



February 2019

# Plan for the future

## Decisions about your life



You have the right to make your own decisions about your life.

But in the future you may get sick or injured, and need someone else to make decisions or help you do things. For example, as you get older, you might need help to go to the bank or to get aged care services.

You can choose someone who can make decisions for you if you can't by making an 'enduring power of attorney'.



To do this you:

- fill out a special form
- follow the instructions in the form about how you sign it.

If you follow these steps correctly, you have made a legal document.

You should choose someone you trust and who knows you well. For example, a relative or friend. The person you choose has to agree.



Be careful. Don't fill out this form if there is no one you trust to make decisions for you.

## What decisions will the person be able to make for you?

You choose what decisions the person can make for you.

This can be decisions about your:

- **finances (money)**

For example:

- » using your money to pay your bills
- » using your money to buy things for you
- » selling your house if you need this to happen.

- **lifestyle (the way you live)**

For example:

- » what services you may need
- » where you live if you have to move out of your home.

## **You can choose more than one person**

For example, you can choose:

- one person for financial decisions and a different person for lifestyle decisions
- the same person for both.

The person or people you choose have an important job.

For example, they must:

- act honestly and make decisions that you would want
- use your money for things that you need.



They can't use your money to buy things for themselves.

## **You choose when they start**

You may want the person to start:

- in the future, if you become sick and can't make your own decisions
- straight away, because you need help now.

## **If the person starts helping you straight away**

If the person starts helping you straight away, and you can still make your own decisions, then you tell the person what to do.

The person should not:

- take over your life
- force you to do anything you don't want to do.

You are still in control because you can still make your own decisions.

If you are not happy with what they are doing, you can change your mind and choose someone else. You will need to complete a new form.

## What happens if you don't complete the form and don't choose anyone?

If you become so sick or badly injured that you can't make decisions, there is a tribunal that can choose someone to make decisions for you. It is called the 'Victorian Civil and Administrative Tribunal (VCAT)'.

VCAT might choose a family member, friend, or Victoria's Public Advocate, to make these decisions for you.

## Where to find the form

Find the form you need in the Office of the Public Advocate (OPA) booklet called 'Take Control' and on the OPA website.

[www.publicadvocate.vic.gov.au](http://www.publicadvocate.vic.gov.au)

The form is free.

The form is called the:

- 'Enduring power of attorney appointment'.



Some people:

- use a lawyer to help them fill out the form, which costs money
- ask a friend or family member to help them.

The law says you can only complete this form if you understand what you are doing.



No one should force you to do this.

It is your choice.



### If you have any questions

You, or your relative or friend, can call OPA for advice on 1300 309 337.



You can ask for a telephone interpreter.