

**Common Form 53– UNDERTAKING TO SUPPORT ORDER APPOINTING
GUARDIAN TO EXECUTE RPA TRANSFER**

UNDERTAKING

I [*Name and Address*] **DO HEREBY UNDERTAKE AND DECLARE** that, this Court having made an order for the appointment of a guardian as sought in the summons file herein, I shall get in and stand possessed in my name of the net proceeds arising from the sale of the property referred to in paragraph 1 of the summons and invest such net proceeds in investments for the time being authorised by the laws of the State of South Australia as investments for trust funds (with power from time to time to transpose alter and vary any such investments or any portion thereof) and thereafter accumulate hold and invest as aforesaid all income and benefits that may arise therefrom **UPON TRUST** for [*Name*] until that person shall attain the age of 18 years in the same manner and with and upon and subject to the same authorities powers duties and discretions and to the same intent for all purposes as if the said proceeds and investments for the time being representing the same and the income and benefits aforesaid were or had been and constituted a vested interest to which the said [*Name*] was entitled in the residuary estate of a deceased person and so that the trusts hereby agreed to be constituted shall, so far as the same shall be applicable, be subject to the provisions of Part 1 of the Trustee Act 1936 or any amendment thereof or enactment passed in lieu thereof save that I the said [*Name*] or other the trustee or trustees for the time being of the said trusts shall nevertheless, in the sole unfettered discretion of the trustee or trustees for the time being, be and remain at liberty to pay and apply the whole or any portion or portions of the capital assets or income subject thereto for or towards the maintenance advancement education or benefit of the said [*Name*].

Dated this [*Date*].

SIGNED by the abovenamed Declarant)

as a deed in the presence of)