

Enduring Power of Guardianship: A Fact Sheet

What is an Enduring Power of Guardianship or EPG?

An Enduring Power of Guardianship or EPG is a legal document that allows you (the donor) to choose someone else (the guardian) to make personal, lifestyle, and medical treatment decisions on your behalf. It only comes into effect when you no longer have mental capacity to make those decisions yourself.

What types of lifestyle decisions can my guardian make?

Your guardian can make day-to-day decisions such as where you live, who can visit you, what type of medical treatment you can receive, and for how long.

When can I make an EPG?

You can make an EPG at any time, as long as you have mental capacity.

Can I restrict the power of my guardian?

Yes, you can place restrictions on your guardian. You can also specify which kinds of lifestyle decisions your guardian can make for you when you no longer have mental capacity.

Who can I appoint as my guardian?

You can appoint anyone over 18 who has mental capacity, is trustworthy, and will always act in your best interests. They could be someone like your spouse/partner, child, another family member, accountant, or lawyer. You should get their permission to act as your guardian beforehand.

How many guardians can I appoint?

There is no limit to how many guardians you can appoint.

Do my guardians have to act together?

Yes, they must act together if they are appointed as joint guardians. You can specify that if one joint guardian dies, the other can act.

Can I appoint a substitute guardian?

Yes, you can appoint a substitute.

Do I have to register my EPG?

No, you don't have to register it, but it's a good idea to give copies to your family members and your doctor.

Can I revoke my EPG?

You or your guardian can revoke your EPG at any time, as long as you have mental capacity. All you need to do is inform your guardian and any relevant authorities that you've revoked it. It's the same process if your guardian wants to revoke their appointment, but you must have mental capacity when they do.

How long does an EPG last?

An EPG lasts as long as you're alive. It expires when you die.

Need Legal Advice?

Contact Citizens Advice Bureau to make a low-cost appointment at our Perth office, or for details of how to make an appointment at your nearest branch or by telephone.

(08) 9221 5711 (Lines open Mon-Fri 9:30am-4:00pm)

Level 1, 25 Barrack Street, Perth WA 6000

Disclaimer: This document is provided by Citizens Advice Bureau and is intended as a guide only. This information may not be appropriate to your specific situation and you should seek independent legal advice for your individual situation. **Published August 2015.**

