



STANDING COMMITTEE ON PUBLIC ACCOUNTS
Mrs Elizabeth Kikkert MLA (Chair), Mr Michael Pettersson MLA
(Deputy Chair), Mr Andrew Braddock MLA (Member)

Inquiry into Auditor - General's Performance Audit Reports January - June
2023

Question Taken on Notice (Committee)

Asked by: Mrs Elizabeth Kikkert MLA

Addressed to: Ms McNeil

Reference: UPT p 38

Hearing Date: 08/11/2023

In relation to: AG Performance audit report 3/2023 and Financial statements and Legal obligation
under 27A

Question Lodgement Date: 08/11/2023

Ms McNeill: No, other than saying I might double check the hardness of that legal obligation that you referred to in 27AA. There is just one aspect of it that I wanted to double check, so I will follow up and I will get back to you.

THE CHAIR: I have it right here. It says:

The Public Trustee and Guardian must, as soon as practicable after the end of each financial year, provide a statement to the person, or if a guardian has been appointed for the person, the person's guardian.

Ms McNeill: I just noted the discussion in the summary about circumstances in which there may have been a failure to record reasons why the statement was not sent, so that is the aspect that I wanted to follow up.

THE CHAIR: The Attorney General—he said that some of them were not recorded as to reason why, so it is not documented.

Ms McNeill: But that suggests that it might be acceptable in certain circumstances not to send them, so that is just the aspect that I wanted to follow up.

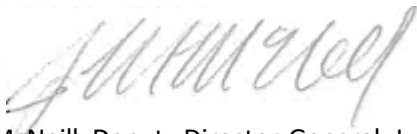
Jennifer McNeill, Deputy Director General Justice, answers the Chair's question is as follows:

Where the Public Trustee and Guardian (PTG) is appointed as the manager of a person's property, subsection 27AA(2) of the *Guardianship and Management of Property Act 1991* requires the PTG to provide a statement to the person or the person's guardian, as soon as practicable after the end of the financial year.

There are no express statutory exceptions to this requirement.

Approved for circulation to the Standing Committee on Public Accounts

Signature:

A handwritten signature in grey ink, appearing to read 'J McNeill', is written over a faint rectangular box.

Date: 20 November 2023

By Jennifer McNeill, Deputy Director-General, Justice