

DETERMINATION OF FEES AND CHARGES

Determination No. 37 of 1992

I, **TERENCE CONNOLLY**, Attorney General, pursuant to section 75 of the *Guardianship and Management of Property Act 1991* ("the Act"), **DETERMINE** that the fees and charges payable in respect of:

- . a guardian or manager (entitled to fees or charges under paragraph 15(1)(a) of the Act); and
- . examination of accounts by the Public Trustee (refer to subsection 27(4) of the Act)

as per the matter described in Column 1 of the attached Schedule shall be the amount ascertained in accordance with Column 2 of the Schedule in relation to that matter.

Dated this 3rd day of March 1992


Terence Connolly
Attorney General

THIS IS PAGE 1 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE ATTORNEY GENERAL PURSUANT TO SECTION 75 OF THE GUARDIANSHIP AND MANAGEMENT OF PROPERTY ACT 1991 ON THE 31 DAY OF *March* 1992.

COLUMN 1

COLUMN 2

Description

(% or \$)

MANAGER (for a person under a disability and in respect of whom a management order has been issued by the Guardianship and Management of Property Tribunal. "Management" is a personal responsibility and no fee is payable where a manager utilises a service which charges a management fee other than an entry fee for the investment of moneys).

1. Management of money.

1% of moneys received and 5% of income from moneys invested; the 1% payable once in respect of any moneys received, and the 5% payable per annum in respect of moneys invested; no fee is payable in relation to the receipt of any government pension, or superannuation or annuity of less than 350.00 per week; no fee is payable on the first receipt of any award of damages or a lump sum superannuation entitlement.

2. Management (including transfer or sale) of property.

7.5% of the gross value of collections where receipts of rental are involved; 4% of the gross value, fixed by the Public Trustee, of other property or 270.00 whichever is the greater, with payment on a once only basis.

THIS IS PAGE 2 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE ATTORNEY GENERAL PURSUANT TO SECTION 75 OF THE GUARDIANSHIP AND MANAGEMENT OF PROPERTY ACT 1991 ON THE 3rd DAY OF March 1992.

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| 3. Purchase or sale of real property (e.g dwelling house or other accommodation) where the purchase is for use by the person under a disability, or another person approved by the Guardianship and Management of Property Tribunal. | 1% of the gross value, as fixed by the Public Trustee, of the real property. |
| 4. Preparation of income tax returns: | |
| . for simple return | 35.00 |
| . for complex return | 65.00 or 54.00 per hour or part thereof whichever is the greater. |
| 5. Administration of a trust. | 1% of moneys received for investment with payment on a once only basis. |
| 6. Management of a business. | 5% of the gross income of the business; 4% of the gross value, fixed by the Public Trustee, of property accrued to the business, or 270.00 whichever is the greater with payment on a once only basis. |
| 7. Management, realisation or collection of any assets or property not covered by any of the above. | 1% of moneys received; 4% of the gross value, fixed by the Public Trustee, of all other assets realised or collected; the 1% payable once in respect of any moneys received and the 4% payable once only. |
| 8. Production of any title, deed or document for the purpose of registration, evidence or notation. | 27.00 |

THIS IS PAGE 3 OF THE SCHEDULE TO THE DETERMINATION MADE BY THE ATTORNEY GENERAL PURSUANT TO SECTION 75 OF THE GUARDIANSHIP AND MANAGEMENT OF PROPERTY ACT 1991 ON THE 7th DAY OF March 1992.


9. For any service or matter which is management-related and is not otherwise mentioned above but excluding any matter relating to a government pension, or superannuation or annuity payment of less than \$350.00 per week. 20.00 per hour including travel and waiting time; time in excess of 50 hours in any six months to be endorsed by the Public Trustee.

GUARDIANSHIP (of a person under a disability and in respect of whom a guardianship order has been issued by the Guardianship and Management of Property Tribunal.)

10. Decision-making for a person under a disability. Where included in an order of the Guardianship and Management of Property Tribunal, up to 25.00 per week; no fee is payable where the person under a disability is in receipt of any government pension, or superannuation or annuity of less than 350.00 per week.

AUDIT OF MANAGER'S STATEMENT OF PROPERTY BY THE PUBLIC TRUSTEE

11. For auditing a manager's Statement of Property of a person under a disability (see item 21 of Determination No.43 of 1990 made under the Public Trustee Act 1985). 54.00 per hour or part thereof, or the rate as determined from time to time under the Public Trustee Act 1985.


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Attorney General's Initials