

FINANCIAL STATEMENT PLAN GUARDIANSHIP LIST

HOW TO COMPLETE THIS FORM

As an administrator, you are legally required to complete a Financial Statement and Plan (FSP).

You must email your completed FSP to humanrights@vcat.vic.gov.au.

No supporting documents are required for now. We will contact you if we need any supporting documents. Check the VCAT order for reporting requirements.

FSP is usually only done once unless specifically directed otherwise. If you have any questions about the procedures you need to follow as an administrator, call 1300 01 8228 or email humanrights@vcat.vic.gov.au (Monday to Friday 9am – 4.30pm).

Do not lodge your request for advice on this form.

CASE DETAILS

1. Provide details of the case below

VCAT reference number G

Date of administration order (DD/MM/YYYY) / /

DETAILS OF THE PERSON YOU REPRESENT

2. Details of the person you make financial decisions for

Given names

Family name

Street address

Suburb State Postcode

Phone number

Email

3. What is their living arrangement?

- Rent Own home Care facility
 With family – provide details below: Other – provide details below:

Provide more information below

PROVIDE DETAILS OF ALL ADMINISTRATORS

Administrator 1

4. Provide administrator's details

Given names	<input type="text"/>		
Family name	<input type="text"/>		
Street address	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone number	<input type="text"/>		
Email	<input type="text"/>		

5. What is your relationship to the represented person?

For example, parent, sibling, child, spouse/partner, primary carer, solicitor, accountant, other.

If there is no other administrator, skip to Question 10.

Administrator 2

6. Provide administrator's details

Given names	<input type="text"/>		
Family name	<input type="text"/>		
Street address	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone number	<input type="text"/>		
Email	<input type="text"/>		

7. What is your relationship to the represented person?

For example, parent, sibling, child, spouse/partner, primary carer, solicitor, accountant, other.

If there is no other administrator, skip to Question 10.

Administrator 3

8. Provide administrator's details

Given names	<input type="text"/>		
Family name	<input type="text"/>		
Street address	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone number	<input type="text"/>		
Email	<input type="text"/>		

9. What is your relationship to the represented person?

For example, parent, sibling, child, spouse/partner, primary carer, solicitor, accountant, other.

If there are more than three administrators, include an attachment with their details.

SECTION 1 - INCOME

10. What is the represented person's fortnightly income?

Centrelink pension	<input type="text"/>
Overseas pension calculated in \$AUD	<input type="text"/>
Salary/wages	<input type="text"/>
Superannuation pension	<input type="text"/>
Income from managed funds	<input type="text"/>
Interest from bank accounts/ term deposits	<input type="text"/>
Dividends from shares	<input type="text"/>
Rental income	<input type="text"/>
TAC/Workcover payments	<input type="text"/>
Insurance payments (eg. TPD insurance)	<input type="text"/>
Trust income	<input type="text"/>
Other	<input type="text"/>
Total income	<input type="text"/>

SECTION 2 - EXPENDITURE

11. What is the represented person's fortnightly expenses?

Private board (accommodation incl. food and bills) \$

Name of person the payment is made to:

Rent \$

If shared, name(s) of person/s rent is shared with and percentage paid:

1.		%
2.		%
3.		%

Mortgage 1 – Property address

Street address

Suburb State Postcode

Mortgage 1 – fortnightly payments

If shared, name(s) of person/s payments are shared with and percentage paid:

		%
1.		%
2.		%
3.		%

Mortgage 2 – Property address

Street address

Suburb State Postcode

Mortgage 2 – fortnightly payments

If shared, name(s) of person/s payments are shared with and percentage paid:

		%
1.		%
2.		%
3.		%

Residential aged care facility accommodation fees \$

Food \$

Clothing \$

Medical expenses (including pharmacy bills) \$

Carer's fees/ respite fees \$

Private health insurance \$

Entertainment \$

Holidays \$

Education/day placement \$

Mobile phone \$

Gas, electricity, water, home phone:

If shared, name(s) of person/s bills are shared with and percentage paid:

\$	
1.	%
2.	%
3.	%

Transport (public transport, taxis, etc)

\$

Car running costs

(incl. petrol, registration and insurance)

\$

Home maintenance (incl. renovations and repairs)

If shared, name(s) of person/s costs are shared with and percentage paid:

\$	
1.	%
2.	%
3.	%

Council rates

If shared, name(s) of person/s costs are shared with and percentage paid:

\$	
1.	%
2.	%
3.	%

Owners corporation rates

If shared, name(s) of person/s costs are shared with and percentage paid:

\$	
1.	%
2.	%
3.	%

Home and/or contents insurance

If shared, name(s) of person/s costs are shared with and percentage paid:

\$	
1.	%
2.	%
3.	%

Other expenses

\$

Other expenses

\$

Other expenses

\$

Total expenses

\$

SECTION 3 - ASSETS

If the represented person does not have a bank account – enter \$0.00 in the balance section and enter 0 for the BSB and account details

Jointly held funds – Equally divide the value of the funds received, expenditure, assets or bank account details and **record the represented person's share/s on the FSP.**

Real estate – Include all real estate property the represented person owns, or has a financial interest/share, including the represented person's own home, whether they live in this property.

Investments – Include shares, bonds or managed funds

Personal property – Include items valued at \$1,000 or more such as jewellery, furniture, electrical goods and wheelchairs.

Superannuation funds – Include Industry Funds, Wholesale Master Trusts, Retail Master Trusts/Wrap platforms, Employer Stand-alone Funds, Self-Managed Superannuation Funds, Small APRA Funds, and Public Sector Employee Funds.

12. What were the represented person's assets at the date of the VCAT administration order?

Bank account 1

Balance \$ BSB Account number

If in joint names, name(s) of other person/s and percentage shared

1.	%
2.	%

Bank account 2

Balance \$ BSB Account number

If in joint names, name(s) of other person/s and percentage shared

1.	%
2.	%

Bank account 3

Balance \$ BSB Account number

If in joint names, name(s) of other person/s and percentage shared

1.	%
2.	%

Investment(s)

Investment(s) account reference numbers

1.	Value \$
2.	Value \$

Real estate 1

Property value \$ Percentage owned by represented person %

Primary residence Former primary residence Investment property

Street address

Suburb State Postcode

In the names of:

Given names Family name

Given names Family name

Real estate 2

Property value \$ Percentage owned by represented person %

Primary residence Former primary residence Investment property

Street address

Suburb State Postcode

Vehicle value \$

Car Motorbike Caravan

Personal property valued over \$1,000

Provide specific details of items and value for each

1.	Value \$
2.	Value \$

Superannuation balance \$

Fund name Account number

Refundable Accommodation Deposit (RAD) \$

or Accommodation Bond (if already paid)

Funds in Court (with Senior Master's Office) \$

Discretionary trust (family or testamentary trust) \$

Loan account \$

Unpaid present entitlements \$

Other \$

Loan – Loaned amount \$

Name of person money lent to

Details of loan

Pre-paid funeral \$

Shares

Company Units Value \$

Company Units Value \$

Company Units Value \$

Other (Provide details and value)

Details Value \$

Details Value \$

Details Value \$

Total assets \$

SECTION 4 – DEBTS/LIABILITIES

13. What were the represented person's debts at the date of the VCAT administration order?

Mortgage 1 – amount owing

\$

 Primary residence Former primary residence Investment property

Street address

Suburb

State

Postcode

In the name/s of

Mortgage 2 – amount owing

\$

 Primary residence Former primary residence Investment property

Street address

Suburb

State

Postcode

In the name/s of

Loans and credit cards

Personal loan – amount owing

\$

Lender

Investment loan – amount owing

\$

Lender

Credit card/store card – amount owing

\$

Bank/store

Credit card/store card – amount owing

\$

Bank/store

Legal fees owing

\$

Description of work done

Accountancy/financial planning fees owing

\$

Taxes

\$

Unpaid fines

Guarantees for loans

\$

Refundable Accommodation Deposit (RAD)

or Accommodation Bond (if not already paid)

\$

Other expenses

\$

Other expenses

\$

Total debts

\$

SECTION 5 – FINANCIAL SUMMARY

Complete this section below using totals from previous sections

14. Total fortnightly income (use total on page 3)

less

Total fortnightly expenses (use total on page 5)

equals =

15. Is the represented person's fortnightly income more than their fortnightly expenses?

- Yes, skip to Question 16 No

If no, explain how you will ensure the represented person's fortnightly expenses can be paid in full. For example, sell an asset, family to subsidise income or reduce the represented person's spending.

16. Total assets (use total on page 7)

less

Total debts (use total on page 8)

17. Is the represented person's assets more than the debts

- Yes, skip to Question 18 No

If no, explain how you will ensure the represented person's debts can be paid in full. For example, negotiate a payment plan or debt write off/reduction or apply for bankruptcy.

SECTION 6 – FUTURE STEPS

Approval of the FSP does not necessarily approve proposed actions in the following questions.

You must read the Fact Sheet for Administrators to find out your responsibilities and requirements to VCAT regarding gifts, loans and transactions.

18. What steps have you taken and will take to ensure the represented person's day-to-day financial needs are being met?

For example, do you intend to apply for Centrelink payments such as a Disability Support Pension, rent assistance or mobility allowance for the represented person?

19 Will any person (including the administrator/s and family members) be living with the represented in a home owned or rented by the represented person?

- Yes, provide details below No

If yes, provide the names and details of what rent / board / household / property expenses that person/s will be paying.

20. Has the represented person made a testamentary will?

- Yes, provide details below No Don't know

If yes, provide the name and address of person who holds the will (if known)

21. Do you intend to make a TAC, WorkCover or Total and Permanent Disability Claim or take any other legal action on behalf of the represented person?

Check the VCAT order first to see if you have the power to take legal action.

- Yes, provide details below No

If yes, provide details below

22. Since VCAT appointed you, have you sold, lent or given away any assets valued at, or paid any debts of \$1,000 or more?

- Yes, provide details below: No

- Sold Lent Given away Paid

Asset type		Value	\$	Reason	
Asset type		Value	\$	Reason	
Asset type		Value	\$	Reason	

23. How long do you estimate the person's savings and income will last for?

- Less than a year Their likely lifetime

More than a year, provide estimate:

If less than a year or less than their likely lifetime, how do you intend to ensure their financial needs will be met for their likely lifetime?

34. Name of who is to live in the property, their relationship to the represented person, amount of rent per fortnight, and reasons for below market rent or no rent.

Name/s Relationship to the represented person

Fortnightly rent amount or other payment \$

Reason for below market rental or no rent collected

Person responsible for rates, utilities and insurance

35. Do you plan to sell any shares or cash-in any investments?

Yes, provide details below No

If yes, provide details of these shares or investments and their estimated value.

36. Does the represented person own any cars, motor vehicles or caravans?

If yes, provide details of each vehicle(s), its value, names and relationship of anyone who will use each vehicle if it is kept or names of person it will be gifted to

Yes, provide details below: No

37. Are there any other steps you intend to take to make sure the represent person can pay for their expenses, pay off any debts and meet any liabilities (including accommodation bonds if needed)?

Yes, provide details below: No

38. Have you or will you use a financial advisor when handling the represented person's finances?

Yes No

39. Have you given or will you give any of the represented person's property and/or estate to anyone?

Yes, provide details in Question 40 No, skip to Question 43

40. How are you giving the represented person's property and/or estate, and to who?

Gifts or donations of property, including money.

Loans, skip to Question 42

41. Details of beneficiary receiving gift or donations of represented person's property

Name/s of person or organisation

Amount \$ Relationship to the represented person

Reason for gift

42. Details of beneficiary receiving loans

Name of borrower

Relationship to the represented person

Is there a written loan agreement? Yes No

Amount loaned \$ Repayment terms per fortnight \$

Interest payable \$

Reason for loan

How will the loan be secured?

43. If any of your answers to questions in the Future Steps section on Page 9 of this form conflict with what is important to the represented person, provide details below.

Otherwise, skip to Question 44

Question number

Proposed action

Represented person's views

Question number

Proposed action

Represented person's views

Question number

Proposed action

Represented person's views

ADMINISTRATOR(S)' DISCLOSURE

44. Has any of the administrator

- declared bankrupt
- entered into any Part X agreement
- convicted of any dishonesty offences
- a director of any company that has been put into liquidation,
- a director of a company that has been put into administration
- a director of a company that has entered into a deed of company arrangement.
- a director of any company that has been put into liquidation, administration or entered into a deed of company arrangement.
- none of the above. Skip to Acknowledgement Section of this form.

45. Provide details of any dishonesty offences, circumstances of insolvency, or bankruptcy.

If there is not enough space provided for all administrators, provide us with an additional page containing the same information as below.

ACKNOWLEDGMENT

If there are joint administrator, every administrator must acknowledge this FSP.
An unacknowledged FSP will be returned to you to complete.

Name of Administrator 1:

Date:

Name of Administrator 2:

Date:

Name of Administrator 3:

Date:

By completing this application, I/we understand and acknowledge that:

- to the best of my/our knowledge, all information provided is true and correct.
- it is an offence under section 136 of the *Victorian Civil and Administrative Tribunal Act 1998* to knowingly give false or misleading information to VCAT

CHECKLIST

Before submitting this form, ensure you have done the below:

- all administrators have acknowledged and are listed in the acknowledgment section above
- all contact details (including email address if applicable) provided are correct and up to date
- all administrators have kept a copy of this FSP for your records
- all administrators have read the Frequently Asked Questions for Administrators below

FREQUENTLY ASKED QUESTIONS

How do I deal with joint assets?

You may need to separate joint accounts that the represented person holds, so that all funds are held in the represented person's name and can be accounted for accurately. If there are important reasons to keep the joint account, you need to seek VCAT's approval.

If you sell a joint asset, you must make sure that the represented person receives their share of the value. If you are buying a new joint property with the same owners using sale proceeds from a joint asset, it is important that the new asset is owned in the same proportions as the joint asset that was sold. You can seek approval of VCAT for these transactions.

When do I need prior approval from VCAT?

Write to us to request approval:

- when the order requires you to seek VCAT approval before selling the represented person's properties, or if the represented person does not want you to sell their property. Write to VCAT to seek approval before starting any sale process.
- if you want to loan the represented person's money to another person. Tell us the terms of the proposed loan, the name of the borrower, their relationship to the represented person, the amount of the loan, repayment dates, interest payable, any security for the loan, and how making the loan reflects what's important to the person and promotes their personal and social wellbeing.
- to gift more than \$100 of value of the represented person's property (including money) to another person. Tell us the name(s) of persons receiving gifts, their relationship to the represented person, the amount of the gift and how making the gift reflects what's important to the person and how it promotes their personal and social wellbeing.
- when you want to renovate the represented person's property. Tell us about the proposed works, their purpose, the estimated cost and how the renovations reflect what's important to the person and how it promotes their personal and social wellbeing.
- if you need to take legal action on the represented person's behalf that hasn't already been specified in the VCAT order.

You may be protected from liability if you get VCAT's formal approval for specific decisions.

What decisions don't require prior approval from VCAT?

- A gift **under \$100** of value of the represented person's property (including money) to a relative, or a close friend. The gift must be reasonable given the represented person's financial circumstances.
- Donations to charity valued at under \$100. A donation to a charity must be a type of donation which the represented person made when they had capacity or might reasonably be expected to make.
- Routine transactions under \$1000.00, accommodation and other essential or regular payments as noted in this FSP (subject to VCAT's approval of your FSP).

Can the represented person make a will?

If the person is medically assessed and found to have capacity to make a will, they may be able to do so. In all cases, you may consult a lawyer to get advice about the options available.

What must I do if the represented person dies?

If the represented person dies, the administration order ends and the law relating to a deceased estate applies. Tell VCAT in writing that the represented person has died and send us:

- a death certificate, or
- notification of death by a professional, such as a doctor who was involved in their care.

You are responsible for the estate until the date of death. Complete and keep accounts up to then, in case an executor or other authorised person needs these. You can submit the final accounts to VCAT.

SUBMITTING THIS APPLICATION

Submit this FSP either by email, by post or in person.

By email

Email humanrights@vcat.vic.gov.au

By post

Send to:

VCAT - Guardianship List
GPO Box 5408 VIC 3001

In person

Level 4, 414 La Trobe St,
Melbourne VIC 3000

Monday to Friday 9am – 4.30pm

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact us by phone, email or in person.

By email

Email humanrights@vcat.vic.gov.au

By phone

Call 1300 018 228
Monday to Friday 9am – 4.30pm

In person

Level 4, 414 La Trobe St,
Melbourne VIC 3000

Monday to Friday 9am – 4.30pm

PRIVACY POLICY

All information you give VCAT for your case is available to anyone who inspects the case file or attends the hearing, including media. They might get information like your name, contact details and personal information. By law, with limited exceptions, VCAT must share information that you provide for your case with other parties. This includes your documents and evidence. But it is illegal to publish or broadcast information that could identify a party in a guardianship, powers of attorney or medical treatment case, unless VCAT makes an exception.

You can ask VCAT at the start of the case to keep your information confidential. VCAT may not agree to this request. For more information, go to www.vcat.vic.gov.au/privacy