

OFFICE OF THE PROTECTIVE COMMISSIONER
STATEMENT IN ACCORDANCE WITH
SECTION 41C PUBLIC FINANCE AND AUDIT ACT, 1983

Pursuant to Section 41C (1B) of the Public Finance and Audit Act, 1983 I declare that in my opinion:

- a) The financial statements for the Trust Funds-Common Fund and notes thereon exhibit a true and fair view of the financial position and transactions for the year ended 30 June 2003;
- b) The financial statements have been prepared in accordance with the provisions of the Public Finance and Audit Act, 1983 and the Public Finance and Audit Regulation 2000 and the Treasurer's Directions; and
- c) I am not aware of any circumstances, which would render any particulars included in the financial statements to be misleading or inaccurate.



Ken Gabb
PROTECTIVE COMMISSIONER & PUBLIC GUARDIAN
2 October, 2003

BEGINNING OF AUDITED FINANCIAL
STATEMENTS
TRUST FUNDS - COMMON FUND

Statement of Financial Performance for the year ended 30 June 2003

	Notes	Access Fund 30-Jun-03 \$'000	Invest- ment Funds 30-Jun-03 \$'000	Total Funds 30-Jun-03 \$'000	Total Funds 30-Jun-02 \$'000
REVENUE					
Revenue from Ordinary Activities					
Investment Income	(4(a))	40,105	30,212	70,317	71,627
Miscellaneous Revenue		67	-	67	47
Total Revenue		40,172	30,212	70,384	71,674
EXPENDITURE					
Expenditure from Ordinary Activities					
Distributions to Estates under Management	(3(a)) (3(b))	27,252	29,806	57,058	54,670
Office of Protective Commissioner - Fees	(3(a))	2,066	114	2,180	3,292
Transfers to Administration Fund	(8)	10,583	-	10,583	12,475
Prudent Person Implementation Costs		11	-	11	346
Unrealised changes in net market value of investments	(4 (c))	19	25,918	25,937	20,733
Miscellaneous		692	8	700	404
Total Expenditure		40,623	55,846	96,469	91,920
Surplus/(Deficit) from Ordinary Activities		(451)	(25,634)	(26,085)	(20,246)
NON OWNER TRANSACTION CHANGES IN EQUITY					
Transfers: -					
Transfers from Estates Guarantee & Reserve Account	(8)	-	-	-	164
Transfers from S54(1)(b) Reserve Fund	(8)	378	-	378	373
Transfers to S54(1)(b) Reserve Fund	(8)	(979)	-	(979)	-
Transfers to Unrealised (Gains)/Losses Reserve	(4 (c))	19	25,918	25,937	20,733
Total Revenues, Expenses and Valuation Adjustments recognised directly in Equity		(582)	25,918	25,336	21,270
Total Changes in Equity other than those resulting from transaction with owners as owners		(1,033)	284	(749)	1,024

The accompanying notes form part of these financial statements

TRUST FUNDS - COMMON FUND

Statement of Financial Position for the year ended 30 June 2003

	Notes	Access Fund 30-Jun-03 \$'000	Investment Funds 30-Jun-03 \$'000	Total Funds 30-Jun-03 \$'000	Total Fund 30-Jun-02 \$'000
ASSETS					
Current Assets					
Cash at Bank	(9 (a))	7,016	371	7,387	7,217
Short Term Deposits	(9 (a))	50,000	10,900	60,900	35,980
Accrued Income		4,146	3,703	7,849	8,617
Interest Receivable		169	69	238	351
Semi Government & Local Government Loans		-	11,642	11,642	163,302
Bank & Building Society Deposits		465,480	171,559	637,039	417,932
Bank Transferable Deposits		-	-	-	31,960
Debentures		-	-	-	-
Units held in Trust		-	267,835	267,835	195,851
Advances to Clients		441	-	441	552
Mortgages		-	-	-	-
Total Current Assets		527,252	466,079	993,331	861,762
Non Current Assets					
Semi Government & Local Government Loans		-	123,819	123,819	187,652
Bank & Building Society Deposits		-	13,334	13,334	17,713
Bank Transferable Deposits		-	-	-	54,927
Debentures		-	-	-	4,959
Total Non Current Assets		-	137,153	137,153	265,251
Total Assets	(6)	527,252	603,232	1,130,484	1,127,013
LIABILITIES					
Current Liabilities					
Accrued Expenses		20	1	21	13
Total Current Liabilities		20	1	21	13
Non Current Liabilities					
Estates Under Management	(7)	504,323	649,572	1,153,895	1,124,347
Total Non Current Liabilities		504,323	649,572	1,153,895	1,124,347
Total Liabilities		504,343	649,573	1,153,916	1,124,360
NET ASSETS		22,909	(46,341)	(23,432)	2,653
Undistributed Earnings and Reserves					
Unallocated Investment Income	(4)	17,493	310	17,803	18,552
Unrealised Capital Gains/(Losses)					
Reserve	(4)	(19)	(46,651)	(46,670)	(20,733)
S54(1)(b) Reserve Fund	(8)	5,435	-	5,435	4,834
Total Undistributed Earnings and Reserves		22,909	(46,341)	(23,432)	2,653

The accompanying notes form part of these financial statements

TRUST FUND - COMMON FUND

Statement of Cash Flows for the year ended 30 June 2003

	Notes	Access Fund 30-Jun-03 \$'000	Investment Funds 30-Jun-03 \$'000	Total Funds 30-Jun-03 \$'000	Total Fund 30-Jun-02 \$'000
Cash Flows from Operating Activities					
Interest received from Common Fund					
Investments		39,340	9,043	48,383	47,904
Other Revenue		5,754	-	5,754	4,298
Fees/Commission paid to Administration Fund		(2,066)	(8)	(2,074)	(3,292)
Payments to Administration Fund under Sections 55 1(c) and 57 of the <i>Protected Estates Act 1983</i>		(10,583)	-	(10,583)	(12,475)
Other Payments		(672)	-	(672)	(691)
Net Cash Provided by Operating Activities	(9)	31,773	9,035	40,808	35,744
Cash Flows from Investing Activities					
Purchase of Investments		(3,490,267)	(709,658)	(4,199,925)	(3,464,253)
Redemption/Sale of Investments		3,765,475	415,246	4,180,721	3,462,867
Net Cash Provided by/(Used in) Investing Activities		275,208	(294,412)	(19,204)	(1,386)
Cash Flows from Financing Activities					
Decrease in Investments by Administration Fund		-	-	-	(4,893)
Receipts for Estates under Management		344,831	334,848	679,679	666,100
Disbursements to Estates under Management		(632,009)	(44,184)	(676,193)	(665,200)
Net Cash Provided by /(Used in) Financial Activities		(287,178)	290,664	3,486	(3,993)
Net (Decrease)/Increase in cash held		19,803	5,287	25,090	30,365
Cash at Beginning of the reporting period		37,213	5,984	43,197	12,832
Cash at End of the Reporting Period	(9)	57,016	11,271	68,287	43,197

The accompanying notes form part of these financial statements

Notes to and forming part of the Trust Funds - Common Fund Financial Statements for the year ended 30 June 2003

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

The financial statements of the Common Fund as produced by the Office of the Protective Commissioner comprise the Statement of Financial Performance, Statement of Financial Position, and Statement of Cash Flows. The presentation of the financial statements as at 30 June 2003 in the current format represents a change from previous years, where they were presented as notes to the Office of the Protective Commissioner's Administration Fund Accounts.

The financial statements are a special purpose financial report and have been prepared on an accrual basis to comply in all material respects with Australian Accounting Standards and disclosure requirements of Australian Accounting Standards, except for AASB 1018, Statement of Financial Performance and AASB 1040, Statement of Financial Position, Trust Industry Practices, the requirements of the *Public Finance & Audit Act 1983*, the Public Finance & Audit Regulation 2000, UIG consensus views and other authoritative pronouncements of the Australian Accounting Standards Board.

The financial statements have been prepared in accordance with the historical cost convention unless otherwise stated. All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

The *Protected Estates Act 1983* Section 13 prescribes that where a Court is satisfied that a person is incapable of managing his or her affairs, it may make a declaration to that effect and order that the estate of the person be subject to management under the Act. Section 52 (1) states that where the Protective Commissioner is appointed to manage the affairs of a protected person, the balances to the credit of the protected person in the trust fund shall be one common fund.

Amendments to the *Trustee Act 1925*, introduced by the *Trustee Amendment (Discretionary Investments) Act 1997*, replaced the list of authorised investments with a broad investment power in line with the observance of the process of the Prudent Person Test.

To provide the Protective Commissioner with the same investment powers as a trustee under the *Trustee Act 1925*, the *Protected Estates Amendment (Investment) Bill 2000* was passed by Parliament in April 2000. The *Protected Estates Amendment (Investment) Act 2000* was proclaimed on 9 November 2001 and the diversification of the Protective Commissioner's Common Fund Investments commenced on 12 March 2002.

Following proclamation of the *Protected Estates Amendment (Investment) Act 2000*, the existing Common Fund was split between the Access Fund and 7 new investment funds. Investments in the funds are on the basis of individual Client Financial Plans. As at 30 June 2003 the Financial Planning Unit had invested in excess of \$875.385 million.

1. Summary of Significant Accounting Policies (cont'd)

In addition to the Trust Funds- Common Fund, The Protective Commissioner is also responsible for the management of client assets external to the Common Fund. Details of other client assets under management, which remain in the name of the clients, are found at note 10.

Change in Accounting Policy

The composition of asset holdings in the Access Fund has changed from asset holdings, which are predominately long term to short term holdings. Consequently, and to ensure uniformity of approach with the valuation methods for other funds, assets in the Access Fund are now mark to market at 30 June.

A brief description of each of the eight funds which, make up the Common Fund appears below.

i) Access Fund

The Access Fund is designed for clients who require low risk investments and ready access to their current accounts for day to day use. The security of the clients' capital is viewed as more critical than the rate of return.

ii) Australian Cash Fund

The Australian Cash Fund is designed for clients who require low risk investment and ready access to their funds for day to day use. The security of clients' capital is viewed as more critical than the rate of return.

iii) Australian Cash Plus Fund

The Australian Cash Plus Fund is designed for clients who require a relatively low risk investment with potentially higher returns obtained by investing in high quality bonds. It is a Unitized Fund. Return is based on unit value and number of units held and is mark to market.

iv) Australian Fixed Interest Fund

The Australian Fixed Interest Fund is designed to provide investors with a diversified portfolio of bonds and money market instruments. It is a Unitized Fund. Return is based on unit value and number of units held and is mark to market.

v) Australian Share Fund

The Australian Share Fund is designed to provide investors with a diversified portfolio of Australian Shares. It is a Unitized Fund. Return is based on unit value and number of units held and is mark to market.

vi) Australian Listed Property Securities Fund

The Australian Listed Property Securities Fund is designed for clients who require exposure to a diversified portfolio of property trusts or property related companies listed on the Australian Stock Exchange. It is a Unitized Fund. Return is based on unit value and number of units held and is mark to market.

vii) International Share Fund

The International Share Fund is designed to provide clients with exposure to a diversified portfolio of international shares across a range of countries. It is a Unitized Fund. Return is based on unit value and number of units held and is mark to market.

viii) International Bond Fund

The International Bond Fund is designed to provide clients with exposure to a diversified portfolio of international bonds across a range of countries. It is a Unitized Fund. Return is based on unit value and number of units held and is mark to market.

The Access Fund, Australian Cash Fund, Australian Cash Plus Fund and Australian Fixed Interest Fund are managed by OPC's investment staff. The Australian Share Fund, Australian Listed Property Securities Fund, International Share Fund and International Bond Fund are managed on behalf of the OPC by State Street Global Advisors via the NSW Treasury Corporation under a Memorandum of Understanding with OPC.

The Responsible Entity under this arrangement is State Street Services who is wholly responsible for State Street Global Advisors. State Street Australia Limited is the custodian of the funds and is responsible to State Street Services.

(b) Financial Instruments - Common Fund

Financial instruments give rise to positions that are a financial asset of the Common Fund which consists of the balances in the Access Fund and Investment Funds and are a financial liability (or equity instrument) of the other party. For the Common Fund, financial assets include cash, receivables and investments. Financial liabilities include Estates under Management.

In accordance with AAS 33 "Presentation and Disclosure of Financial Instruments", information is disclosed in Note 6 in respect of the credit risk and interest rate risk of financial instruments.

All such amounts are carried in the accounts at net fair value except for financial instruments, which are recorded at either cost, or are mark to market. The specific accounting policy in respect of each class of such financial instrument is stated hereunder.

Classes of instruments recorded at cost comprise: -

- Cash
- Receivables
- Payables
- Estates under Management
- Advances to Clients

1. *Summary of Significant Accounting Policies (cont'd)*

Classes of instruments recorded at market value and comprise: -

- Semi and Local Government Loans
- Units held in Trust
- Bank and Building Society Deposits
- Bank Transferable Deposits
- Short term deposits
- Debentures

Market Valuations for the access fund are determined by reference to Bloomberg's and UBS' indices. For internal funds they are determined by reference to NAB and UBS indices. Market valuations for external funds are provided by State Street Global Advisors - Australia. Changes in market valuations are brought to account in the Statement of Financial Performance. Unrealised changes in Market value for investment assets are transferred to the Unrealised Capital Gains/(Losses) Reserve.

(c) **Revenue Recognition**

(i) Access Fund

Investment income is recognised in the period in which control of a right to receive consideration for the provision of, or investment in assets has been attained. Gains or losses in investments are calculated as the difference between the net market value at year-end and the net market value at the previous valuation point. Fees are brought to account in the period in which they are collected.

(ii) Investment Funds

Investment income is recognised either in the period in which control of a right to receive consideration for provision of, or investment in assets has been attained. Gains or losses in investments are calculated as the difference between the net market value at year-end and the net market value at the previous valuation point. Fees are brought to account in the period in which they are collected.

(d) **Contingent Liabilities**

The Office of the Protective Commissioner has a potential contingent liability of \$0.50M (\$1.90M - 2002) in respect of a number of former clients who alleged negligence in respect of the management of their affairs. These claims are covered by the Treasury Managed Fund.

2. **SUMMARISED STATEMENTS OF FINANCIAL POSITION**

The summarised Statements of Financial Position below show the position of each fund as at 30 June 2003. Separate tables are provided for internally and externally managed funds.

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

OPC INVESTED FUNDS

Statement of Financial Position as at 30 June 2003

		Aust Cash Fund	Aust Cash Plus Fund	Aust Fixed Interest Fund	Total Internal Funds
	Notes	30-Jun-03 \$'000	30-Jun-03 \$'000	30-Jun-03 \$'000	30-Jun-03 \$'000
ASSETS					
Current Assets					
Cash at Bank	(9a)	88	71	32	191
Short Term Deposits	(9a)	7,700	900	1,000	9,600
Accrued Income		877	1,768	1,056	3,701
Interest Receivable		31	30	5	66
Semi Government & Local Government Loans		-	11,642	-	11,642
Bank & Building Society Deposits		163,549	8,010	-	171,559
Bank Transferable Deposits		-	-	-	-
Total Current Assets		172,245	22,421	2,093	196,759
Non Current Assets					
Semi Government & Local Government Loans		-	65,955	57,864	123,819
Bank & Building Society Deposits		-	5,055	8,279	13,334
Debentures		-	-	-	-
Total Non Current Assets		-	71,010	66,143	137,153
Total Assets		172,245	93,431	68,236	333,912
LIABILITIES					
Current Liabilities					
Accrued Expenses		1	-	-	1
Total Current Liabilities		1	-	-	1
Non-Current Liabilities					
Estates Under Management		172,250	93,987	66,108	332,345
Total Non Current Liabilities		172,250	93,987	66,108	332,345
Total Liabilities		172,251	93,987	66,108	332,346
NET ASSETS		(6)	(556)	2,128	1,566
Undistributed Earnings and Reserves					
Unallocated Investment Income		1	(161)	200	40
Unrealised Capital Gains/(Losses) Reserve	(4c)	(7)	(395)	1,928	1,526
Total Undistributed Earnings and Reserves		(6)	(556)	2,128	1,566

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

2. Summarised Statements of Financial Position (cont'd)

OPC FUNDS INVESTED BY STATE STREET GLOBAL ADVISORS

Statement of Financial Position as at 30 June 2003

		Aust Share Fund	Aust Listed Property Securities Fund	Inter- national Share Fund	Inter- national Bond Fund	Total External Funds	Total External Funds
	Notes	30-Jun-03 \$'000	30-Jun-03 \$'000	30-Jun-03 \$'000	30-Jun-03 \$'000	30-Jun-03 \$'000	30-Jun-02 \$'000
ASSETS							
Current Assets							
Cash at Bank	(9a)	107	31	22	20	180	3,941
Short term deposits	(9a)	600	200	500	-	1,300	-
Accrued Income		2	-	-	-	2	-
Interest receivable		-	1	2	-	3	-
Units held in Trust		147,586	32,779	68,819	18,651	267,835	195,851
Total Current Assets		148,295	33,011	69,343	18,671	269,320	199,792
Total Assets		148,295	33,011	69,343	18,671	269,320	199,792
LIABILITIES							
Non-Current Liabilities							
Estates Under Management		174,043	34,390	90,276	18,518	317,227	220,777
Total Non Current Liabilities		174,043	34,390	90,276	18,518	317,227	220,777
Total Liabilities		174,043	34,390	90,276	18,518	317,227	220,777
NET ASSETS		(25,748)	(1,379)	(20,933)	153	(47,907)	(20,985)
Undistributed Earnings and Reserves							
Unallocated Investment income		92	28	137	13	270	20
Unrealised Capital Gains/(Losses) Reserve	(4c)	(25,840)	(1,407)	(21,070)	140	(48,177)	(21,005)
Total Undistributed Earnings and Reserves		(25,748)	(1,379)	(20,933)	153	(47,907)	(20,985)

3. DISTRIBUTION OF INVESTMENT INCOME

(a) Access Fund

Investment income distributed to client accounts for 2002/2003 was \$27.252M compared with \$44.142M allocated in the previous year.

Interest is distributed to client accounts at six monthly intervals on 31 December and 30 June. A summary of the interest rates declared for the past two years is:

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

		2003 %	2002 %
Current Accounts	• Interim Distribution	4.00	4.50
	• Final Distribution	4.60	4.30
	• Annual Compound Effective Rate	4.35	4.45

Where clients' current accounts were closed prior to 31 December 2002 or 30 June 2003 distribution dates, interest was credited to those accounts at the rate of 1% for the period during which the funds were invested in the Common Fund.

Distributions from Access Fund earnings for the 2003 year also included fees of \$2.066M (\$3.292M - 2002) paid to the Office of the Protective Commissioner Administration Fund and other transfers as mentioned in Note 8.

(b) Investment Funds

Internal Investment Funds managed by OPC

Investment income earned by clients has been reinvested in the funds. For Internal Funds the amount reinvested in 2002/03 was \$11.139M (\$1.474M from 12 March to 30 June 2002).

A summary of returns for the last 2 financial years appear below: -

	Returns to 30 June 2003 % p.a.	Returns from 12 March 2002 to 30 June 2002 % p.a.	For comparison Effective Annualised Returns % p.a.
Australian Cash Fund	4.96	1.35	4.52
Australian Cash Plus Fund	6.50	1.60	5.37
Australian Fixed Interest Fund	9.52	2.71	9.18

The returns for 2002 have been confirmed by an external Actuary at OPC's request.

External Investment Funds managed by State Street Global Advisors for OPC via NSW Treasury Corporation

Income earned by clients has been reinvested in the fund. For External Funds the amount reinvested in 2002/03 was \$18.759M (\$9.028M from 2 April to 30 June 2002).

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

3. Distribution of Investment Income (cont'd)

A summary of returns for the last 2 financial years appear below:

	Return to 30 June 2003 % p.a	Return from 2 April 2002 effective to 30 June 2002 % p.a
Australian Share Fund	-1.76	-5.22
Australian Listed Property Securities Fund	12.22	4.97
International Bond Fund	11.96	3.37
International Share Fund	-17.91	-13.78

This information has been provided to OPC by NSW Treasury Corporation.

4. NOTES TO STATEMENTS OF FINANCIAL PERFORMANCE AND FINANCIAL POSITION - COMMON FUND

(a) Investment Income

A summary of transactions for the past 2 years is as follows: -

	Access Fund 30-Jun-03 \$'000	Investment Funds 30-Jun-03 \$'000	Total Funds 30-Jun-03 \$'000	Total Funds 30-Jun-02 \$'000
Income Earned from Investments	34,351	30,212	64,563	48,155
Capital Gain on Sale of Investments	5,754	-	5,754	4,298
Amortised Income of Investments	-	-	-	19,174
	40,105	30,212	70,317	71,627

(b) Unallocated Investment Income

A summary of transactions for the past 2 years is as follows: -

	Access Fund 30-Jun-03 \$'000	Investment Funds 30-Jun-03 \$'000	Total Funds 30-Jun-03 \$'000	Total Funds 30-Jun-02 \$'000
Balance at 1 July 2002	18,526	26	18,552	17,528
Surplus/(Deficit) from Ordinary Activities	(451)	(25,634)	(26,085)	(20,246)
	18,075	(25,608)	(7,533)	(2,718)
Transfers from Estates Guarantee & Reserve Account	-	-	-	164
Transfer from S54(1)(b) Reserve Fund	378	-	378	373
Transfers to Unrealised (Gains)/losses	19	25,918	25,937	20,733
Transfers to S55(1)(b) Reserve Fund	(979)	-	(979)	-
Undistributed Income at 30 June 2003	17,493	310	17,803	18,552

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

(c) Unrealised Capital Gains/(Losses)

A summary of the asset values as at 30 June 2003 with unrealised capital gains /(losses) which have been transferred to the unrealized gains/(losses) reserve appears below: -

	Unrealised Capital Gains/ (Losses) Assets acquired financial Year 30-Jun-03 \$'000	Unrealised Capital Gains/ (Losses) Assets acquired Previous financial Years revalued 30-Jun-03 \$'000	Total Unrealised Capital Gains/ (Losses) 30-Jun-03 \$'000	Total Unrealised Capital Gains/ (Losses) 30-Jun-02 \$'000
Access Fund	(19)	-	(19)	-
Australian Cash Fund	(7)	-	(7)	-
Australian Fixed Interest Fund	1,583	345	1,928	345
Australian Cash Plus Fund	(322)	(73)	(395)	(73)
Australian Share Fund	(15,250)	(10,590)	(25,840)	(10,590)
Australian Listed Property Securities Fund	99	(1,506)	(1,407)	(1,506)
International Share Fund	(12,962)	(8,108)	(21,070)	(8,108)
International Bond Fund	941	(801)	140	(801)
	(25,937)	(20,733)	(46,670)	(20,733)

The market value for the Australian Cash Plus Fund and the Australian Fixed Interest Fund as at 30 June 2003 were determined by reference to NAB Fixed interest Index. The market value for the Access Fund and the Australian Cash Fund was determined by reference to Bloomberg. Market values for the remaining Funds were provided by State Street Global Advisors - Australia.

Unrealised Capital Losses are brought to account as an expense in the period in which the market valuation takes place.

5. INVESTMENTS

Section 52 (1) of the *Protected Estates Act 1983* provided that the balances to the credit of current accounts, except in special circumstances as provided by subsection (2), shall for the purpose of investment be one Common Fund. In terms of Section 58 of the statute, prior to the passing of the *Protected Estates Amendment (Investment) Act, 2000* Common Fund balances (including undistributed earnings) could be invested in securities authorised by the *Trustee Act 1925* or under certain conditions with the Treasurer. The passing of the *Protected Estates Amendment (Investment) Act 2000* replaced the list of authorised investments with a broad investment power in line with the observance of the process of the Prudent Person Test.

The Act was proclaimed on 9 November 2001 and the diversification of the Protective Commission's Common Fund Investment commenced on 12 March 2002. The existing Common

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

5. Investment (Cont'd)

Fund was renamed the Access Fund and the Office of the Protective Commissioner introduced an additional seven new investment funds in its diversification process.

In preceding years, the following Access Fund instrument were recorded at amortised value.

- Semi and Local government Loans
- Debentures
- Bank Transferable Deposits
- Bank and Building Society Deposits

These instruments are now recorded at market value in order to ensure a consistent approach across all funds.

6. FINANCIAL INSTRUMENTS - ACCESS FUND AND NEW INVESTMENT FUNDS

(a) Interest Rate Risk

Interest rate risk is the risk that the value of the financial instrument will fluctuate due to changes in market interest rates. The Common Fund's exposure to interest rate risks and the effective interest rates of financial assets and liabilities, both recognised and unrecognised at the Statement of Financial Position date, are as follows:

	Floating Interest Rate \$'000	Fixed Interest Rate Maturing in			Non- Interest Bearing \$'000	Total Carrying Amount as per Stmt of Financial Position \$'000	Weighted Average Effective Interest Rate* %
		1 Yr or Less \$'000	1 to 5 Years \$'000	Over 5 Years \$'000			
30 June 2003							
Financial Assets							
Short Term Deposits	60,900	-	-	-	-	60,900	4.75
Semi & Local Government Loans	-	5,529	98,851	31,081	-	135,461	4.56
Bank & Building Society Deposits	-	637,039	13,334	-	-	650,373	4.77
Advances to Clients	441	-	-	-	-	441	7.75
Units held in Trust	267,835	-	-	-	-	267,835	n/a
Cash at Bank	7,387	-	-	-	-	7,387	n/a
Accrued Income	-	-	-	-	7,849	7,849	4.22
Interest Receivable	-	-	-	-	238	238	n/a
Total Financial Assets	336,563	642,568	112,185	31,081	8,087	1,130,484	
Financial Liabilities							
Accounts payable	-	-	-	-	21	21	n/a
Estates under Management	-	-	-	-	1,153,895	1,153,895	n/a
Total Financial Liabilities	-	-	-	-	1,153,916	1,153,916	
Net Financial Assets/ (Financial Liabilities)	336,563	642,568	112,185	31,081	1,162,003	2,284,400	

* Weighted average effective interest rate was computed on an annual basis. Assets shown at market value

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

Because the basis of valuation has changed comparative figures for 2002 are not available on a consolidated basis. The table below shows the Access Fund with amortised figures for 2002.

Access Fund	Floating Interest Rate \$'000	Fixed Interest Rate Maturing in			Non- Interest Bearing \$'000	Total Carrying Amount as per Statement of Financial Position \$'000	Weighted Average Effective Interest Rate* %
		1 Yr or Less \$'000	1 to 5 Years \$'000	Over 5 Years \$'000			
30 June 2002							
Financial Assets							
Short Term Deposits Semi & Local	34,000	-	-	-	-	34,000	4.75
Government Loans Bank & Building Society	-	156,141	136,363	-	-	292,504	7.96
Deposits	-	391,260	-	9,695	-	400,955	4.92
Debentures	-	-	-	-	-	-	-
Advances to Clients Bank Transferable	-	552	-	-	-	552	7.75
Deposits	-	25,007	54,927	-	-	79,934	5.63
Cash at Bank	3,213	-	-	-	-	3,213	4.31
Accrued Income	-	-	-	-	7,119	7,119	n/a
Interest Receivable	-	-	-	-	340	340	n/a
Total Financial Assets	37,213	572,960	191,290	9,695	7,459	818,617	
Financial Liabilities							
Accounts payable	-	-	-	-	(13)	(13)	n/a
Estates under Management	-	-	-	(795,244)	-	(795,244)	4.45
Total Financial Liabilities	-	-	-	(795,244)	(13)	(795,257)	
Net Financial Assets/ (Financial Liabilities)	37,213	572,960	191,290	(785,549)	7,446	23,360	

* Weighted average effective interest rate was computed on an annual basis. Assets valued at cost basis.

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

6. Financial Instruments - Access Fund and New Investment Funds (cont'd)

The table below shows the Investment Funds with mark to market figures for 2002.

Investment Funds	Floating Interest Rate \$'000	Fixed Interest Rate Maturing in			Non- Interest Bearing \$'000	Total Carrying Amount as per Statement of Financial Position \$'000	Weighted Average Effective Interest Rate* %
		1 Yr or Less \$'000	1 to 5 Years \$'000	Over 5 Years \$'000			
30 June 2002							
Financial Assets							
Short Term Deposits	1,980	-	-	-	-	1,980	4.75
Semi & Local Government Loans	-	7,161	32,445	18,844	-	58,450	7.39
Bank & Building Society Deposits	-	26,672	8,018	-	-	34,690	5.04
Debentures	-	-	4,959	-	-	4,959	5.25
Units held in Trust Bank Transferable Deposits	195,851	-	-	-	-	195,851	n/a
Interest Receivable	-	6,953	-	-	-	6,953	4.98
Accrued Income	-	-	-	-	11	11	n/a
Cash at Bank	-	-	-	-	1,498	1,498	n/a
Total Financial Assets	201,835	40,786	45,422	18,844	1,509	308,396	
Financial Liabilities							
Estates under Management	-	-	-	(329,103)	-	(329,103)	5.42
Total Financial Liabilities	-	-	-	(329,103)	-	(329,103)	
Net Financial Assets/ (Financial Liabilities)	201,835	40,786	45,422	(310,259)	1,509	(20,707)	

(b) Credit Risk

Credit risk is the risk of financial loss arising from another party to a contract or financial position failing to discharge a financial obligation thereunder. The Access Fund and the Investment Funds' maximum exposure to credit risk is represented by the carrying amounts of the financial assets included in the Statement of Financial Position.

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

Credit risk by classification of counterparty for the past year for the Common Fund as a whole is as follows:

30 June 2003	Governments \$'000	Banks \$'000	Other \$'000	TOTAL \$'000
Financial Assets				
Short Term Deposits	-	60,900	-	60,900
Semi & Local Government Loans	135,461	-	-	135,461
Bank & Building Society Deposits	-	650,373	-	650,373
Advances to Clients	-	-	441	441
Units held in Trust	-	-	267,835	267,835
Cash at Bank	-	7,387	-	7,387
Accrued Income	2,575	5,255	19	7,849
Interest Receivable	-	-	238	238
Total Financial Assets	138,036	723,915	268,533	1,130,484

The table below shows the Access Fund with amortised figures for 2002.

Access Fund 30 June 2002	Governments \$'000	Banks \$'000	Other \$'000	TOTAL \$'000
Financial Assets				
Short Term Deposits	-	34,000	-	34,000
Semi & Local Government Loans	292,504	-	-	292,504
Bank & Building Society Deposits	-	400,955	-	400,955
Advances to Clients	-	-	552	552
Bank Transferable Deposits	-	79,934	-	79,934
Cash at Bank	-	3,213	-	3,213
Accrued Income	5,690	1,429	-	7,119
Interest Receivable	97	243	-	340
Total Financial Assets	298,291	519,774	552	818,617

6. Financial Instruments - Access Fund and New Investment Funds (cont'd)

The table below shows the Investment Funds with mark to market figures for 2002.

Investment Funds 2002 30 June 2002	Governments \$'000	Banks \$'000	Other \$'000	TOTAL \$'000
Financial Assets				
Short Term Deposits	-	1,980	-	1,980
Semi & Local Government Loans	58,450	-	-	58,450
Bank & Building Societies	-	34,690	-	34,690
Debentures	-	-	4,959	4,959
Units in Trust	-	-	195,851	195,851
Bank Transferable Deposits	-	-	6,953	6,953
Cash at Bank	-	4,004	-	4,004
Accrued Income	1,056	349	93	1,498
Interest Receivable	-	11	-	11
Total Financial Assets	59,506	41,034	207,856	308,396

(c) Net Fair Value- Access Fund and Investment Funds

All financial instruments are carried at market value

7. ESTATES UNDER MANAGEMENT

Estates under Management are shown as \$1,153.895M as at 30 June 2003, which compares with \$1,124.347M for the preceding year. This amount represents the liability for the cash balances in the Access Fund and unitised Funds of client accounts held under Section 52 (1) of the Protected Estates Act 1983. The Estates under Management figure includes an amount of \$14.073M (\$15.485M- 2002) which is held within the Access Fund on behalf of the Department of Community Services for its clients in institutions and nursing homes. The Office of the Protective Commissioner effectively acts as "banker" for such clients and meets their ongoing expenses from pension monies received on their behalf.

8. RESERVE ACCOUNTS

The Estates Guarantee and Reserve Account was established under Section 55 (1) Protected Estates Act. At the discretion of the Protective Commissioner, the account could be applied, among other things, to pay to the Common Fund an amount equivalent to any realised loss on an investment, to meet the costs of protecting investments or to meet legal and/or other costs that could not reasonably be charged to a particular estate. Part 4 of the Protected Estates Act, which include Section 55, was omitted from the Act upon commencement of the *Protected Estates Amendment (Investment) Act 2000* on 9 November 2001.

Operations on the Estates Guarantee and Reserve Account until its closure in the year ended 30 June 2002 were as follows: -

	30-Jun-02
	\$'000
Estates Guarantee and Reserve Account	
Balance at 1 July 2001	5,371
Transfers to: Statement of Financial Performance*	(164)
	5,207
Transfers from: Statement of Financial Performance	-
	5,207
Transfers to: Section 54 1(b) Reserve Fund	(5,207)
Balance at 30 June 2002	-

Section 54 (1)(b) of the Protected Estates Act provides for the establishment of a Reserve Fund. That Reserve Fund was established on 9 November 2001.

Section 54 (1)(a) of the Protected Estates Act provides for the establishment of one or more Investment Funds. Section 55 (1) (b) also allows for the payment of money from an Investment Fund to the Reserve Fund of any such amount as the Protective Commissioner may from time to time determine. On 9 November 2001 an investment fund was created for this purpose.

In the previous financial year money in the Reserve Fund could only be used for payment to an investment fund for any realised loss on an investment or for costs incurred in protecting investments made from an investment fund Amendments to Section 57 of the Protected Estates Act in March 2003 facilitated the transfer of funds from the Investment Fund to the Reserve Fund. Monies in the Reserve Fund can again be applied to pay to Investment Funds an amount equivalent to any realised loss on an investment, to meet the costs of protecting investments or to meet legal and/or other costs that could not reasonably be charged to a particular estate.

Other costs incurred by the Protective Commissioner in the exercise for functions under the Protected Estates Act may be met from an investment fund under Section 55 (1)(c)(i). The amount transferred to the Administration Fund in 2002/2003 was \$10.583M.

NOTES TO AND FORMING PART OF THE TRUST
FUNDS - COMMON FUND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003

8. Reserve Accounts (Cont'd)

Operations on the Reserve Fund for the last 2 financial years follow: -

Section 54(1)(b) Reserve Fund	30-Jun-03 \$'000
Opening balance 1 July 2002	4,834
Transfers from Common Fund	565
Transfers from Section 54 (1) (a) Investment fund	414
Transfers to: Statement of Financial Performance	(378) *
Balance at 30 June 2003	5,435

* This consists of payments of \$367,000 from the Reserve Fund as well as \$11,000 for Prudent Person implementation costs.

Section 54(1)(b) Reserve Fund	Operations 01-Nov-01 to 30-Jun-02 \$'000
Transfers from: Estates Guarantee and Reserve Account	5,207
Transfers to: Statement of Financial Performance	(373) *
Balance at 30 June 2002	4,834

* This consists of payments of \$27,000 from the Reserve Fund as well as \$346,000 for Prudent Person implementation costs.

Operations on the section 54 (1) (a) Investment Fund for the last 12 months follow: -

Section 54(1)(a) Investment Fund	30-Jun-03 \$'000
Opening balance 1 July 2002	486
Transfers to: Statement of Financial Performance	(72)
	414
Transfer to Section 54 (1) (b) Reserve Fund	(414)
Balance at 30 June 2003	-

9. NOTES TO THE STATEMENT OF CASH FLOWS - ACCESS FUND AND NEW INVESTMENT FUNDS

(a) Reconciliation of Cash

Cash at the end of the period as shown in the Statement of Cash Flows for the Access Fund is reconciled to the related items in the Statement of Financial Position as follows: -

	30-Jun-03	30-Jun-02
	\$'000	\$'000
Cash at Bank	7,016	3,213
Short Term Deposits	50,000	34,000
	57,016	37,213

Cash at the end of the period as shown in the Statement of Cash Flows for the Investment Funds is reconciled to the related items in the Statement of Financial Position as follows: -

	Internal Funds	External Funds	Total Funds	Total Funds
	30-Jun-03	30-Jun-03	30-Jun-02	30-Jun-02
	\$'000	\$'000	\$'000	\$'000
Cash at Bank	191	180	371	4,004
Short Term Deposits	9,600	1,300	10,900	1,980
	9,791	1,480	11,271	5,984

(b) Reconciliation of Net Cash provided by Operating Activities to Operating Result of the Access Fund

	30-Jun-03	30-Jun-02
	\$'000	\$'000
Surplus/(Deficit) from Ordinary Activities	(451)	461
Interest Distributed to Client Accounts	27,252	43,732
Interest paid on Former Clients' Accounts	-	409
Net Movement in Amortisation Account	1,857	(16,587)
Write Back Premiums/Discounts on Sale of Investments	-	(2,586)
Change in Net Market Value	19	-
Decrease in Accrued Income	2,973	1,171
Decrease/(Increase) Interest Receivable	171	86
Increase/(Decrease) in Accrued Expenses	7	13
less Transfers to Estate under Management	(55)	-
Net Cash provided by Operating Activities	31,773	26,699

9. *Notes to the Statement of Cash Flows - Access Fund and New Investment Funds (Cont'd)*

(c) **Reconciliation of Net Cash provided by Operating Activities to Operating Result of the Investment Funds**

	30-Jun-03 \$'000	30-Jun-02 \$'000
(Deficit) from Ordinary Activities	(25,634)	(20,707)
Interest Distributed to Client Accounts	29,806	10,528
Change in Net Market Values	25,918	20,733
Non Cash Operational Fees	(122)	-
State Street Distribution reinvested	(18,670)	-
(Increase) in Accrued Income	(2,205)	(1,498)
(Increase) in Interest Receivable	(58)	(11)
Net Cash provided by Operating Activities	9,035	9,045

(d) **Consolidated Reconciliation of Net cash provided by Operating Activities**

	30-Jun-03 \$'000	30-Jun-02 \$'000
Net Cash provided by Operating Activities of the Common Fund	31,773	26,699
Net Cash provided by Operating Activities of the Unitised Fund	9,035	9,045
Cash provided by Consolidated Investment Activities	40,808	35,744

10. **CLIENT ASSETS EXTERNAL TO THE COMMON FUND**

In addition to, and not included in the Common Fund, the Protective Commissioner is required to exercise management functions on behalf of clients in respect of certain real estate and other unrealised assets such as shares, debentures and similar investments, jewellery and furniture, and other personal effects.

	30-Jun-03 \$'000
Current	
Cash Assets	-
Other Financial Assets (a)	1,614
Current Assets	1,614
Non-Current	
Other Financial Assets (a)	48,632
Investment Properties (b)	67,536
Domiciled Properties (c)	391,466
Non-Current Assets	507,634
TOTAL ASSETS	509,248

- (a) These assets are valued at their net market values.
- (b) These are properties held by clients for investment purposes. That is, to gain a financial return. These assets have been independently valued at their fair value on the basis of current value for existing use.
- (c) These properties are those held by clients as the domicile. These assets have been independently valued at their fair value on the basis of current value for existing use.
- (d) As at 30 June 2003, the Office of the Protective Commissioner held properties relating to deceased estates valued at \$46.545M. These properties are in the process of either being transferred to the Public Trustee or are awaiting probate.
- (e) The figures above do not include 35 properties, which are awaiting valuation.
- (f) The Office of the Protective Commissioner is undertaking a 3 year progressive independent revaluation of real property client assets under management. The last full review was finalised by the State Valuation Office in April 2001.

11. EVENTS OCCURRING AFTER REPORTING DATE

As at 30 June 2003, the Office of the Protective Commissioner had an Expression of Interest in the market place for the Master Custodian for its planned outsourcing of investment funds. An expression of interest for Fund Managers will be issued in the new financial year

It is expected that the funds will be fully outsourced by late 2003.

END OF AUDITED FINANCIAL STATEMENTS

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Investment Advisory Committee	19	OPC's 2003 Annual Report is available on	
Land Register	45	the website: www.lawlink.nsw.gov.au/opc	
Legal Changes	45		
Letter of Submission	2	* OPC's Annual Report template design was	
Management and Activities (Corporate)	9	purchased and the total cost included in the	
Management Structure (Corporate)	8	production costs of the 2002 Annual Report.	
Mission (Role) of OPC	IFC	Design by Intoto Pty Ltd.	
Non-government Community			
Groups, grants	45	OPC's Annual Report is printed on recycled	
Occupational Health & Safety	23	paper.	

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ARABIC

إذا كنت لا تفهم هذه الوثيقة ، نرجوك الاتصال بالهاتف على رقم ١٣١٤٥٠ من أجل مُترجم .
اطلب منهم أن يتصلوا بمكتب مفوض الحماية (Office of the Protective Commissioner) على
هاتف رقم ٣١٣١ ٩٢٦٥ (٠٢) ، وسوف نحاول أن نساعدك .

BOSNIAN Ako ne razumijete ovaj dokument, molimo nazovite 131450 za pomoć tumača. Zamolite ih da nazovu Ured povjerenika za zaštitu (Office of the Protective Commissioner) na (02) 92653131 i pokušat ćemo vam pomoći.

CHINESE 如果你不理解此文件，請撥電話131450找一位翻譯。請他們為你聯係保護專員辦公室 (Office of Protective Commissioner)，電話是(02)92653131。我們會幫助你。

CROATIAN Ako ne razumijete ovaj dokument, molimo telefonirajte na 131450 i tražite tumača. Zamolite ih da kontaktiraju "Ured povjerenika za zaštitu" (Office of the Protective Commissioner), na (02) 92653131 i mi ćemo Vam nastojati pomoći.

FARSI

ر صورتیکه این اسناد را متوجه نمی شوید لطفاً جهت مترجم با تلفن
١٣١٤٥٠ تماس گرفته و از او بخواهید تا با شماره ٩٢٦٥٣١٣١ (٠٢) دفتر
"Office of the Protective Commissioner"
تماس بگیرد و ما سعی می کنیم تا به شما کمک نمائیم.

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HUNGARIAN Ha ezt a dokumentumot nem érti, hívja a 131450-ös telefonszámot és kérjen tolmácsot. Kérje meg a tolmácsot, hogy az Oltalmazó Biztos Irodájával (Office of the Protective Commissioner) lépjen érintkezésbe a (02) 92653131 számon és mi majd megpróbálunk segítségére lenni.

INDONESIAN Jika Anda tidak memahami dokumen ini, silakan menelepon 131450 untuk pelayanan juru bahasa. Mintalah supaya "Office of the Protective Commissioner" (Kantor Komisaris Pelindung) dihubungi pada nomor (02) 92653131 and kami akan coba membantu Anda.

ITALIAN Se desidera il nostro aiuto per comprendere questo documento, telefona al 131450, chiedi un interprete italiano e digli di chiamare l' "Office of the Protective Commissioner" al numero (02) 92653131.

KHMER

ប្រសិនបើអ្នកមិនយល់នឹងអ្វីដែលកំណត់សម្គាល់នេះ សូមអ្នកទូរស័ព្ទមកលេខ 131 450 សំរាប់អ្នកកម្ពុជា។ សុំប្រាប់ឲ្យគេទាក់
ទងការិយាល័យស្នងការ "Office of the Protective Commissioner" លេខ (02) 9265 3131 ដើម្បីឲ្យយើងជួយ
អ្នក។

KOREAN

이 문서를 이해하실 수 없으면 131450에 전화하여 통역을 부탁드립니다. 통역에게 (02) 92653131로 전화하여 "Office of the Protective Commissioner"(오피스 오브 더 프로텍티브 커미셔너)에게 연락해 줄 것을 부탁드립니다 저희가 도와드리도록 노력하겠습니다.

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RUSSIAN Если вы не понимаете, о чем этот документ, пожалуйста, позвоните по телефону 131 450, чтобы связаться с переводчиком. Попросите его позвонить в "Управление уполномоченного по вопросам защиты" ("Office of the Protective Commissioner") по телефону (02) 92653131 и мы попытаемся вам помочь.

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ISSN 1325-2097

Copies of the Protected Estates Act, 1983, the Guardianship Act 1987 and Regulations may be purchased from the Government Information Centre. Phone (02) 9743 7200.

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Phone: (02) 9265 3131
Fax: (02) 9283 5139

Service Centre Hours:
Monday to Friday, 8.30am - 4.30pm
(half hour lunch closure 12.30pm - 1.00pm)

Registry, Protective List
Supreme Court
Level 15 Piccadilly Tower
133 Castlereagh Street, Sydney
PO Box A235
Sydney South NSW 1232
DX 1335 Sydney

Phone: (02) 9265 3176
or 1300 360 466 (outside Sydney)
TTY: 1800 882 889
Fax: (02) 9265 1428

Registry Reception Hours:
Monday to Friday, 9.30am - 4.00pm