



SAT

State
Administrative
Tribunal

Western Australia

Guardianship and Administration Act 1990

DECISIONS BULLETIN

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This Bulletin contains summaries of written reasons published by the Tribunal in June 2007. The full text of decisions and reasons can be found on the Tribunal's website at www.sat.justice.wa.gov.au. If you would like the monthly bulletin emailed to you directly, please enter your email address and details at our subscription page.

RC and LP and AC [2007] WASAT 171

27/06/2007

MS D DEAN (MEMBER)

Administration - Costs – Application for legal costs to be paid from the estate of the represented person under s 16 (4) of the *Guardianship and Administration Act 1990* (WA) – Whether parties should bear their own costs – Whether cost of transcripts should be paid from the estate of the represented person

On 28 March 2006, RC and LP applied to the Tribunal for an administration order in respect of their father AC. On 9 October 2006, the Tribunal revoked the enduring power of attorney executed by AC by which he appointed his son KC his attorney. On the same date, the Tribunal appointed the Public Trustee plenary administrator of the estate of AC. The appointment was for a period of five years. The details of the application and the reasons for the decision of the Tribunal are reported in RC and LP and AC [2006] WASAT 370.

Subsequent to the decision in relation to the application for administration, RC, one of the applicants in that matter, made an application to the Tribunal for reimbursement of legal and related costs he incurred in relation to the application to be paid from the estate of his father AC, the represented person.

The Tribunal found that there was no compelling reason for the costs incurred by the applicant to be paid out of the estate of AC. It dismissed the application, other than the reimbursement of the cost of transcripts for the hearings. The Tribunal ordered the cost of the transcripts to be paid out of the estate of the represented person.