



New South Wales

NSW Trustee and Guardian Amendment (Reciprocal Arrangements) Regulation 2010

under the

NSW Trustee and Guardian Act 2009

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *NSW Trustee and Guardian Act 2009*.

JOHN HATZISTERGOS, MLC
Attorney General

Explanatory note

The object of this Regulation is to enable the NSW Trustee to:

- (a) receive from the New Zealand Public Trustee the proceeds of an estate of an intestate person, domiciled in NSW when he or she died, if the NSW Trustee is the administrator of that estate, and
- (b) pay to the New Zealand Public Trustee the proceeds of an estate of an intestate person, domiciled in New Zealand when he or she died, if the New Zealand Public Trustee is the administrator or collector of that estate, and
- (c) exercise, at the request of the New Zealand Public Trustee, specified management functions in relation to an estate in NSW of a person who resides in New Zealand and who has been certified as being incapable of managing his or her own affairs, and
- (d) authorise the Public Trustee of New Zealand to exercise specified management functions in relation to an estate in New Zealand of a managed person.

This Regulation is made under the *NSW Trustee and Guardian Act 2009*, including sections 35 and 81 (which provide for reciprocating States to be prescribed), and section 128 (the general regulation-making power).

2010 No 276

Clause 1 NSW Trustee and Guardian Amendment (Reciprocal Arrangements)
Regulation 2010

NSW Trustee and Guardian Amendment (Reciprocal Arrangements) Regulation 2010

under the

NSW Trustee and Guardian Act 2009

1 Name of Regulation

This Regulation is the *NSW Trustee and Guardian Amendment (Reciprocal Arrangements) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of NSW Trustee and Guardian Regulation 2008

(1) **Clause 36B**

Insert after clause 36A:

36B Reciprocal arrangement for intestacy

New Zealand is prescribed as a reciprocating State for the purposes of section 35 of the Act.

(2) **Clause 47**

Insert after clause 46:

47 Reciprocal arrangement for interstate protected person

New Zealand is prescribed as a reciprocating State for the purposes of section 81 of the Act.