

# About your guardian

## In this fact sheet

If you have a guardian, it's important to know what they do. This fact sheet explains:

What your guardian can do	Decisions they can help you make about your life
How your guardian is chosen	The steps taken to get the best outcome for you
What you can do if you disagree	Things you can do if you don't like a decision made for you

## What will your guardian do?

### Getting help with important decisions

A guardian is someone who is legally appointed to help you make important decisions about things like your:

- health
- money
- belongings
- home (where you live and who you live with).

You might need a guardian if you have trouble making good or safe decisions in some areas of your life. We call this having 'impaired decision-making capacity'.

### Having one or more guardians

You might have one or more guardians depending on your situation. The Northern Territory Civil and Administrative Tribunal will appoint them.

If you have more than one guardian and they cannot agree on a joint decision, they can ask the Tribunal for help.

## Deciding what your guardian can do

The Tribunal will say what decisions each guardian can make and you will get a copy of this information. It's called a guardianship order.

You might have a guardian who just helps you manage your money, or one who helps you make decisions about where you live and your health care.

If you have an advance personal plan, this will stay in place even if you have a guardian.

## Visiting the doctor or dentist

If your guardian looks after your health care, they will help you decide about most types of treatment your doctor or dentist suggests.

But there are some health decisions that your guardian cannot agree to. Only the Tribunal can make decisions about what we call 'restricted health care'.

**i** See our 'Understanding the NT Guardianship of Adults Act' fact sheet for more on restricted health care decisions.

## How is your guardian chosen?

### Applying for a guardianship order

An adult who cares about you and believes you need help making decisions can apply to the Tribunal for a guardianship order.

They might ask you:

- what you think about the application
- who you think should be your guardian.

## Coming to an application hearing

The Tribunal will then set up a hearing so the person applying for the guardianship order can explain why you might need a guardian.

The hearing is about you, so it's good if you can come in person, or talk by video or phone, to say what you think.

But it's not a problem if you don't want to go to the hearing, or if you would like someone else to speak for you.

You can also ask a lawyer at your own cost to represent you at the hearing, or get a trusted friend to arrange one for you. If you think you don't need a guardian, or want someone else as your guardian, you need to say so.

## Letting you know what happens

If a guardian is appointed, the Tribunal and the person(s) appointed to be your guardian will let you know.

The Tribunal will give you a copy of the guardianship order, which will tell you what your guardian(s) can do for you.

## What if you don't agree?

### Changing a guardianship order

If you are unhappy with any part of the guardianship order, you can ask the Tribunal to assess it again.

The Tribunal will set a date for a reassessment hearing so they can decide if you still need a guardian or if your order should change.

### Asking your guardian about a decision


If you don't agree with a decision your guardian makes for you, you should talk to them about why. You can ask another person to help you do that if you need to.

You can also talk to the Tribunal or our office (the Public Guardian) about the decision. The phone numbers are on this fact sheet.

### Reviewing a Tribunal decision

If you don't agree with a decision the Tribunal makes, you can apply for a review.

You can also appeal to the Supreme Court on a question of law, if you need to.


 Part 5 of the *Northern Territory Civil and Administrative Tribunal Act 2014* tells you about your review and appeal rights.


## Important documents

- *Guardianship of Adults Act 2016*
- *Northern Territory Civil and Administrative Tribunal Act 2014*
- *Advance Personal Planning Act 2013*

### Office of the Public Guardian

for guardianship information and support


 **1800 810 979** (8 am to 4 pm weekdays)


 [public.guardian@nt.gov.au](mailto:public.guardian@nt.gov.au)

 [www.publicguardian.nt.gov.au](http://www.publicguardian.nt.gov.au)

### Northern Territory Civil and Administrative Tribunal


for guardianship orders, applications and changes


 **1800 604 622** (8.45 am to 4 pm weekdays)


 [agd.ntcat@nt.gov.au](mailto:agd.ntcat@nt.gov.au)

 [www.ntcat.nt.gov.au](http://www.ntcat.nt.gov.au)


### Tribunal's Darwin office


 The Met Building, CASCOM Building 5, Casuarina Village, Level 1, 13-17 Scaturchio Street, Casuarina NT 0811


 PO Box 41860, Casuarina NT 0810

 08 8922 7201

### Tribunal's Alice Springs office

 Westpoint Building, 1 Stott Terrace, Alice Springs NT 0870

 PO Box 1745, Alice Springs NT 0870

 08 8951 5442