

QCAT Practice Direction No 1 of 2015

Providing accounts of administration for private administrator/s

Effective: 24 February 2015

1. This Practice Direction replaces Presidential Direction No 1 of 2003 of the former Guardianship and Administration Tribunal (adopted for QCAT by Practice Direction 8 of 2010), which is repealed.
2. Pursuant to section 49 of the *Guardianship and Administration Act 2000*, an administrator must keep records that are reasonable in the circumstances and if required by the Tribunal, produce records of dealings and transactions involving the adult's property for inspection at the time the Tribunal decides.
3. Decisions which contain a clause or clauses in respect to the provision of accounts of administration are to be read as follows:

Accounts of administration are to be provided:

- (a) to QCAT on an annual basis, two months before the anniversary of the appointment or as stated in the Tribunal's decision where the value of the adult's estate excluding the adult's principal place of residence and/or a nursing home bond is under \$50,000; or
- (b) to one of the approved panel of examiners on an annual basis, two months before the anniversary of the appointment or as stated in the Tribunal's decision where the value of the adult's estate excluding the adult's principal place of residence and/or nursing home bond is over \$50,000

If the Tribunal has granted a partial exemption for accounts to:

- (c) to QCAT on an annual basis, two months before the anniversary of the appointment or as stated in the Tribunal's decision regardless of the value of the adult's estate.

Example

If you were appointed on 15 November 2014, you will need to provide accounts of administration annually in September until otherwise advised.

4. The accounts are to be lodged using the *Account by administrator* form (available on the QCAT website) unless otherwise authorised or a partial exemption has been approved.
5. If a partial exemption has been granted by the Tribunal the documents to be lodged with QCAT will be detailed in the Tribunal's decision.
6. The current list of approved panel of examiners are as follows:

Vincent Chartered Accountants

QCAT – Accounts Examination
PO Box 13004
George Street
BRISBANE QLD 4001
Telephone: (07) 3228 4000

Perpetual Trustees Queensland Ltd

Examination Manager
GPO Box 5257
BRISBANE QLD 4001
Telephone: (07) 3834 5661
Fax: (07) 3834 5662

Public Trustee of Queensland

Administration Accounts Assistance
GPO Box 1449
BRISBANE QLD 4001
Telephone: (07) 3213 9309
Fax: (07) 3213 9262

LHK Examinations

Laurie Kerslake
PO Box 232
SALISBURY QLD 4107
Telephone: (07) 3300 2258
Mobile: 0424 371 308

7. If the panel examiner receives insufficient information to conduct an examination of the accounts the panel examiner may contact you directly to obtain additional information.
8. The panel examiner is entitled to charge a fee for this service. There will be no fee charged where the Tribunal conducts the examination. The Tribunal may refer matters under \$50,000 to one of the approved panel of examiners as necessary.
9. The appointed administrator/s will be issued with a tax invoice by the panel examiner. The administrator/s are authorised and required to pay the tax invoice within 30 days of receipt from the adult's funds. Failure to pay the invoice may result in the Tribunal initiating a review of the appointment.



Justice David Thomas
President

24 February 2015