

Information for Applicants

Review or revoke a financial management order

The following information explains how to apply to the NSW Civil and Administrative Tribunal (NCAT) Guardianship Division to review or revoke a financial management order.

What is a request to review or revoke?

The application to review or revoke a financial management order is to be used if you want to have the current financial management order reviewed to:

- Revoke the order on the grounds that the person who has a financial management order has regained the capacity to manage his or her finances
- Revoke the order on the grounds that it would be in the person's best interests to do so
- Vary the order to exclude or include part of the financial estate in the financial management order
- Replace, confirm or revoke the appointment of the manager.
- Vary the order for any other reasons.

You may select more than one of the options in the application form.

Financial managers should generally act gratuitously. Financial managers may not be reimbursed for costs nor seek remuneration without the approval of the NSW Trustee or the Supreme Court. NCAT cannot authorise the payment of costs or remuneration to a financial manager.

Discretion to refuse to review a financial management order

In some cases, NCAT may refuse to review a financial management order. This may happen if the request does not disclose grounds that warrant a review or if NCAT has previously reviewed the order.

Your responsibilities as applicant

As the person making the application to review or revoke the financial management order, you have responsibilities beyond completing and lodging the application form.

As an applicant you must:

- Tell the person who is the subject of the financial management order that you are making the application.
- Give the person who is the subject of the financial management order a copy of your application and the notice of hearing. Both will be sent to you by NCAT. NCAT will send documents to the other parties to your application.
- Provide details of all the people who may have an interest in your application.
- Keep NCAT informed of any changes to the person's circumstances while your application is being considered.
- Attend the hearing and assist if necessary the person who is the subject of the financial management order to attend.

Who will receive a copy of your application?

Anyone who is a party to your application is entitled to receive a copy of your application.

The following people are parties to a review of a financial management order under the *Guardianship Act 1987*:

- You, the applicant
- The person who is the subject of the financial management order
- The person's financial manager/s
- The person's spouse
- The person's unpaid carer
- NSW Trustee and Guardian
- Person's appointed under the enduring power of attorney (if any)
- Any person joined as a party to your application by NCAT.

Any person may apply to be joined as a party, including an enduring guardian or attorney.



How to lodge your application

To lodge your application form and attachments:

- **Post**
NSW Civil and Administrative Tribunal
Guardianship Division
PO Box K1026, Haymarket NSW 1240
- **Deliver in person**
Level 6 John Maddison Tower, 86-90 Goulburn
Street, Sydney NSW 2000

When lodging your application, please return all pages of the form. There is no fee for lodging a Guardianship Division application.

What happens next?

NCAT will send you and other parties a notice of hearing with the date, time and place of hearing.

If you need further information about making an application, contact NCAT's Guardianship Division.

Contact NCAT

1300 006 228 | www.ncat.nsw.gov.au

Interpreter Service (TIS) 13 14 50

National Relay Service for TTY users 13 36 77

For more information and assistance visit the NCAT website or contact NCAT's Guardianship Division on (02) 9556 7600 or 1300 006 228.