Deceased Estates

The authority of NSW Trustee & Guardian over a client's finances ceases when the client dies. Generally, the only payments that will then be made from a client's estate are their funeral costs and, in limited circumstances, payments for insuring the estate, assets and storage costs. All other accounts are referred to the deceased person's legal representative (executor or administrator of the estate) for their attention.

If a client does not have a Will and dies intestate, NSW Trustee & Guardian may administer their estate if requested or if there is no other appropriate person willing to do so.

NSW Trustee & Guardian offers Will making services. Any member of the public is able to make a Will with us, provided they have the testamentary capacity.

If a client chooses to use this service, NSW Trustee & Guardian can be appointed the executor of the Will and administer the estate.

Costs and payment

We prepare an Assets and Liabilities statement when a client under a financial management order dies. This statement helps the deceased person's executor to apply for a grant of probate, or for a family member or close friend to apply to be administrator of the estate.

We will continue to hold the deceased person's estate in trust until their legal representative provides a certified copy of the grant of probate or grant of letters of administration. They must provide written instructions outlining where the money is to be paid.

Payment will be authorised as soon as possible and made to the estate of the deceased person.

Any belongings of the deceased person held by NSW Trustee & Guardian will also be released on written instruction from the client's legal representative, who must provide NSW Trustee & Guardian with a written receipt.

Small estates

If the value of the assets managed by NSW Trustee & Guardian is less than $10,000, we may pay these assets without the need for a grant of probate or administration. This is dependent on the circumstances and only occurs if there is no dispute. You are encouraged to speak with the financial administration team if you think an estate might fit into this criteria.

Contact us

If you have any questions relating to the estate of a client who was under financial management with NSW Trustee & Guardian, please contact their financial administration team.