Community Care

Your choices with Enduring Power of Attorney and Guardianship

What is an Enduring Power of Attorney?

This is a legal document which allows you to appoint a person or agency of your choice to make financial and/or property decisions on your behalf.

Why should you have one?

By appointing an attorney, your property and financial affairs can continue to be managed in your best interests, even if you become unable to manage them yourself.

What are your options?

You can choose to have a sole attorney (one person), joint attorneys (two people who must act together and agree on all decisions that are made) or joint and several attorneys (two people who can make decisions independently or together).

Choosing to have your attorney's authority to start immediately does not mean that your attorney has to take over and start making decisions straightaway.

You may continue to manage your financial affairs while you are still able to do so, with the peace of mind that if you lose capacity, your attorney is able to start making these decisions for you.

What is an Enduring Power of Guardianship?

This is a legal document which enables you to appoint a person of your choice to make personal, lifestyle and treatment decisions on your behalf if you lose the ability to make these decisions for yourself because of an illness or injury.

Why should you have one?

By appointing an enduring guardian, you will be giving a person you know and trust the authority to make personal, lifestyle and treatment decisions on your behalf, if you become unable to do so in the future due to a decision-making disability.

Who should you inform?

If you have an Enduring Power of Attorney, Enduring Power of Guardianship or Advanced Health Directive, you should advise your:

- family and/or representatives
- General Practitioner and/or Specialists
- Aged care provider

Useful contacts

Advanced Care Planning
Department of Health
Phone 9222 2300
acp@health.wa.gov.au
www.health.wa.gov.au/advancecareplanning

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Some questions to consider

Planning for an Enduring Power or Attorney or Guardianship means many questions will be asked and it can be an overwhelming time with information and decisions.

Get started with some of them here:

- Is this person trustworthy and likely to always act in my best interests?
- Is this person willing to take on the responsibilities of the role and aware of your personal beliefs and lifestyle preferences?
- Is this person capable of dealing with all of my property and financial matters?
- Is this person capable of keeping accurate records and accounts of all of my property and financial transactions?
- Could my choice of attorney or guardian create conflict within my family?
- If I am appointing joint attorneys, will they be able to work well together?
- If I am married/have a de facto partner, have I considered appointing my spouse/de facto partner? Because if I appoint someone else, they (my attorney) will have the power to make property and financial decisions on my behalf, rather than my spouse/de facto partner.

Our caring hands offer empathy and experience at this challenging time, and we encourage you to reach out if you need support.

Need extra support?
Our caring hands are here to help

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