

Who will support your loved one when you can't?

Securing your loved one's financial future



Who is State Trustees?



- Helping Victorians with their financial needs for over 70 years
- Owned by the Victorian Government, with community responsibilities
- Tailored trustee, executor, estate planning and personal financial administration services for every stage of life

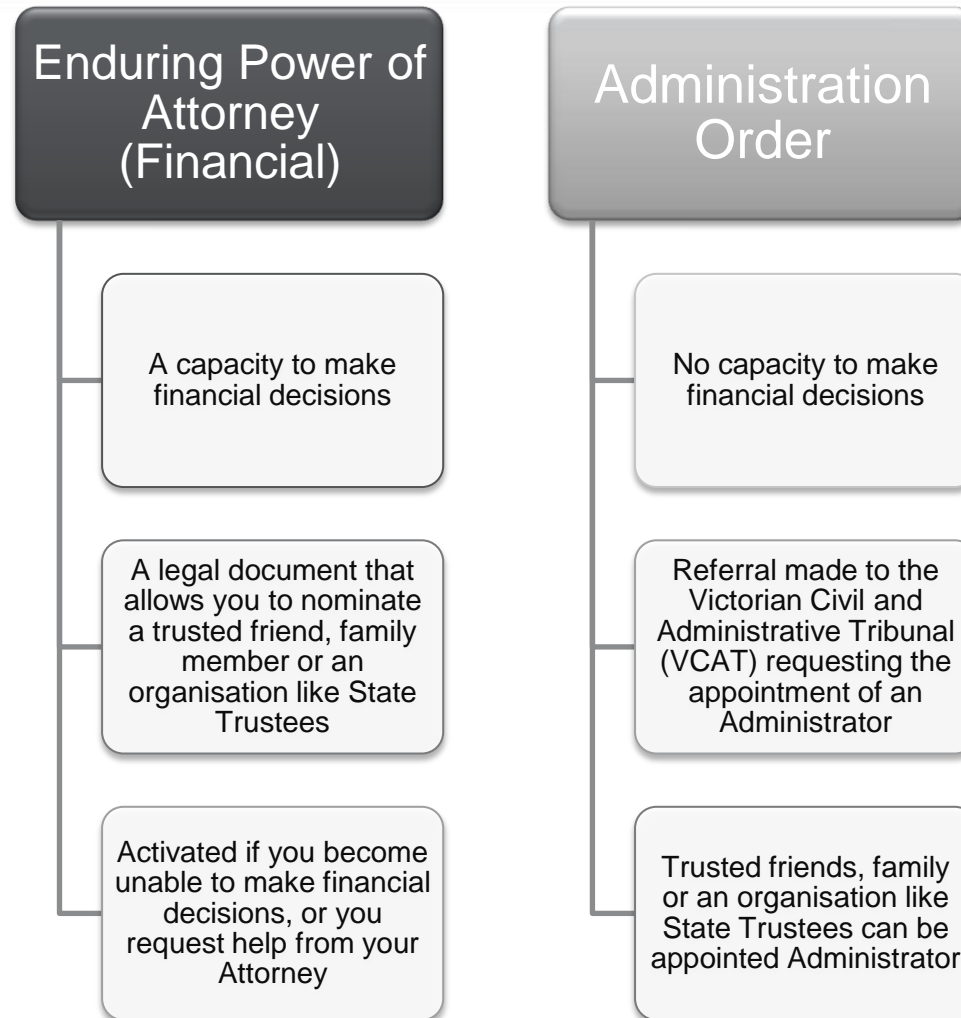


Andrew's* Story

- Andrew is an 18 year old with a moderate intellectual disability who after the death of his father, his primary carer, came to Melbourne from regional Victoria with nothing other than the clothes on his back.
- Andrew found himself homeless, without access to money or his medication.
- As Administrator State Trustees intervened and assisted in connecting Andrew with Case Management and Accommodation in Melbourne.
- Andrew was fortunate enough to have had a third party appointed to manage his legal and financial affairs.



Entrusting a third party to manage your finances



As Administrator/Attorney we will....



Specialist Teams and Services

Pension Team

Superannuation Team

Aged Care Team

Property Team

Intensive Support Program

Financial Independence Program

Intensive Needs Team



Today we will talk about:

- What is a trust and how does it work?
- Types of Trusts
- Special Disability Trusts
- Trustee working with others
- Why have a trust?
- For further information



What is a Trust and how does it work?



- **A Trust is a legal relationship where assets or funds are managed by one party on behalf of another**
- **Most commonly created by Will or Trust Deed.**
- **The Trustee's job is to:**
 - Own, protect and prudently invest the trust assets
 - Administer the Trust in accordance with the terms of the Will/Trust Deed and relevant legislation
 - Must act impartially and in the best interests of the beneficiary/s
 - Keep clear and separate accounts, prepare and lodge Trust tax returns, and other administration as required
 - Be responsive and timely in actions



- **Testamentary Trusts**

- Created by a person in their Will
- Usually to manage assets for family eg. children, spouses. Or perhaps for charitable purposes.

- **Personal or “Inter-vivos” Trusts**

- Created by the Settlor during their lifetime
- For family assistance, asset and income management or protection, charitable purposes.

- **Special Disability Trusts**



Special Disability Trusts

- **Created by legislation changes in 2006**
- **Won't impact Social Security entitlements for Donor or Beneficiary**
- **Recent changes include:**
 - SDT Trust income to be taxed at beneficiary's tax rate
 - Capital gains won't apply to SDT property used for beneficiary's accommodation
 - Stamp duty won't apply to property transferred to or bought by an SDT for beneficiary's accommodation
 - Allowable "Care" and "Accommodation" expenditure has been broadened
 - Up to \$10,000 per annum may be spent on the beneficiary's general needs



Why have a trust?

- Manage assets for more than one person
- Leave a long term legacy
- Allow you to set terms and wishes
- Diversify responsibility of assets
- Choose who will manage the Trust
- Take advantage of planning opportunities
 - Taxation
 - Special Disability Trust concessions and benefits



For further information

- **Administration, Enduring Powers of Attorney, Guardianship**
 - Office of the Public Advocate
<http://www.publicadvocate.vic.gov.au>
 - Victorian Civil and Administrative Tribunal (VCAT)
<http://www.vcat.vic.gov.au>
- **Special Disability Trusts**
 - Dep't of Families, Housing, Community Services and Indigenous Affairs
<http://www.fahcsia.gov.au/>
- **State Trustees**
 - <http://www.statetrustees.com.au/>
 - Luke Wright, Personal Financial Solutions (03) 9667 6750
 - David Barber, Trustee Services (03) 9667 6296



Important Note



This presentation is for general information only and is not a comprehensive treatment of the topics discussed. It does not take account of your personal objectives, situation or needs, and is not a substitute for professional advice. Before acting on any of the information provided, consider how it applies to your own objectives, situation and needs, and get professional advice. State Trustees believes that all information in this document is accurate and reliable as at the date it is given. However, no warranty as to accuracy or reliability of such information is given, and no responsibility for loss arising in any way from or in connection with errors or omissions in any information provided (including responsibility to any person by reason of negligence) is accepted by the State Trustees or by any of its agents or employees.

Let us know if you want to make a time to talk with one of our professionals.



You may be interested in.....

State Trustees' connected™ is a highly celebrated art exhibition and art prize open to Victorians with a disability or an experience of mental illness.

When: 13 August – 26 August 2010
Where: Melbourne Central, CBD



Adam Knapper
With All Things Bad, There is a Little Good (and down came the spider)
Pencil on paper



Margaret
Untitled
Acrylic on paper

