



NSW Trustee & Guardian

Trustee services, Financial Management, Guardianship



NSW Trustee & Guardian
Justice & Attorney General

Trustee services, Financial Management, Guardianship: Who does what?

NSW Trustee & Guardian (NSWTG) provides trustee and financial management services. Trustee services are offered to the people of NSW as a secure, independent and impartial alternative to private sector trustee companies, solicitors and private trustees, attorneys and executors. NSWTG can also be appointed financial manager for people with decision making disabilities.

The Public Guardian is an independent statutory official who is administratively supported by NSW Trustee & Guardian.

NSW Trustee & Guardian provides the following services:



The Guardianship Act provides for the appointment of a guardian to make substitute decisions relating to health and welfare on behalf of a person, who is aged 16 years and over, with a disability who is unable to do so on their own.

The Guardianship Tribunal appoints financial managers and guardians for people who are incapable of making their own decisions.

A Will is a legal document that sets out how you want your assets distributed when you die. It is a person's instructions as to who will inherit their estate after their death.

An executor is the person you appoint to carry out the instructions set out in your Will. You can appoint more than one executor. The duties of administering an estate can be complex and demanding which is why people often appoint solicitors or independent professional trustees such as NSW Trustee & Guardian as their executor.

A Power of Attorney is also a legal document where you appoint someone to manage your financial affairs should you be unable to do so, or if you do not wish to do so. This includes managing your assets such as properties and shares but does not include health or lifestyle decisions. You can appoint a friend or relative, or someone impartial like NSW Trustee & Guardian, or other solicitors or professionals.

Should you lose capacity, your appointed attorney/s will then be in place to manage your financial affairs on your behalf. You may also appoint your attorney to manage your affairs at other times such as if you become ill or have an accident, take an extended trip abroad or interstate, or for other personal reasons.

A Trust involves funds, property or other assets being set up to provide for someone else's longer term benefit. A person can appoint a private or professional Trustee to administer the trust for the beneficiary/ies who may be partners or friends in the case of life estates, children or grandchildren under discretionary testamentary trusts, or charitable trusts.

Financial management services are provided through the appointment of a financial manager who can make decisions about someone's financial affairs and assets. Clients include people with a brain injury, intellectual disability, dementia or other disability which affects their decision making. Services include:

- > **Financial and asset management** – Financial, legal, technical and disability advice services include protecting assets and legal rights, making investments, managing a business, liaising with financial and legal institutions, arranging the buying and selling of a home, and paying bills.
- > **Private management support** – Family members, friends, professionals and other individuals or trustee companies can be appointed as private manager. Support, supervision and direction are provided. Services include auditing accounts, preparing a plan of management, and providing managers with the required legal authority to manage the person's affairs.

An enduring guardian is a guardian appointed by a person with capacity, to make decisions relating to health and welfare if required in the future. You can appoint a family member or friend as an enduring guardian.

The Public Guardian, when appointed as someone's guardian, may make decisions on behalf of the person in areas concerning accommodation, medical and dental needs, health care and other services. As a substitute decision maker for the length of time specified in the guardianship order, the Public Guardian will also advocate for the services and support needed by the person under guardianship.

The Private Guardian Support Unit provides information and support to enduring guardians and guardians appointed by the Guardianship Tribunal (other than the Public Guardian). The Private Guardian Support Unit provides telephone advice and publications to assist guardians in their work.

Index of Contact Details

NSW Trustee & Guardian

Trustee services

19 O'Connell Street, Sydney NSW 2000
DX 1367 Sydney

Phone: 1300 364 103

Financial Management services

Justice Precinct Offices, 160 Marsden Street, Parramatta NSW 2150
Locked Bag 5115, Parramatta NSW 2124 or
DX 1335 Sydney

Phone: 02 8688 2600

Outside Sydney: 1300 360 466

Facsimile: 02 8688 9783

(18 Branch Offices across NSW)

The Public Guardian

Justice Precinct Offices, 160 Marsden Street, Parramatta NSW 2150
Locked Bag 5116, Parramatta NSW 2124 or
DX 1335 Sydney

Phone: 02 8688 2650

Private Guardian Support Unit

Phone: 8688 6060

Facsimile: 02 8688 9797

Freecall: 1800 451 510

(2 Branch Offices in NSW)

www.lawlink.nsw.gov.au/opg



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