

GLOSSARY

Advanced Health (Care) Directives: see **Advance Directive**

Anticipatory Grants or Directions: see **Advance Directive**

Capacity: see **Legal Capacity**

Advance Directive

A written statement by you specifying what treatment you do and don't want to have in the future.

Advance directives are also called **Advanced Health Directives** and **Advanced Health Care Directives** and in South Australia these are called **Anticipatory Grants** or **Anticipatory Directions**.

There are substantial differences in **Advance Directives** in different States and Territories in Australia. In some States you have to use a particular form and satisfy particular requirements, such as having particular people witness you sign it. In other States you do not need to be so formal.

Discrimination

Treating someone less favourably because they have a disability or they are of a certain sex, age, race or nationality. It is generally unlawful for employers and other people to discriminate against you on the basis that you have dementia.

Enduring Power of Attorney

A formal document appointing a person to be your substitute decision-maker. It is called an *Enduring* Power of Attorney because it endures even after you lose legal capacity to make decisions.

People with dementia can use an Enduring Power of Attorney to appoint a person to make decisions on their behalf after they lose the legal capacity to make decisions. The person you appoint (sometimes called a **donee** or **attorney**) can make decisions about your financial affairs. When you make a power of attorney, you are called the **donor** or **principal**. In some States the person you appoint can also make decisions about the medical treatment you receive and make decisions about your day-to-day life.

Legal Capacity, also called **Legal Competence** and in South Australia, **Mental Capacity**.

Legal capacity is the ability of a person to make decisions that the law will uphold. As the symptoms of your dementia increase, it is possible you will lose your legal capacity. This means you should appoint someone you trust to make decisions on your behalf in case you lose the legal capacity to make the decisions yourself.

Power of Attorney

A formal document appointing someone to be your substitute decision maker. A Power of Attorney stops being valid once you lose your legal capacity to make decisions. A Power of Attorney is useful if you want to go on a holiday overseas and appoint a person at home to look after your financial affairs while you are away. Because dementia eventually takes away your legal capacity, Powers of Attorney are not very helpful for people with dementia. See **Enduring Power of Attorney**

Public Trustee

A body set up by the government in most States and Territories to manage the financial affairs of people unable to look after their own financial affairs. A court, board or tribunal that looks after guardianship matters in your State or Territory can appoint the Public Trustee to look after your finances if there is no other appropriate person to appoint.

The Person Responsible

In Tasmania and Victoria, this is the first person on a list of people who can legally make a decision about a person's medical treatment when the person is unable to make that decision. The idea of **the Person Responsible** is to make it clear which family member, friend or other person, will be the one to make the decisions about a person's medical treatment when a patient is unable to make the decision. Other States and Territories do not use this system. Queenslanders: see **Statutory Health Attorney**

Statutory Health Attorney

This is Queensland's version of **the Person Responsible**.

Where a person has not appointed a substitute decision-maker using a power of attorney or guardianship order, and has lost the ability to make a decision about his or her medical treatment, the first person on a list of people (such as the person's spouse or child over the age of 18) will be the person who can make a decision about the medical treatment. Other States and Territories do not use this term.