

NSW Trustee & Guardian notice of fee changes

Important announcement of changes to fees for management of common fund and Wills and Estate planning document drafting services dated 21 December 2021.

What's happening?

The *NSW Trustee & Guardian Regulation 2017* has been amended, with changes to certain fees [published on 17 December 2021](#), to come into effect from 1 January 2022.

The Regulation amendment was made by the Governor of NSW following a period of [public consultation](#) from 14 September 2021 to 15 October 2021 and advice from the Executive Council.

Fees for management of common fund

Effective 1 January 2022, the common fund investment management fee will increase from 0.1% to a maximum of 0.35%.

This will impact customers with funds in NSW Trustee & Guardian's Common Fund accounts, known as the Trust account, Income account and/or Growth account. The fees we charge to manage these funds (called the "investment management fee") will **increase** from 0.1% (exclusive of GST) to:

- Trust account: 0.15%
- Income fund: 0.25%
- Growth fund: 0.35%.

Fees for drafting Wills and estate planning documents

By no earlier than 31 January 2022, Wills and Estate planning document drafting fees will be set in line with a consideration of market conditions, with Will preparation fees capped to a maximum amount of \$3,000 (exclusive of GST), well under the limit specified by the Regulations.

As the fees will not commence immediately when the new Regulations are in effect, the commencement date of the new fees will be published on the NSW Trustee & Guardian website.

This will impact customers who choose NSW Trustee & Guardian to prepare their Wills, Powers or Attorney and Enduring Guardianship documents. The indicative fee changes (exclusive of GST) will be:

- **increasing** the fee for standard Wills (currently known as "simple and moderate Wills") from \$300 (\$330 inclusive of GST) to **\$400** (\$440 inclusive of GST)
- **introducing** custom Will preparation services from **\$500 - \$3,000** (\$550 - \$3,300 inclusive of GST)

- **introducing** a fee for Enduring Guardianship document preparation of **\$200** (\$220 inclusive of GST)
- **reducing** fees for couples preparing mirror documents by introducing a 50% discount for the second document.

There are no changes to the Power of Attorney document preparation fee of \$200 (\$220 inclusive of GST).

Customers who are eligible for the full Centrelink Age Pension will continue to receive these services at no charge. Customers receiving the Disability Support Pension (DSP) and the Department of Veterans' Affairs Pension (DVA) who would otherwise be eligible for the full Centrelink Age Pension are also eligible to access these services at no charge.

Why are the changes in place?

We are building a stronger NSW Trustee & Guardian for our customers. We want to ensure that we can continue to deliver high quality services to the people of NSW.

NSW Trustee & Guardian provides an essential community service. Many of our customers are vulnerable, and we help support customers at critical moments in their lives.

To ensure NSW Trustee & Guardian continues to meet the changing needs of our customers and remains financially sustainable, we regularly review the way in which some of our fees are charged. Through this process we determine if any fees need to increase, be reduced, or stay the same. Some of our services are funded by government (our community service obligation) and others are funded by the fees we charge for services. In the last ten years, demand for our government funded services has increased by over 40%. Over the same period, the demand for services where we charge a fee has declined. The complexity of our customers' needs has also increased. Some of the contributing factors to the complexity of the work we do includes an aging population, the increasing prevalence of dementia or multiple disability diagnosis, and working with multiple service systems undergoing significant change, such as the National Disability Insurance Scheme and Aged Care sector. As a result, our staff spend more time working on matters for our customers to provide them with the level of service that they need.

The cost of providing services has increased and current fees do not fully reflect the costs of providing services.

NSW Trustee & Guardian recently went through a review of its financial sustainability and identified some fees for customer-funded services that need to be reviewed. As a result, NSW Trustee & Guardian is changing some fees.

In September 2021, NSW Trustee & Guardian [asked customers, stakeholders and members of the public](#) to tell us what they thought about changing some of our fees.

Through the consultation we heard that it is important to keep helping customers in need. Fee changes will mean we can serve more customers and improve our service quality. We are increasing staff numbers and making improvements to the way in which we deliver services to customers and how they interact with us. We are also working to make the information we share with customers easier to understand.

Why are fees for management of the common fund changing?

The increase to the asset-based fee will reflect a customer's ability to pay. The fees will be transparent and linked to the performance of the common fund. Fees are net of performance, and the return on the investments are reported to our customers.

The fees charged only partially cover the cost of us providing this service and are well below comparable rates in the market.

Why are fees for Wills and Estate planning services changing?

For Wills and Estate planning services, the changes will better reflect the quality of service being offered based on the individual needs and circumstances of each customer. The fees have been set with a consideration of market conditions to ensure we offer a fair and competitive rate.

Wills and Estate planning customers who have more complex estate planning arrangements would pay a higher fee. This could include complex instructions such as special conditions or divisions of assets or asset structures such as businesses, trusts or a self-managed super fund that require specialised legal advice.

What's next?

Notification of fee changes to customers

Existing customers with funds in our Common Fund accounts will shortly receive information about the changes to their investment management fee. Fees will apply from 1 January 2022.

New fees for drafting Wills and estate planning documents will come into effect on the day they are published on [our website](#) (no earlier than 31 January 2022).

More information

We understand you may have questions about fee changes and how they might affect you. We are committed to keep listening to customers about how we can improve.

If you have any questions, please contact your appointed client service officer on 1300 109 290, or email us at tagmail@tag.nsw.gov.au.

You can read more about our fees at www.tag.nsw.gov.au/fees.