Guardianship and Management of Property Regulation 1991*.

3 Corresponding laws of foreign countries

For the [Act](#), section 12 (4), definition of *corresponding law*, the following countries are prescribed:

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

New Zealand
Norway

Yugoslavia.

6 Manager's accounts

- (1) For the [Act](#), section 26 (1), 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;
 - (vi) a deceased estate of which the person is a beneficiary;
 - (vii) a trust of which the person is a beneficiary;
 - (b) a statement of the expenditure of the represented person, including—
 - (i) a bank or other financial institution statement for each account at any authorised deposit-taking institution held in the represented person's name for the 1-year period ending on the relevant day; and
 - (ii) if the manager has acted as manager for a continuous period of longer than 1 year—the following for the 1-year period ending on the relevant day:
 - (A) a budget or summary of the person's expenses;

(B) a receipt for any one-off purchase of \$500 or more;

Examples—one-off purchase

whitegoods, electronics, jewellery

- (c) 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; and
 - (ii) real property; and
 - (iii) personal property; and
 - (iv) investments;
- (d) 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;
- (e) any other document relating to the management of the relevant property requested by the public trustee and guardian.
- (2) For the [Act](#), section 26 (1), documents are filed in accordance with this regulation if they are filed within 28 days after the relevant day.
- (3) In this section:
- relevant day***, in relation to a manager, means—
- (a) the day of the appointment of the manager; or
 - (b) if the manager has acted as manager for a continuous period of longer than 1 year—each anniversary of the appointment of the manager; or
 - (c) if the ACAT directs the manager to file prescribed documents before a specified day—that day.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was originally the *Guardianship and Management of Property Regulations*. It was renamed under the *Legislation Act 2001*.

Before 11 May 1989, regulations commenced on notification day unless otherwise stated (see *Subordinate Laws Act 1989* s 6).

Guardianship and Management of Property Regulation 1991 SL1991-36

notified 8 January 1992 (Gaz 1992 No S2)

commenced 8 January 1992

as amended by

Legislation (Consequential Amendments) Act 2001 A2001-44 pt 172

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 172 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2) A2008-37 sch 1 pt 1.50

notified LR 4 September 2008

s 1, s 2 commenced 4 September 2008 (LA s 75 (1))

sch 1 pt 1.50 commenced 2 February 2009 (s 2 (1) and see [ACT Civil and Administrative Tribunal Act 2008](#) A2008-35, s 2 (1) and [CN2009-2](#))

Statute Law Amendment Act 2009 A2009-20 sch 3 pt 3.37

notified LR 1 September 2009

s 1, s 2 commenced 1 September 2009 (LA s 75 (1))

sch 3 pt 3.37 commenced 22 September 2009 (s 2)

Guardianship and Management of Property Amendment Regulation 2024 (No 1) SL2024-24

notified LR 9 September 2024

s 1, s 2 commenced 9 September 2024 (LA s 75 (1))

remainder commenced 10 September 2024 (s 2)

4 Amendment history

Name of regulation

s 1 am R1 LA; R2 LA

Meaning of Act

s 2 om R2 LA

Applications to tribunal

s 4 om [A2008-37](#) amdt 1.224

Fees

s 5 om [A2001-44](#) amdt 1.1998

Manager's accounts

s 6 am [A2009-20](#) amdt 3.87; [SL2024-24](#) ss 4-6; pars renum R5
LA

Waiver of fees

s 7 om [A2001-44](#) amdt 1.1998

Seal of the tribunal

s 8 om [A2008-37](#) amdt 1.224

Endnotes

5 Earlier republications

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 21 Feb 2002	12 Sept 2001– 1 Nov 2004	A2001-44	amendments by A2001-44
R2 2 Nov 2004	2 Nov 2004– 1 Feb 2009	A2001-44	includes editorial amendments under Legislation Act
R3 2 Feb 2009	2 Feb 2009– 21 Sept 2009	A2008-37	amendments by A2008-37
R4 22 Sept 2009	22 Sept 2009– 9 Sept 2024	A2009-20	amendments by A2009-20

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