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A N D A S S O C I A T E S

**DO YOU HAVE
A FAMILY
MEMBER
THAT NEEDS
YOUR HELP
MAKING
DECISIONS?**



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**THE VICTORIAN CIVIL
AND ADMINISTRATIVE
TRIBUNAL (VCAT)
HAS THE POWER TO
APPOINT A GUARDIAN
OR ADMINISTRATOR
FOR AN ADULT WHO,
BECAUSE OF DISABILITY
OR SICKNESS, IS UNABLE
TO MAKE THEIR OWN
REASONED DECISIONS.**

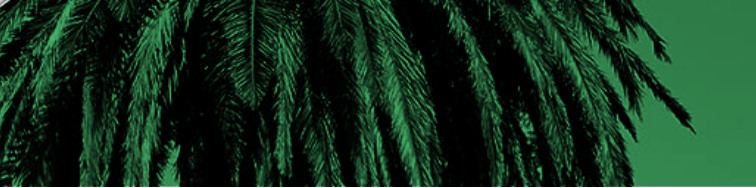


**LAW
INSTITUTE
VICTORIA**

LIV MEMBER



The Australian
and New Zealand
College of Notaries



APPOINT A GUARDIAN OR ADMINISTRATOR

VCAT can appoint a guardian or administrator for a disabled person over the age of 18.

The cause of the disability may be dementia, mental illness, intellectual disability or an acquired brain injury. VCAT must attain a medical report that establishes the disability and how it affects the person's capacity to make their own reasonable decisions before appointing an administrator or guardian.

The proposed guardian or administrator must be willing and able to undertake the responsibilities of the role and be aware of their intended nomination.

THE ROLE AND RESPONSIBILITIES OF AN ADMINISTRATOR

An administrator makes financial and legal decisions on behalf of a person with the disability, including decisions about buying or selling property, banking and investing, and paying bills and managing debts.

An administrator can be a friend or relative of the represented person with the disability.

An administrator is accountable for the decisions they make and must provide annual accounts to VCAT.



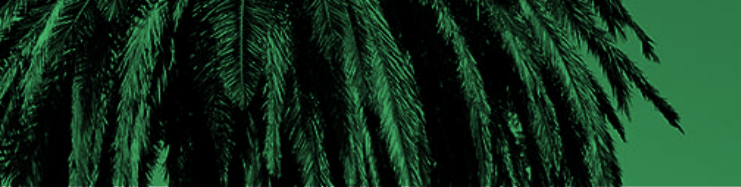
THE ROLE AND RESPONSIBILITIES OF A GUARDIAN

A guardian makes personal lifestyle decisions on behalf of the represented person with the disability, including decisions about their living arrangements, work arrangements, medical treatment and access to services.

A guardian must act as an advocate for the represented person, considering the represented person's best interests and wishes at all times. A guardian must also encourage the represented person, as far as possible, to make their own decisions and act for themselves. Additionally, the guardian must protect the represented person from neglect, abuse or exploitation.

A guardian may be a friend or relative of the person with disability. If there is no suitable person, VCAT can appoint the Public Advocate as a guardian.

If you have a family member that needs your help with their affairs or is suffering neglect, abuse or exploitation by another please contact **Northcote Lawyers & Associates** on **9486 1661** for a **FREE consultation**.



POWERS OF ATTORNEY

An enduring power of attorney gives the attorney the right to make decisions on behalf of someone else, the principle. The power of attorney stays in place even if the principle who appointed the attorney stops being able to make their own decisions.

VCAT can hear and decide applications about:

- a. an attorneys power under the enduring power of attorney, and if such power is valid
- b. cancelling or suspending the enduring power of attorney or one of the attorneys
- c. compensating the principal for a loss caused by the attorney

You can apply to VCAT if you are the principal, the nearest relative of the principal, an attorney under the enduring power of attorney, or someone who has a special interest in the affairs of the principal. A copy of a recent medical report for the principal is also required, unless special circumstances exist.

We are located at two convenient Northcote locations:

118 High Street Northcote
(Westgarth Traders District)

153 – 157 St Georges Road Northcote
(Opposite Batman Park)

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A N D A S S O C I A T E S

YOUR FAMILY LAW SOLUTION

Family Law

Wills & Estates

Will Disputes

Employment Law

Business Law

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