

Public Trustee (Interest Rate) Amendment Regulation (No.3) 2019

Explanatory Notes for SL 2019 No. 236

made under the *Public Trustee Act 1978*

General Outline

Short Title

The short title of the Regulation is the *Public Trustee (Interest Rate) Amendment Regulation (No. 3) 2019*.

Authorising Law

Section 142 of the *Public Trustee Act 1978*.

Policy objectives and the reasons for them

The purpose of the Regulation is to amend the interest rates payable under the *Public Trustee Regulation 2012* on amounts held in the Public Trustee's common fund. The interest rates in the *Public Trustee Regulation 2012* are intended to be reflective of the regular review undertaken by the Public Trustee of interest rates payable under the *Public Trustee Regulation 2012*. At the time of each review the Public Trustee analyses the market return of a comparative set of competitive financial products and prevailing economic conditions to arrive at an appropriate interest rate for each of the classes of monies within the common fund held on behalf of clients of the Public Trustee.

Achievement of policy objectives

The Regulation amends the *Public Trustee Regulation 2012* to give effect to the stated policy objectives.

The effect of the Regulation will be to amend the interest rate structure for moneys held in the Public Trustee's common fund from 1 December 2019 and 1 January 2020 (as the case may be) as follows:

Funds held for	Interest rate from 01/11/19	Proposed interest rate from 01/12/19	Proposed interest rate from 01/01/20
Class 1 and Class 5 amounts: General Trusts, Minor Beneficiaries, Life Interest Estates, Trusts and Deceased Estates	0.30%	0.30%	0.30%
Class 2(c) and Class 3 amounts: Financial Management Clients and Enduring Powers of Attorney	0.70%	0.70%	0.65%
Term Deposit Amounts: Term Investment Accounts	1.30%	1.20%	1.05%

Consistency with policy objectives of authorising law

The Regulation is consistent with the policy objectives of the *Public Trustee Act 1978*.

Inconsistency with policy objectives of other legislation

The Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The implementation of the Regulation will not impose any cost on the community. The benefit of the Regulation is to align the interest rates payable on amounts held in the Public Trustee's common fund with the interest rate review undertaken by the Public Trustee using the methodology approved by the Public Trust Office Investment Board.

Consistency with fundamental legislative principles

The Regulation does not raise any fundamental legislative principle issues.

Consultation

The Public Trustee has consulted with the Public Trust Office Investment Board in March 2019 in relation to the methodology to be adopted when amending interest rates. The Public Trustee has applied the methodology approved by the Public Trust Office Investment Board in the review of the interest rates payable under the *Public Trustee Regulation 2012*.

The regulatory proposal is an administrative matter provided for under the *Public Trustee Act 1978* and considered by the Public Trust Office to be machinery in nature. The regulatory proposal is therefore excluded from further regulatory impact analysis under the *Queensland Government Guide to Better Regulation* (Table 1 (g) of the Guide) and a regulatory impact statement is not required.