

35. 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

36. 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.

44. 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.

Full name of person completing this form:

Date:

Full name of person completing this form:

Date:

Full name of person completing this form:

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

Our office is open Monday to Friday from 9 am to 4.30 pm.

55 King St
Melbourne VIC 3000

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 01 8228 (Monday to Friday 9am – 4.30pm)

In person

55 King St
Melbourne VIC 3000

Operating hours: 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