



**PUBLIC TRUSTEE  
AND GUARDIAN**

## FEES 2022 – 2023

### Powers of Attorney

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

(effective - 1 July 2022)

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. The fees include GST except where otherwise stated.

##### Charitable Fund Management

- Commission on income received 6.6%

##### Common Fund Management

- Management of assets whether held in or outside of the Common Funds (p.a.) 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 6.6%
- Costs, charges, expenses of PTG (as per item 64 of determination) \$307/hr

#### Enduring Power of Attorney (EPOA) – Acting as Attorney

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

For dealing with assets (when EPOA activated) –

- Where the asset consists of cash 1.1%
- Where the asset is other than cash (incl real property) a commission based on the gross value of the capital asset sold as per the sliding scale in "Estates Administration".
- Commission on income received 6.6%
- Acting as attorney in any other capacity \$307/hr
- Acting as attorney (complex matters) \$471/hr

#### Estate Administration

- Minimum estate administration fee \$3,025

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 \$300,000 of the total
- 3.3% on the 2nd \$300,000 of the total (i. e. assets \$300K to \$600K)
- 2.2% on the 3rd \$300,000 of the total (i. e. assets \$600K to \$900K)
- 1.1% on the balance of the total (i. e. assets of \$900K and above)

- Commission on income received 6.6%

For services provided under Executor Assist (e. g. obtaining Probate – est. 8-10 hours) \$307/hr

#### External Manager – Account Examination; endorsement of purchase/sale of property

The hourly rate for the examination of accounts maintained by an external financial manager is GST exempt and, when rounded, is \$277.00. Adjustments to this rebate can be made by the Public Trustee and Guardian under the fee reductions and waivers provision in the *Public Trustee and Guardian Act 1985*.

- Examination of accounts \$277/hr (Subsidised down to \$208/hr)
- For requesting endorsement of dealings\* with the person's real property \$307/hr

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

#### Financial Management Services

For administering assets –

- Cash assets (collection of) 1.1%
- For assets other than cash (including purchase/sale of real property) a commission based on the gross value of the capital assets as per the sliding scale in "Estates Administration"

For collection of income –

- Commission on income in the form of Centrelink and Veterans Affairs pensions. 3.5%
- Commission on all other income received 6.6%
- For providing investment advice \$307/hr



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#### Miscellaneous Fees

• Hourly rate (incl travelling time)	\$307/hr
• Arranging to purchase/sell/extend/modify property as a % of the gross value of works	1.1%
• Genealogy matters	\$307/hr
• Life assurance/or superannuation not paid to the estate	\$307/hr
• Preparing deeds/renunciations/releases	\$307/hr
• Replacing a lost title deed	\$307/hr
• Inspecting property	\$307/hr
• Visiting a client outside of the office	\$307/hr
• Storage (cubic metre/per month)	\$61

#### Sundries

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

#### Taxation Services Fees

(refer Taxation Fees Fact Sheet)

• Taxation services advice and returns –	
– Non-complex matters	\$307/hr
– Complex matters	\$471/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	6.6%
• Special Disability Trust – Centrelink audit fee	\$131pa
• Administration fee for all continuing trusts (except trusts of \$25,000 or less)	\$131pa
• 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	\$80
• Unclaimed Money administration fee (on receipt)	1.1%

#### Wills and Enduring Powers of Attorney (EPOA)

PTG will make a Will or EPOA where –

- PTG is appointed as Executor/Attorney; or
- The partner/spouse/other is appointed as Executor/Attorney and PTG is appointed as substitute
- Where no partner/spouse, PTG must be appointed as sole executor in the Will or in the case of an EPOA, sole attorney for property/financial matters.
- Consultation fee – if no Will/EPOA prepared \$307/hr
- Will – Single person \$410
  - with EPOA \$560
- Will – Partners (per person) \$360
  - with EPOA (per person) \$460
- Seniors 60 yrs and over/concession card holders/hardship (1 free Will every 2 years) Nil
  - Seniors with EPA (per person) \$250
- EPOA only \$300
- Home visits – an additional fee of \$307
- Complex Wills \$471/hr
- For retrieving a revoked Will \$150
- Maximum fee for drafting Will \$2,363

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