FEES 2020 - 2021

Powers of Attorney

PUBLIC TRUSTEE AND GUARDIAN

Fees payable to the Public Trustee and Guardian for the ACT (PTG)

(effective from 1 November 2020)

The fees in this Fact Sheet are determined by the Attorney-General as the maximum fees PTG may charge. These fees do not include disbursements.

Charitable Fund Management

- Commission on income received 5.5%

Common Fund Management

- Management of assets whether held in or outside of the Common Funds (p/annum) 1.1%

Confiscation of Criminal Assets

(Under the *Confiscation of Criminal Assets Act 2003*)

- Management fee (on the amount paid into the Confiscated Criminal Assets Trust Fund each financial year) 1.1%
- Capital Commission on cash received 1.1%
- For assets other than cash, a one-off capital commission based on the gross value of the capital assets sold as per the sliding scale in "Estates Administration".
- Commission on income received 5.5%
- Costs, charges, expenses of PTG (as per item 64 of determination) $293/hr

Enduring Power of Attorney (EPA) - Acting as Attorney

(For preparing an EPA see "Wills and EPA")

For dealing with assets (when EPA activated) -

- Where the asset consists of cash 1.1%
- Where the asset is other than cash, a commission based on the gross value of the capital asset sold as per the sliding scale in "Estates Administration".
- Commission on income received 5.5%
- Acting as attorney in any other capacity $293/hr

Estate Administration

- Minimum estate administration fee $2,618

A commission on the gross value of the capital assets of the estate applies as follows (jointly held assets, matrimonial home passing to a surviving spouse/ partner, and superannuation paid directly to the beneficiary, are not subject to this scale of fees) –

The total value of the assets subject to the following commission,

- 4.4% on the 1st $200,000 of the total
- 3.3% on the 2nd $200,000 of the total (i.e. assets to $200K to $400K)
- 2.2% on the 3rd $200,000 of the total (i.e. assets to $400K to $600K)
- 1.1% on the balance of the total (i.e. assets of $600K and above)
- Commission on income received 5.5%

For services provided under Executor Assist (eg obtaining Probate – est. 8-10 hours) $293/hr

External Manager - Account examination; endorsement of purchase/sale of property

(Fees for the purposes of s.26(1) *Guardianship and Management of Property Act 1991*). PTG's minimum fee is subsidised at $133 (GST exempt). The full hourly rate of $263 per hr (GST exempt) will be additionally charged when insufficient documentation is lodged.

- Examination of accounts $265/hr
- Minimum fee - half the hourly rate (ie $133)
- For requesting endorsement of any dealings* with the represented person's real property $293/hr

* - refer 'Part 10 Dealings' *Land Titles Act 1985*

Financial Management Services

For administering assets –

- Cash assets (collection of) 1.1%
- Non-cash assets (dealing with) 4.4%
- personal dwelling - purchase or sale of (on value of property) 1.1%

For collection of income –

- Commission on income in the form of Centrelink and Veterans Affairs pensions 3.0%
- Commission on all other income received 5.5%
- For providing Investment advice $293/hr

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Miscellaneous Fees

• hourly rate (incl travelling time)	$293/hr
• arranging to purchase/sell/extend/modify property as a % of the gross value of works	1.1%
• genealogy matters	$293/hr
• life assurance/or superannuation not paid to the estate	$293/hr
• preparing deeds/renunciations/releases	$293/hr
• replacing a lost title deed	$293/hr
• inspecting property	$293/hr
• visiting a client outside of the office	$293/hr
• storage (cubic metre)	$59 per cubic metre per month

- **Sundries**

An amount is recovered for outlays incurred in rendering a service eg phone/fax/postage/copying.

Taxation Services Fees

• Taxation services advice and returns	$293/hr

Trust Administration

For all trusts created under law, Court award, instrument or will.

Capital Commission (one off)

• For cash assets	1.1%
• For assets other than cash, a capital commission based on the gross value of the capital assets as per the sliding scale in "Estates Administration"	
Commission on income received	5.5%
Special Disability Trust - Centrelink audit fee	$130/yr
Administration fee for all continuing trusts (except trusts of $25,000 or less)	$130/yr
Administration of trusts under the *Victims of Crime (Financial Assistance) Act 2016* and *Motor Accident Injuries Act 2019* and Child Protection Trusts of capital less than $100,000	No capital commission or administration fee

Unclaimed Money - claims and payments

• For each amount of unclaimed money claimed, a claim fee applies	$77
• Unclaimed Money administration fee (on receipt)	1.1%

Wills and Enduring Powers of Attorney (EPA)

PTG's policy on Will/EPA appointments is that we will only make a Will or EPA where -
- PTG is appointed as Executor/Attorney; or
- the partner /spouse is appointed as Executor/ Attorney and PTG is appointed as substitute.

• Consultation fee - if no Will/EPA prepared	$293/hr
• Will - Single person	$350
- with EPA	$500
• Will - Partners (per person)	$300
- with EPA (per person)	$400
• Seniors 60 yrs and over/concession card holders/ hardship (1 free Will every 2 years)	Nil
- Seniors with EPA (per person)	$200
• EPA only	$250
• Home visits - an additional fee of	$293
• Complex Wills - maximum fee per person	$850
• For retrieving a revoked Will	$293

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