

2016

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Protection of Rights (Services) Legislation Amendment Bill 2016

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(As presented)

(Attorney-General)

Protection of Rights (Services) Legislation Amendment Bill 2016

A Bill for

An Act to amend legislation about the protection of rights services, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Protection of Rights (Services) Legislation*
3 *Amendment Act 2016*.

4 **2 Commencement**

5 This Act commences on the commencement of the *Protection of*
6 *Rights (Services) Legislation Amendment Act 2015*, section 4.

7 *Note* The naming and commencement provisions automatically commence on
8 the notification day (see [Legislation Act](#), s 75 (1)).

9 **3 Legislation amended**

10 This Act amends the legislation mentioned in schedule 1.

11 **4 Legislation repealed**

12 All legislative instruments under the following provisions are
13 repealed:

- 14 (a) the *Domestic Violence Agencies Act 1986*, section 11;
15 (b) the *Human Rights Commission Act 2005*, sections 19A, 20, 22,
16 24 and 26;
17 (c) the *Victims of Crime Act 1994*, section 7.

1 **Schedule 1** **Legislation amended**

2 (see s 3)

3 **Part 1.1** **Administration and Probate**
4 **Act 1929**

5 **[1.1] Section 10C**

6 *substitute*

7 **10C Grant of probate to public trustee and guardian etc**

8 If a deceased person has named as an executor of the person's will
9 the public trustee and guardian, or the public trustee of a State, the
10 Supreme Court may grant probate of the will to that public trustee.

11 *Note* *State* includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

12 **[1.2] Further amendments, mentions of *public trustee***

13 *after*

14 public trustee

15 *insert*

16 and guardian

17 *in*

- 18 • section 8C (c)
19 • section 38A
20 • section 49CA
21 • section 80C (2)
22 • part 6 heading
23 • sections 87B to 95

- 1 • sections 97 to 102
2 • dictionary, note 2

3 **Part 1.2 Adoption Act 1993**

4 **[1.3] Section 48**

5 *after*
6 public trustee
7 *insert*
8 and guardian

9 **[1.4] Dictionary, note 2**

10 *insert*
11 • public trustee and guardian

12 **Part 1.3 Agents Act 2003**

13 **[1.5] Sections 6, 123 and 124**

14 *after*
15 public trustee
16 *insert*
17 and guardian

18 **[1.6] Dictionary, note 2**

19 *insert*
20 • public trustee and guardian

1 **Part 1.4** **Bail Act 1992**

2 **[1.7] Dictionary, note 2**

3 *omit*

- 4
 - public trustee

5 **Part 1.5** **Cemeteries and Crematoria**
6 **Act 2003**

7 **[1.8] Sections 9 to 13 etc**

8 *after*

9 public trustee

10 *insert*

11 and guardian

12 *in*

- 13
 - sections 9 to 13
 - 14 • section 15 (4)
 - 15 • section 16A (1) (b)
 - 16 • dictionary, note 2

1 **Part 1.6** **Charitable Collections**
2 **Regulation 2003**

3 **[1.9] Section 6 (2), definition of *trustee corporation*,**
4 **paragraph (a)**

5 *substitute*

6 (a) the public trustee and guardian; or

7 **[1.10] Dictionary, note 2**

8 *insert*

- 9 • public trustee and guardian

10 **Part 1.7** **Children and Young People**
11 **Act 2008**

12 **[1.11] Section 137, definition of *accredited person*, paragraph (f)**

13 *omit*

14 **[1.12] Section 144 (2) (b) (v)**

15 *omit*

16 **[1.13] Section 153 (1) (e)**

17 *omit*

18 **[1.14] Section 179 (d)**

19 *omit*

20 **[1.15] Section 195 (5) (e)**

21 *omit*

- 1 **[1.16] Section 200 (5), definition of *protected electronic***
2 ***communication*, paragraph (d)**
- 3 *omit*
- 4 **[1.17] Section 201 (4), definition of *protected mail*, paragraph (d)**
- 5 *omit*
- 6 **[1.18] Section 222 (3) (e)**
- 7 *omit*
- 8 **[1.19] Section 280 (5), definition of *protected mail*, paragraph (f)**
- 9 *omit*
- 10 **[1.20] Section 283 (3), note 1**
- 11 *after*
12 public trustee
- 13 *insert*
14 and guardian
- 15 **[1.21] Section 359 (4), note 2**
- 16 *omit*
- 17 **[1.22] Section 576, definition of *accredited person*, paragraph (f)**
- 18 *omit*
- 19 **[1.23] Section 623 (3), note 1**
- 20 *after*
21 public trustee
- 22 *insert*
23 and guardian

- 1 **[1.24] Section 634 (1) (g)**
- 2 *omit*
- 3 **[1.25] Section 874 (2) (h), note**
- 4 *omit*
- 5 **[1.26] New section 874 (2) (ha)**
- 6 *insert*
- 7 (ha) a person to the public advocate under section 359 (Reports
- 8 made to public advocate); and
- 9 **[1.27] New section 874 (2) (r)**
- 10 *before the note, insert*
- 11 (r) an ACT child welfare service to the public advocate under
- 12 section 879 (ACT child welfare services must assist public
- 13 advocate).
- 14 **[1.28] Section 879 (3), note**
- 15 *omit*
- 16 **[1.29] Dictionary, note 2**
- 17 *insert*
- 18 • public trustee and guardian

1 **Part 1.8** **Civil Law (Property) Act 2006**

2 **[1.30] Section 256 (8), definition of *trust corporation***

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.31] Dictionary, note 2**

8 *after*
9 public trustee
10 *insert*
11 and guardian

12 **[1.32] Dictionary, definition of *administrator***

13 *after*
14 public trustee
15 *insert*
16 and guardian

17 **[1.33] Dictionary, definition of *trust corporation*, paragraph (a)**

18 *after*
19 public trustee
20 *insert*
21 and guardian

1 **Part 1.9** **Civil Law (Wrongs) Act 2002**

2 **[1.34] Dictionary, note 2**

3 *insert*

- 4 • public trustee and guardian

5 **[1.35] Dictionary, definition of *personal representative***

6 *after*

7 public trustee

8 *insert*

9 and guardian

10 **Part 1.10** **Confiscation of Criminal**
11 **Assets Act 2003**

12 **[1.36] Sections 104 and 108**

13 *omit*

14 public trustee's

15 *substitute*

16 public trustee and guardian's

- 1 **[1.37] Further amendments, mentions of *public trustee***
- 2 *after*
- 3 public trustee
- 4 *insert*
- 5 and guardian
- 6 *in*
- 7 • sections 30 and 31
 - 8 • section 33 (2) (e)
 - 9 • section 39 (1), examples 10 and 11
 - 10 • section 45 (1) (b) and (c)
 - 11 • section 50 (5), definition of *responsible authority*, paragraph (b)
 - 12 • section 60
 - 13 • sections 95 to 97
 - 14 • division 8.1 heading
 - 15 • sections 99 to 105
 - 16 • sections 107 and 108
 - 17 • section 111
 - 18 • section 123 (2) (b) (ii)
 - 19 • section 127
 - 20 • section 128, definition of *distributable funds*, paragraph (b)
 - 21 • sections 131 to 133
 - 22 • section 135
 - 23 • section 230
 - 24 • sections 243 and 244
 - 25 • section 250
 - 26 • section 253 (1) (c)
 - 27 • dictionary, note 2
 - 28 • dictionary, definition of *fully satisfied*

1 **Part 1.11 Cooperatives Regulation 2003**

2 **[1.38] Schedule 5, section 5.2, item 4**

3 *substitute*

4 4 public trustee and guardian

5 **[1.39] Dictionary, note 2**

6 *after*

7 public trustee

8 *insert*

9 and guardian

10 **Part 1.12 Corrections Management**
11 **Act 2007**

12 **[1.40] Sections 31A (2) (d) (ii) and 33A (2) (d) (ii)**

13 *omit*

14 **[1.41] Section 51, paragraphs (c) and (d)**

15 *substitute*

16 (c) a commissioner exercising functions under the *Human Rights*
17 *Commission Act 2005*;

18 **[1.42] Section 103 (5), definition of *protected electronic***
19 ***communication*, paragraphs (c) and (d)**

20 *substitute*

21 (c) a commissioner exercising functions under the *Human Rights*
22 *Commission Act 2005*;

1 **[1.43] Section 130 (3), note 2**

2 *after*
3 public trustee
4 *insert*
5 and guardian

6 **Part 1.13 Corrections Management**
7 **Regulation 2010**

8 **[1.44] Section 26**

9 *after*
10 public trustee
11 *insert*
12 and guardian

13 **[1.45] Section 26 (2)**

14 *substitute*
15 (2) The public trustee and guardian must, until the lump sum is paid to
16 the person entitled to it, deal with it under the *Public Trustee and*
17 *Guardian Act 1985*, section 25 (3) (Payment of money etc to public
18 trustee and guardian on behalf of person under disability) as if the
19 lump sum were money payable as compensation under the *Workers*
20 *Compensation Act 1951*.

21 **[1.46] Dictionary, note 2**

22 *after*
23 public trustee
24 *insert*
25 and guardian

1 **Part 1.14 Crimes Act 1900**

2 **[1.47] Sections 249 (4) and 250**

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.48] Section 250**

8 *omit*
9 public trustee's
10 *substitute*
11 public trustee and guardian's

12 **Part 1.15 Crimes (Child Sex Offenders)**
13 **Act 2005**

14 **[1.49] Dictionary, definition of *forensic patient***

15 *substitute*
16 *forensic patient*—see the *Public Trustee and Guardian Act 1985*,
17 section 19B (2).

1 **Part 1.16** **Crimes (Sentencing) Act 2005**

2 **[1.50]** **Section 136 (4), definition of *criminal justice entity*,**
3 **paragraph (h)**

4 *omit*

5 under the *Victims of Crime Act 1994*

6 **[1.51]** **Dictionary, note 2**

7 *insert*

- 8
 - victims of crime commissioner

9 **Part 1.17** **Criminal Code 2002**

10 **[1.52]** **Sections 376 and 377**

11 *after*

12 public trustee

13 *insert*

14 guardian

15 **[1.53]** **Section 377**

16 *omit*

17 public trustee's

18 *insert*

19 public trustee and guardian's

1 **[1.54] Section 378 (1)**

2 *after*
3 public trustee
4 *insert*
5 and guardian

6 **[1.55] Dictionary, note 2**

7 *insert*
8 • public trustee and guardian

9 **Part 1.18 Domestic Violence and**
10 **Protection Orders Act 2008**

11 **[1.56] Dictionary, note 2**

12 *insert*
13 • public advocate

14 **Part 1.19 Electoral Regulation 1993**

15 **[1.57] Section 4AA**

16 *after*
17 public trustee
18 *insert*
19 and guardian

1 **[1.58] Dictionary, note 2**

2 *after*
3 public trustee
4 *insert*
5 and guardian

6 **Part 1.20 Emergencies Act 2004**

7 **[1.59] Section 181 (3)**

8 *after*
9 public trustee
10 *insert*
11 and guardian

12 **[1.60] Dictionary, note 2**

13 *insert*
14 • public trustee and guardian

15 **Part 1.21 Environment Protection Act 1997**

16 **[1.61] Section 91I (4), definition of *notional lessee*,**
17 **paragraph (c) (iii)**

18 *substitute*
19 (iii) the public trustee and guardian because of the operation
20 of the *Public Trustee and Guardian Act 1985*, section 19;
21 or

1 **[1.62] Dictionary, note 2**

2 *insert*

- 3 • public trustee and guardian

4 **Part 1.22 Family Provision Act 1969**

5 **[1.63] Dictionary, note 2**

6 *insert*

- 7 • public trustee and guardian

8 **[1.64] Dictionary, definition of *administration***

9 *after*

10 public trustee

11 *insert*

12 and guardian

13 **Part 1.23 Guardianship and Management**
14 **of Property Act 1991**

15 **[1.65] Sections 8AA, 24 and 30A**

16 *omit*

17 *Public Trustee Act 1985*

18 *substitute*

19 *Public Trustee and Guardian Act 1985*

1 **[1.66] Section 32D (2), note 2**

2 *omit*

3 public advocate

4 *substitute*

5 public trustee and guardian

6 **[1.67] Section 64 (2), note**

7 *omit*

8 **Part 1.24 Health Records (Privacy and**
9 **Access) Act 1997**

10 **[1.68] Dictionary, note 2**

11 *insert*

- 12 • human rights commission

13 **Part 1.25 Human Rights Commission**
14 **Act 2005**

15 **[1.69] Section 12 (1) (g)**

16 *before*

17 victims of crime commissioner

18 *insert*

19 the

1 **[1.70] Section 18 (2) (b)**
2 *after*
3 reports
4 *insert*
5 (other than a health practitioner report)

6 **[1.71] New section 18 (5)**
7 *after the note, insert*
8 (5) In this section:
9 ***health practitioner report*** means—
10 (a) a notification under the *Health Practitioner Regulation*
11 *National Law (ACT) Act 2010*, section 150 (2); or
12 (b) a report under that *Act*, section 150 (4A).

13 **[1.72] Section 18A (a)**
14 *after*
15 director-general
16 *insert*
17 and the other commissioners

18 **[1.73] Section 18A (b)**
19 *omit*
20 approval
21 *substitute*
22 endorsement

1 **[1.74] Section 18C (a)**

2 *omit*

3 consistent with part 4 (Complaints)

4 **[1.75] Section 18C (a), new note**

5 *insert*

6 *Note* For the making of complaints to the commission and how the
7 commission deals with them, see pt 4.

8 **[1.76] Section 21 (1) (ab) (iv)**

9 *omit*

10 **[1.77] Section 27B (1) (c)**

11 *substitute*

12 (c) to represent forensic patients before the ACAT or a court;

13 **[1.78] New section 27B (1) (ca) and (cb)**

14 *insert*

15 (ca) to listen to and investigate concerns from children and young
16 people about the provision of services for the protection of
17 children and young people;

18 (cb) investigate matters in relation to which the public advocate has
19 a function;

20 **[1.79] Section 27B (1), note**

21 *substitute*

22 *Note* The public advocate also has functions under the *Children and Young*
23 *People Act 2008*, the *Guardianship and Management of Property*
24 *Act 1991* and the *Mental Health Act 2015*.

1 **[1.80] Section 27B (2), definition of *forensic patient*,**
2 **paragraph (a)**

3 *omit*

4 be suffering from a mental dysfunction or mental illness

5 *substitute*

6 have a mental disorder or mental illness

7 **[1.81] Section 27B (2), definition of *forensic patient*,**
8 **paragraph (d)**

9 *substitute*

10 (d) found guilty of a criminal offence and is, or while serving a
11 sentence of imprisonment has become, a person with a mental
12 disorder or mental illness.

13 **[1.82] Section 27B (2), new definition of *mental disorder***

14 *insert*

15 *mental disorder*—see the [Mental Health Act 2015](#), section 9.

16 **[1.83] Section 27B (2), definition of *mental dysfunction***

17 *omit*

18 **[1.84] Section 27B (2), definition of *mental illness***

19 *substitute*

20 *mental illness*—see the [Mental Health Act 2015](#), section 10.

1 **[1.85] New sections 27BA to 27BC**

2 *in division 3.7A, insert*

3 **27BA Public advocate to report to ACAT**

4 The public advocate must report to the ACAT about a matter before
5 the ACAT if asked by the ACAT.

6 **27BB Disclosure of information about investigations by**
7 **public advocate**

8 (1) Section 99 (Secrecy) does not prevent the public advocate from
9 disclosing information to a person (including members of the
10 public) about an investigation by the public advocate if the public
11 advocate is satisfied that the disclosure is necessary and reasonable
12 in the public interest.

13 (2) However, the public advocate must not make a disclosure—

14 (a) that is likely to prejudice the investigation; or

15 (b) that includes an opinion that is (expressly or impliedly) critical
16 of a person or body unless the public advocate has given the
17 person, or the principal officer of the body, an opportunity to
18 answer the criticism; or

19 (c) if the investigation arises from a reported concern—that
20 identifies the subject of the concern (directly or indirectly)
21 unless it is necessary and reasonable to do so.

22 **27BC Engagement of lawyer by public advocate**

23 The public advocate may engage a lawyer to appear before a court
24 or the ACAT in relation to the exercise of the public advocate's
25 functions under this Act.

1 **[1.86] Section 30 (3) and (4)**

2 *substitute*

3 (3) The president may call a meeting of the commission.

4 (4) The president, when calling a meeting must give the other members
5 reasonable notice of the time and place of the meeting.

6 **[1.87] Section 100A**

7 *substitute*

8 **100A Protection of others from liability**

9 (1) Civil or criminal liability is not incurred only because of any of the
10 following done honestly and without recklessness:

11 (a) the making of a complaint;

12 (b) the making of a statement, or the giving of a document or
13 information, as required or permitted under a territory law, to a
14 commissioner or a member of staff of the commission.

15 (2) Also, any information, given honestly and without recklessness, to a
16 commissioner or a member of staff of the commission is not—

17 (a) a breach of confidence; or

18 (b) a breach of professional etiquette or ethics; or

19 (c) a breach of a rule of professional conduct.

1 **[1.88] New section 105A**

2 *insert*

3 **105A Review of protection of rights services legislation**

4 (1) The Minister must review the operation of this Act and the *Public*
5 *Trustee and Guardian Act 1985*, as amended by the protection of
6 rights services amendments, to review the effectiveness of the
7 restructuring of the rights protection services including how the
8 amendments promote the objects (express or implicit) of the Acts.

9 (2) The review must be started as soon as practicable after 1 April 2019.

10 (3) The Minister must present a report of the review to the Legislative
11 Assembly within 12 months after the day the review is started.

12 (4) In this section:

13 *protection of rights services amendments* means amendments of
14 this Act and the *Public Trustee Act 1985* made by the *Protection of*
15 *Rights (Services) Legislation Amendment Act 2015* and the
16 *Protection of Rights (Services) Legislation Amendment Act 2016*.

17 (5) This section expires 5 years after the day it commences.

1 **Part 1.26 Legal Profession Act 2006**

2 **[1.89] Section 101 (2) (e)**

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.90] Section 259**

8 *after*
9 public trustee
10 *insert*
11 and guardian

12 **[1.91] Dictionary, note 2**

13 *insert*
14 • public trustee and guardian

15 **Part 1.27 Legislation Act 2001**

16 **[1.92] Dictionary, part 1, definition of *public advocate***

17 *omit*
18 *Public Advocate Act 2005*
19 *substitute*
20 *Human Rights Commission Act 2005*

1 **[1.93] Dictionary, part 1, definition of *public trustee***

2 *omit*

3 **[1.94] Dictionary, part 1, new definition of *public trustee and***
4 ***guardian***

5 *insert*

6 *public trustee and guardian* means the Public Trustee and Guardian
7 under the *Public Trustee and Guardian Act 1985*.

8 **[1.95] Dictionary, part 1, new definition of *victims of crime***
9 ***commissioner***

10 *insert*

11 *victims of crime commissioner* means the Victims of Crime
12 Commissioner under the *Human Rights Commission Act 2005*.

13 **Part 1.28 Mental Health Act 2015**

14 **[1.96] Dictionary, note 2**

15 *insert*

- 16
 - victims of crime commissioner

17 **[1.97] Dictionary, definition of *victims of crime commissioner***

18 *omit*

1 **Part 1.29** **Official Visitor Act 2012**

2 **[1.98] Section 23B (1) (a)**

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.99] Section 23B (1) (b)**

8 *omit*

9 **[1.100] Section 23B (2)**

10 *after*
11 public trustee
12 *insert*
13 and guardian

14 **[1.101] Section 23D (2) (b)**

15 *after*
16 public trustee
17 *insert*
18 and guardian

1 **[1.102] New section 23E**

2 *in part 6, insert*

3 **23E Voting at meetings**

4 (1) At an official visitors board meeting, each board member has a vote
5 on each question to be decided.

6 (2) A question is to be decided by a majority of the votes of the official
7 visitors board members present and voting but, if the votes are
8 equal, the public trustee and guardian has a deciding vote.

9 **[1.103] Dictionary, note 2**

10 *after*

11 public trustee

12 *insert*

13 and guardian

14 **[1.104] Dictionary, definition of *investigative entity***

15 *omit*

16 , the public advocate

17 **Part 1.30 Ombudsman Act 1989**

18 **[1.105] Section 6B (1)**

19 *substitute*

20 (1) If the ombudsman decides that it would be more appropriate for a
21 complaint to be investigated by the commissioner for sustainability
22 and the environment or the human rights commission, the
23 ombudsman must refer the complaint to the entity.

1 **[1.110] Section 74, definition of *interested person*, paragraph (e)**

2 *after*
3 public trustee
4 *insert*
5 and guardian

6 **[1.111] Section 83 (2)**

7 *after*
8 public trustee
9 *insert*
10 and guardian

11 **[1.112] Section 83 (3)**

12 *omit*

13 **[1.113] Section 85 (3), note**

14 *omit*
15 *Public Advocate Act 2005*, s 15
16 *substitute*
17 *Human Rights Commission Act 2005*, s 100A

18 **[1.114] Dictionary, note 2**

19 *insert*
20

- public trustee and guardian

1 **Part 1.33 Public Health Act 1997**

2 **[1.115] Section 66V (2), definition of *own*, paragraph (b)**

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.116] Dictionary, note 2**

8 *insert*
9 • public trustee and guardian

10 **Part 1.34 Public Trustee and Guardian**
11 **Act 1985**

12 **[1.117] Part 2 heading**

13 *substitute*

14 **Part 2 The public trustee and guardian**

15 **[1.118] Division 2.2 heading**

16 *substitute*

17 **Division 2.2 Protection and liability of public**
18 **trustee and guardian**

1 **[1.119] Section 19B (1) (b)**

2 *substitute*

3 (b) investigate complaints and allegations about the actions of a
4 guardian or manager or a person acting or purporting to act
5 under an enduring power of attorney;

6 **[1.120] Section 19B (2), definition of *forensic patient*,**
7 **paragraph (a)**

8 *omit*

9 be suffering from a mental dysfunction or mental illness

10 *substitute*

11 have a mental disorder or mental illness

12 **[1.121] Section 19B (2), definition of *forensic patient*,**
13 **paragraph (d)**

14 *substitute*

15 (d) found guilty of a criminal offence and is, or while serving a
16 sentence of imprisonment has become, a person with a mental
17 disorder or mental illness.

18 **[1.122] Section 19B (2), new definition of *mental disorder***

19 *insert*

20 *mental disorder*—see the [Mental Health Act 2015](#), section 9.

21 **[1.123] Section 19B (2), definition of *mental dysfunction***

22 *omit*

1 **[1.124] Section 19B (2), definition of *mental illness***
2 *substitute*
3 *mental illness*—see the *Mental Health Act 2015*, section 10.

4 **[1.125] Section 23 (2)**
5 *omit*
6 public trustee's
7 *substitute*
8 public trustee and guardian's

9 **[1.126] Section 24 heading**
10 *substitute*

11 **24 Legal representation**

12 **[1.127] Section 24 (1)**
13 *omit*
14 The court may, in relation to proceedings in the court,
15 *substitute*
16 A court or the ACAT may, in relation to proceedings in the court or
17 ACAT,

18 **[1.128] Section 24 (2) (b)**
19 *after*
20 court
21 *insert*
22 or the ACAT

1 **[1.129] New section 24 (3)**

2 *insert*

3 (3) The public trustee and guardian may engage a lawyer to appear
4 before a court or the ACAT in relation to the exercise of any of its
5 functions under this Act.

6 **[1.130] New section 24A**

7 *insert*

8 **24A Public trustee and guardian to report to ACAT**

9 The public trustee and guardian must report to the ACAT about a
10 matter before the ACAT if asked by the ACAT.

11 **[1.131] Sections 63 (2) and 66 (1)**

12 *omit*

13 public trustee's

14 *substitute*

15 public trustee and guardian's

16 **[1.132] Dictionary, definition of *public trustee***

17 *omit*

18 **[1.133] Dictionary, definition of *public trustee and guardian***

19 *insert*

20 ***public trustee and guardian*** means—

21 (a) the public servant who is the public trustee and guardian under
22 section 5; or

23 (b) the public trustee and guardian in its corporate capacity under
24 section 8.

1 **Part 1.35 Retirement Villages Act 2012**

2 **[1.134] Section 32, definition of *trustee*, paragraph (a)**

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.135] Dictionary, note 2**

8 *insert*
9 • public trustee and guardian

10 **Part 1.36 Territory Records**
11 **Regulation 2009**

12 **[1.136] Schedule 1, item 16**

13 *omit*

14 **[1.137] Schedule 1, item 17**

15 *substitute*

17	Public Trustee and Guardian for the Australian Capital Territory	public trustee and guardian
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16 **[1.138] Dictionary, note 2**

17 *omit*
18 • public advocate

1 **[1.139] Dictionary, note 2**

2 *after*
3 public trustee
4 *insert*
5 and guardian

6 **[1.140] Dictionary, note 2**

7 *insert*
8 • victims of crime commissioner

9 **[1.141] Dictionary, definition of *Victims of Crime Commissioner***

10 *omit*

11 **Part 1.37 Trustee Act 1925**

12 **[1.142] Section 47 (3) (a)**

13 *omit*
14 public trustee's
15 *substitute*
16 public trustee and guardian's

17 **[1.143] Further amendments, mentions of *public trustee***

18 *after*
19 public trustee
20 *insert*
21 and guardian
22 *in*
23 • sections 6 to 8

1 **Part 1.39** **Wills Act 1968**

2 **[1.145] Section 12A**

3 *after*
4 public trustee
5 *insert*
6 and guardian

7 **[1.146] Dictionary, note 2**

8 *insert*
9 • public trustee and guardian

10 **Part 1.40** **Workers Compensation Act 1951**

11 **[1.147] Section 78 (2) (b)**

12 *substitute*
13 (b) deal with it under the *Public Trustee and Guardian Act 1985*,
14 section 25 (Payment of money etc to public trustee and
15 guardian on behalf of person under disability).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 18 February 2016.

2 Notification

Notified under the [Legislation Act](#) on 2016.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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