

Your life, **your** choice

Guardianship and Administration



If you don't make a power of attorney and something happens to you, like an illness or an accident and you can't make decisions for yourself, then you may need a **guardian**.



Guardianship

VCAT can appoint a guardian to make lifestyle decisions such as where you live.

VCAT can only appoint a guardian if:

- ◉ there is medical evidence of your disability or illness
- ◉ there is a current lifestyle decision (such as where you live) that needs to be made
- ◉ there is conflict in your family about the decision that needs to be made.

A guardian is given the legal authority by VCAT to make decisions for you. A guardian could be a family member or an advocate guardian from the Office of the Public Advocate.

A guardian can make decisions for you about:

- ◉ where you live
- ◉ what medical treatment you should have
- ◉ what support or services you should have
- ◉ who can have contact with you.

You can tell your guardian how you feel about these things. The guardian must think about your wishes when they make decisions.

Administration

The management of your financial and legal affairs is called 'administration'. If you cannot make decisions about your financial affairs because of an accident or illness, then VCAT can appoint an administrator to look after your money. An administrator can be a family member, friend or a financial organisation.

An administrator can:

- ◉ pay your bills
- ◉ sell your property, if you need this to happen
- ◉ give you money to live on.

An administrator must not use your money for their own personal use. They can only use your money to pay your expenses and must make decisions which are in your best interests.

For more information

If you have questions you can call:

Office of the Public Advocate

Phone 1300 309 337


www.publicadvocate.vic.gov.au

Victorian Aboriginal Legal Service

Phone 1800 064 865

www.vals.org.au

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