

form 13  
GUARDIANSHIP AND ADMINISTRATION BOARD



## Application for Gifts and Settlements

Name of person for whom you have been appointed as Administrator:

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### Notice to applicant

The person will be provided with a copy of this application and notified of a hearing pursuant to the *Guardianship and Administration Act 1995*.

### Please provide

as much information as you can for each of the questions in this application form. Providing insufficient information may delay the processing of this application. If you need more space to answer questions in this application, attach as many extra pages as you need. You may also attach copies of any relevant reports or documents.

If you need further information, please phone:

*Tasmania*

**1300 799 625**

*Outside Tasmania*

**6165 7500**

Email:

[guardianship.board@justice.tas.gov.au](mailto:guardianship.board@justice.tas.gov.au)

Or visit our website at:

[www.guardianship.tas.gov.au](http://www.guardianship.tas.gov.au)

### What is a gift or settlement?

An administrator may only use funds in the represented person's estate for the benefit of that person. In circumstances where it may be appropriate for another person/entity to benefit from the represented person's estate, the administrator is required to make an application to authorise the gift or settlement upon that person.

Only an administrator may make an application for a gift or settlement. Other persons seeking gifts or settlements from the represented person's estate must refer their enquiries to the administrator.

**Further information, see *Handbook for Private Administrators***

Office Use:

CMS:

EG:

EPA:

MN:

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**I. Who is the application about:**

Title: ..... Surname: .....

Given Names: .....

(this form refers to this person as “the person” in all questions.)

Date of birth: .....

Other names this person may be known by: .....

Address: .....

.....Postcode:.....

Telephone: .....

Email: .....

Date of Order made by the Board:.....

**2. Who is the administrator making this application?**

Organisation: .....

Title: ..... Surname: .....

Given Names: .....

Address: .....

.....Postcode:.....

Telephone: .....

Email: .....

Please note: to be completed by the person's administrator

**3. Who will benefit or be maintained by this gift or settlement?**

Name: .....

Relationship to person:.....

Name: .....

Relationship to person:.....

Name: .....

Relationship to person:.....

#### 4. What are the person's wishes?

4.1 Have you told the person that you are making this application?

☐ Yes. Date: .....

☐ No. Why not: .....

#### 4.2 What views has the person expressed about this application:

**5. Is this the first application for a gift or settlement from this estate?**

☐ Yes

☐ No. Please provide details of previous application

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**6. Do you anticipate future applications for a gift or settlement from this estate?**

- ☐ No
- ☐ Yes. Please provide details

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**7. What is the purpose of the settlement or gift?**

i.e. how will the gift benefit or maintain the proposed beneficiary?

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**8. What evidence exists to suggest that the represented person supports or would have supported the purpose outlined above?**

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**9. Are there any alternative means to effect the purpose of the gift or settlement other than from this estate?**

Could the proposed beneficiary support a personal loan, or enter into a loan agreement with the administrator of the estate?

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**10. What financial affect will the gift or settlement have upon the person's estate?**

Please calculate any interest lost or any reduction in pension benefits

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### 11. Evidence to support the application:

11.1 Who is the person's primary carer?

Title: .....Surname: .....

Given Names: .....

\*Address: .....

.....Postcode:.....

Telephone: .....

\*Email: .....

Relationship to the person: .....

11.2 Are there other persons who are concerned for the welfare of the person? (please name all relevant persons, including persons who do not agree with you or this application.) If you require more space, please attach an additional piece of paper.

#### Person 1

Title: .....Surname: .....

Given Names: .....

\*Address: .....

.....Postcode:.....

Telephone: .....

\*Email: .....

Relationship to the person: .....

#### Person 2

Title: .....Surname: .....

Given Names: .....

\*Address: .....

.....Postcode:.....

Telephone: .....

\*Email: .....

Relationship to the person: .....

#### Person 3

Title: .....Surname: .....

Given Names: .....

\*Address: .....

.....Postcode: .....

Telephone: .....

\*Email: .....

Relationship to the person: .....

#### Person 4

Title: .....Surname: .....

Given Names: .....

\*Address: .....

.....Postcode: .....

Telephone: .....

\*Email: .....

Relationship to the person: .....

#### Person 5

Title: .....Surname: .....

Given Names: .....

\*Address: .....

.....Postcode: .....

Telephone: .....

\*Email: .....

Relationship to the person: .....

**\*It is important you ensure a postal and/or email address is entered for all persons listed on this application.**

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### 12. Financial details of the person?

Source of income (e.g. salary, Centrelink, DVA, superannuation etc)

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Estimated fortnightly income:

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Estimated savings or investments (including superannuation. Please provide names of financial institutions where known):

Institution:	Amount:
1. ....	.....
2. ....	.....
3. ....	.....
4. ....	.....
5. ....	.....

Real Estate: (please provide addresses)

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Other assets: (vehicles, shares or interest in a business etc)

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Estimated fortnightly expenses: (e.g. rent, board, Aged Care fees, utilities etc)

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Estimated liabilities: (credit card debt, mortgage, outstanding accounts, maintenance of dependents etc)

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### 13. Arrangements for the hearing:

The person must attend the hearing unless there are exceptional circumstances. You will need to organise arrangements for the person to attend the hearing.

13.1 Can the person attend the hearing?

- ☐ Yes, go to question 13.2.
- ☐ No, please state the exceptional circumstances preventing the person you are applying about from attending:

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13.2 Are there any dates in the next 6 weeks where you are unable to attend a hearing?

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13.3 Does any person who may attend the hearing require an interpreter or other assistance with communication?

- ☐ No, go to question 13.4.
- ☐ Yes – please complete this section.

Name: .....

Type of assistance required:

- ☐ Interpreter language / dialect
- ☐ Other – please specify:

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13.4 Does anyone attending the hearing have concerns about their personal safety?

- ☐ No, go to 14.
- ☐ Yes, please tell us who has concerns about their personal safety at the hearing and why:

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## GUARDIANSHIP AND ADMINISTRATION BOARD



All applicants must sign  
this declaration.

### 14. Compulsory declaration by applicant.

#### Having read through this completed application:

- ☐ I consider that, to the best of my knowledge, all of the information is true and accurate.
- ☐ I have not intentionally left out important information or the names of people who are likely to have a legitimate interest in the application.
- ☐ I understand that it is an offence to make a false or misleading statement in an application.

Name: .....

Signed: .....

Dated: .....

### Information about lodging the application

#### Before you lodge this form, make sure you have:-

- ☐ Signed and dated the declaration in question 14

#### How to lodge the application:-

You can lodge the completed application form and attachments by:-

- Delivering it in person to:-  
Level 2, 144 Macquarie Street  
Hobart

OR

- Mailing it to:-  
Guardianship and Administration Board  
GPO Box 1307  
HOBART TAS 7001

OR

- Emailing it to:-  
[guardianship.board@justice.tas.gov.au](mailto:guardianship.board@justice.tas.gov.au)

#### What happens next?

When the application is received, the Board's staff:-

- Will write to you acknowledging receipt of the application;
- May contact you by telephone or mail to obtain more information (if necessary);
- Will release the application and the documents provided to parties relevant to the application; and
- Will schedule a hearing for the application and will write to you and all other interested parties letting you and them know when and where the hearing will take place.

**Thank you for your time in completing this application. Your assistance is greatly appreciated.**