

# Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021

Amendments during consideration in detail to be moved by  
The Honourable the Attorney-General and Minister for Justice, Minister for  
Women and Minister for the Prevention of Domestic and Family Violence

## 1 After clause 1

Page 4, after line 4—

*insert—*

### 1A Commencement

This Act commences on a day to be fixed by  
proclamation.

## 2 Clause 4 (Insertion of new pt 8A)

Page 9, lines 12 and 13, ‘4, but not more than 5’—

*omit, insert—*

5, but not more than 6

## 3 Clause 4 (Insertion of new pt 8A)

Page 10, after line 14—

*insert—*

(da) at least 1 appointed board member has  
experience living with impaired capacity,  
including as a carer or family member of a  
person with impaired capacity; and

## 4 Clause 4 (Insertion of new pt 8A)

Page 10, after line 27—

*insert—*

(7) In this section—

*carer*, of a person with impaired capacity, does  
not include—

(a) a paid carer for the person; or

- (b) a carer who provides care for the person as a volunteer for an organisation.

*paid carer*, for a person, means an individual who—

- (a) performs services for the person's care; and
- (b) receives remuneration from any source for the services, other than—
  - (i) a carer payment or other benefit received from the Commonwealth or a State for providing home care for the person; or
  - (ii) remuneration attributable to the principle that damages may be awarded by a court for voluntary services performed for the person's care.

## 5 **Clause 4 (Insertion of new pt 8A)**

Page 17, line 12, 'members, including at least 3'—

*omit, insert—*

members for the time being, including at least 4

## 6 **Clause 4 (Insertion of new pt 8A)**

Page 22, after line 11—

*insert—*

### **11ZZA Annual report**

- (1) As soon as practicable after the end of each financial year, the board must prepare and give to the Minister a written report about the performance of the board's functions during the year.
- (2) The report must include details of the following for the financial year—

- (a) advice given or recommendations made to the Minister under this part;
- (b) recommendations made to the public trustee under this part.
- (3) The board must ensure that information included in the report does not disclose personal information.
- (4) The Minister must table a copy of the report in the Legislative Assembly within 14 sitting days after receiving the report.

**7 Clause 5 (Insertion of new s 141B)**

Page 22, lines 12 to 32—  
*omit.*

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