



## Privacy notice

Your personal information is protected by law, including the *Privacy Act 1988*. Your personal information may be collected by the Department of Veterans' Affairs (DVA) for the delivery of government programs for war veterans, members of the Australian Defence Force, members of the Australian Federal Police and their dependants.

[Read more: How DVA manages personal information](#)

## You are advised to read this carefully and then keep in a safe place for future reference.

Being appointed trustee under the *Veterans' Entitlements Act 1986* imposes certain obligations, namely:

1. You are obliged to hold and manage money for the benefit of the beneficiary.
2. During the life of the pensioner, the trust funds may be applied for the benefit of the pensioner, family member or dependent of the pensioner, as you see fit.
3. You may accumulate instalments of the pension or allowance not required as in 2. above and may invest any trust funds so accumulated, in any investments authorised for the investment of trust funds by the law of the State or Territory where the beneficiary lives.
4. Upon the termination of the trust during the life of the pensioner the trust funds held by you shall be paid or transferred, as the case requires, to the beneficiary.
5. Upon death of the pensioner before the termination of the trust, the trust funds shall be paid or transferred to the legal personal representative of the deceased pensioner. If there is no legal personal representative, the trust shall be paid or transferred to the person whom the Commission determines to be best entitled to them.

### In addition to the above, the Repatriation Commission requires the following:

- You are required to perform the trust to the best of your ability.
- You are required to exercise care and skill in performing the duties of the trust.
- You are required to manage the trust so that there is no conflict of interest between your own interest and those of the beneficiary.
- You are required to maintain records of your trust administration and disclose information relating to the trust to the beneficiary and to the Commission when so requested.
- You are required to keep the trust money in a separate account from your own money.
- You are not to delegate any of the powers and duties of the trust to another person.
- You are not in any way to benefit from the administration of the trust.
- Notwithstanding the above, the trust law of the State in which the beneficiary lives also applies and you are therefore required to acquaint yourself with that legislation. The relevant State legislation may be obtained from the Public Trustee or Administrator in your State.

**NOTE:** In the administration of the trust you are known as the **trustee** and the person for whom you are acting is known as the **beneficiary**.

**WARNING:** Offences under the *Veterans' Entitlements Act 1986* may carry a penalty of \$1,000 or imprisonment for six (6) months or both.