

What is a financial management order?

An order appoints a **manager** to make certain decisions relating to the management of a person's finances and property.

A financial management order is an order made by the ACT Civil and Administrative Appeals Tribunal (ACAT).

A **financial management order** is a separate process to the powers appointed under a **guardianship order**.

For more information please see the **Guardianship Orders Fact Sheet**.

When can a financial management order be made?

ACAT can make a financial management order if:

- The person is 18 years old or older.
- The person has been assessed as having a condition or disability that affects the person's ability to make decisions regarding their financial matters or property.
- A decision might need to be made about the matter or the person is likely to do something involving an unreasonable risk to the person's health, welfare or property.
- The person's needs will not be met, or their interests harmed, if ACAT does not appoint a manager.

How does a person know when an application for a financial management order has been made?

Financial management orders are considered by ACAT when an application is made.

As a **party** to the proceedings, the person who the order is being made will be **notified** about the application. The notice will advise when ACAT will hold a hearing and make a decision about the application.

Notification will be in the form of a letter and will state the time and place of the hearing. This is called a **Notice of Hearing**.

Can the person be involved in the process?

Yes, the person is able to attend the ACAT hearing.

During the hearing, the person can ask questions and participate in the process as much as they are able.

The person needs to seek approval from the Tribunal if they would like to have legal (or other) representation at the hearing.

However, legal representation is usually not needed due to the less formal nature of the ACAT proceedings (as compared to court proceedings).

ACAT can also arrange for an interpreter to be available at the hearing.

When will the person know if an order has been made?

ACAT will let the parties know when a decision had been made. This may be at the end of the hearing or ACAT will notify the parties when a decision has been made. In both cases, the person will be sent a copy of the order.

Can a financial management order be reviewed?

Yes, under the *Guardianship and Management of Property Act 1991* (ACT), financial management orders are to be reviewed at least once every 3 years.

An order can also be reviewed at any time by applying to ACAT.

Relate Fact sheets available: Guardians
Guardianship Orders Process Flowchart