

Common Form 12 - BOND

(Form of Bond Including Surety in Relation to Protection Order)

[Full Name and Address of Plaintiff (s)] has applied to the Supreme Court of South Australia in Action No [No] for a protection order in relation to the estate of [Full Name and Address of Protected Person] pursuant to the provisions of the Aged and Infirm Person's Property Act 1940.

The Court has directed that subject to his entering into a bond with Public Trustee in the sum of \$..... with one or more sufficient securities to the satisfaction of a Master for the due control and management of the estate of the protected person and for the due performance of the duties as manager thereof it will appoint [Full Name and Address of Manager] manager to take possession of and to control and manage the whole of the estate of the protected person.

A Master has approved [full name and address of surety] as surety for the manager in the sum of \$..... and has also approved of the Bond set out below as a proper security to be entered into.

If the manager shall faithfully and properly control and manage the estate of the protected person and duly discharge and perform the duties and obligations as such manager and fully obey observe and comply with the order appointing the manager and every other order and direction of the Supreme Court of South Australia now in existence or to be made under the Aged and Infirm Person's Property Act 1940 or any Rules of Court relating thereto and if the manager shall immediately give notice to Public Trustee if the surety shall die or become bankrupt [OR go into liquidation or cease to carry on business in South Australia] then the obligation arising pursuant to the Bond set out below shall be void and of no effect but shall otherwise remain in force.

BOND

[Full Name Address and Occupation of Manager] and [Full Name Address and Occupation of Surety] are jointly and severally bound to pay to Public Trustee of the State of South Australia the sum of \$.....

SIGNED SEALED AND DELIVERED)
by [Full Name of Manager]) LS
in the presence of:)

SIGNED SEALED AND DELIVERED)
by [Full Name of Surety]) LS
in the presence of:)

NOTE: If the surety is a foreign company it must submit to the jurisdiction and a further paragraph should be added to the following effect:

"[Name of surety] hereby submits to the jurisdiction of the Supreme Court of South Australia to determine any claim under this bond."