

## **FACT SHEET**

### **GUARDIANSHIP AND ADMINISTRATION AMENDMENT** **BILL 2013**

The *Guardianship and Administration Act 1995* allows a person (the appointer) to appoint a person to make medical and lifestyle decisions on behalf of the donor if the donor loses capacity. This person is referred to as an enduring guardian. While not used solely amongst the older population, these are certainly the most common situations where an enduring guardian operates.

The *Guardianship and Administration Amendment Bill 2013* makes a number of minor changes to the *Guardianship and Administration Act*. These amendments are made in light of amendments to the *Powers of Attorney Act 2000* which are also on foot. The amendments will prevent an enduring guardian from entering into a conflict transaction, require them to keep accurate records of dealings under the enduring guardianship and clarify that an enduring guardian is entitled to be provided with any information that the appointer would usually be entitled to.

With an ageing population this is an important area of law reform.