

Appointment as a Private Financial Administrator

Appointment as a private administrator

An administration order has been made by SACAT appointing you as an administrator. The role of administrator is a very important responsibility. This now means that you will manage the financial affairs of the named protected person. This factsheet provides some tips to help you understand your duties and to get you started.

Initial Statement of Accounts

When you are first appointed you need to lodge the 'Initial Statement of Assets and Liabilities' form. This will be sent to you by the Public Trustee. You must send this to the Public Trustee within 28 days of your appointment.

You are advised to visit the Public Trustee's website for electronic versions of the Initial Statement of Assets and Liabilities form and to understand your duties and your obligations as administrator. This information can be found here: [I've been appointed administrator - where do I start? | Public Trustee](#). A formal letter will also be sent to you by Public Trustee reminding you of your duties and obligations.

Regular reporting to the Public Trustee

As an administrator you have an obligation to report on your financial administration of the estate of the protected person either yearly, twice per year or as frequently as is specified on the order (depending on the conditions of the administration order). You **MUST** provide the report on the statement of accounts in accordance with the conditions of the order. A failure to do so is an offence (penalty \$5000) and may mean that you will be removed from the role of administrator.

Annual reporting forms are available from the Public Trustee's website: [Financial recording and reporting | Public Trustee](#).

Financial Examiner of the Public Trustee

The Public Trustee is an independent statutory officer who is completely separate to SACAT.

One of the Public Trustee's roles is to receive and examine the statements of accounts from private administrators in accordance with the conditions of the order and the *Guardianship and Administration Act*. Financial Examiners within the office of the Public Trustee perform this function.

The Financial Examiner's role is to make sure that:

- you are fulfilling your role in accordance with the Act; and
- your financial administration is benefiting the protected person.

Fees for financial examination

Public Trustee charges a regulated fee per hour for the examination of the statement of accounts provided by you as the private administrator. The SA Government reviews this fee annually. The current financial examination fee is available on its website at [Fees and charges](#).

Public Trustee may reduce or waive this fee if it will cause the protected person financial hardship or unreasonably reduce their estate. You may provide your request in writing for Public Trustee's consideration.

Assistance from the Public Trustee

Public Trustee fully understands the duties and obligations of an administrator and can provide information and advice. This will help to ensure you are effectively performing your duties for the proper care of the protected person.

You can download the “*Public Trustee Guide for Financial Administrators*” from the Public Trustee’s website, [Private-Administrators-Guide.pdf \(publictrustee.sa.gov.au\)](https://publictrustee.sa.gov.au/Private-Administrators-Guide.pdf). This guide will give you the necessary information to understand your role.

It is recommended that you attend an information session, offered by Public Trustee, that is held by video link to understand your role and seek advice from Public Trustee. These sessions are generally held on the first Thursday of each month. Please call (08) 8463 7442 or email: PT.RegulatoryTeam@sa.gov.au

Checklist for private administrators

Checklist for private administrators	
<input type="checkbox"/>	Read the administration order carefully and note the conditions.
<input type="checkbox"/>	Develop a financial management strategy/budget. You will need to determine the protected person’s assets, their source(s) of income, their expenses and debts.
<input type="checkbox"/>	Safeguard any assets. The person’s property will continue to remain in their name, even after you are appointed as administrator. Under the Act, you may consider the lodgement of a caveat to safeguard the protected person’s interest in any real estate. Make sure assets are insured where appropriate and that items are physically secured where relevant.
<input type="checkbox"/>	Read the <i>Guardianship and Administration Act 1993</i>. It is advisable to look at the Act as this is the authority under which you must carry out your duties. You do not necessarily need to read it cover to cover but you should be familiar with its contents and the sections that specially apply to the roles and duties of an administrator (sections 35-48, and sections 74-75).
<input type="checkbox"/>	Tell relevant people and organisations that you have been appointed.

	<ul style="list-style-type: none"> • Banks and financial institutions where the person has accounts • Companies in which the protected person has shares • Centrelink or Department of Veteran’s Affairs • Anyone who owes the protected person money • Organisations to which the protected person owes money
<input type="checkbox"/>	Set up a working account. It is a good idea for you to open a bank account in the sole name of the protected person to use as a working account into which all income is paid, and from which all expenditure is paid. Having one account for the protected person’s income and expenditure will make it easier for you to keep track of their finances. You may find it convenient to use one of the protected person’s existing accounts as a working account by adding your authority as administrator to operate the account. You may then decide that it is more practical to close any other accounts and consolidate them into the working account. The bank will need to see a copy of the administration order before this can be done.
<input type="checkbox"/>	Start managing documentation. As the administrator, you are required to keep full details and documentation of the protected person’s assets, income and expenditure. Documentation includes invoices, receipts; statements accompanying cheques received and bank statements.
<input type="checkbox"/>	Find out what is in the protected person’s Will. Some of the decisions you make as administrator may be affected by the terms of the protected person’s Will. It is therefore advisable to locate, store and check the protected person’s Will.

Working with a Guardian

In some instances a protected person will have a guardian appointed by SACAT who is a person appointed to make major life decisions for the person and the order will state the extent of that role, which may relate to accommodation, health, services and/or access decisions.

SACAT can appoint a guardian as well as an administrator. Sometimes the same person will be appointed to both of these roles, but if they are not, it is important that you and the guardian work closely together and inform each other of decisions or actions of a substantial nature.

Further information and assistance

If you would like to speak to a staff member about being appointed as a private administrator, please telephone SACAT on 1800 723 767.

You may also contact Public Trustee about your obligations as a private administrator on (08) 8226 9200. The Public Trustee's [website](#) also provides information about the obligations of private administrators.

This information sheet does not constitute legal advice and does not relate to the circumstances of any individual matter. If you wish to have legal advice you should seek that independently.