

APPLICATION FOR ADVICE ABOUT GUARDIANSHIP OR ADMINISTRATION

ABOUT VCAT

The Victorian Civil and Administrative Tribunal (VCAT) can make orders to appoint an administrator or guardian for a person aged 18 years or over with a disability that affects their decision-making capacity.

We can also make orders to appoint an administrator to help manage the finances and property of a missing person.

Once an administrator or guardian is appointed, we can make more orders or give advice about matters and disputes arising from this guardianship, administration, supportive guardianship or supportive administration arrangement.

WHAT CAN I APPLY FOR USING THIS FORM?

Depending on who you are, you may be able to seek:

- advice about what you can do in your role as a guardian, administrator, supportive guardian, or supportive administrator
- permission to enter into a transaction that may be a conflict of interest or permission to validate a transaction already entered into that may be a conflict of interest (if you are an administrator)
- advice on how to resolve a disagreement between guardians and/or administrators.

TERMS USED IN THIS FORM

We refer to the 'represented person', 'supported person' and 'missing person' throughout this application form.

The represented person is someone who has a guardian and/or administrator appointed by VCAT to help make them decisions.

The supported person is someone who has a supportive guardian and/or supportive administrator appointed by VCAT to help them carry out their decisions.

A missing person is someone who usually lives in Victoria that VCAT has determined to be missing and for whom an administrator has been appointed.

WHAT IS YOUR APPLICATION ABOUT?

1. I want to:

- seek advice about what you can do in your role as a guardian, administrator, supportive guardian or supportive administrator
- seek permission to enter into a transaction that may be a conflict of interest or seek permission to validate a transaction already entered into that may be a conflict of interest.
- seek advice on how to resolve a disagreement between guardians and/or administrators.

PERSON YOU ARE APPLYING ABOUT

2. Who is the represented person, supported person or missing person you are applying about?

Given names Family name

3. Has a previous application about this person been made to the Guardianship List?

Yes No

VCAT reference number (if known)

4. Contact details of the person you are applying about

Street address

Suburb State Postcode

Phone number

Email

5. Does this person identify as someone of Aboriginal or Torres Strait Islander descent?

A member of our Koori Engagement team can give this person cultural support throughout the case.

Yes No

6. Is this person of a culturally or linguistically diverse background?

Yes No

If yes, state the cultural or linguistic background:

7. Date of birth of the person you are applying about (DD/MM/YYYY)

APPLICANT DETAILS

8. Tick which of the following best describes you as the applicant:

I am the person listed in Question 2 – skip to Question 12

Someone else

9. Name of the applicant

Given names Family name

10. Your contact details

Organisation (if applicable)

Street address

Suburb State Postcode

Phone number

Email

11. What is your relationship to the represented person or missing person?

For example, guardian, administrator, supportive guardian, supportive administrator, relative, Public Advocate or a person deemed to have a special interest by the Supreme Court or VCAT.

I am the person's

IS THERE ANYONE WHO SHOULD NOT BE NOTIFIED?

Sometimes because of the nature of the advice you are seeking, you may not want VCAT to notify certain people of your application.

12. Are there any people who should not be notified of this application?

Yes No, skip to Question 15 Don't know, skip to Question 15

13. Name

Given names

Family name

14. Contact details

Street address

Suburb

State

Postcode

Phone number

Email

15. Briefly state your reasons for making this application

ATTENDANCE AT THE HEARING

Sometimes we conduct a hearing to help you with your matter. If VCAT decides a hearing will take place, we strongly encourage the represented person or supported person to attend the hearing, as the decisions we make will affect them. We will try to make it as easy as possible for them to attend.

The applicant must attend the hearing. Any other person with an interest in the application may attend.

We offer a range of support services for people with disability, language difficulties and concerns about their personal safety. Let us know of your needs so we can make arrangements for the hearing.

16. Will the represented person or supported person attend the VCAT hearing?

If your application is about a missing person, skip this question.

Yes No Don't know

If no, state why the person will not attend the VCAT hearing:

17. Does anyone mentioned in the application need special assistance at the hearing?

Help accessing the venue (e.g. wheelchair access)

Interpreter required

Language:

Assisted communication (e.g. assistive listening device or hearing loop)

Personal safety concerns

Attend the hearing by phone or video link

Other

Provide more detail about who needs the forms of assistance you have indicated and why?

ACKNOWLEDGMENT

By completing this application, I understand and acknowledge that:

- to the best of my knowledge, all information provided in this application is true and correct
- it is an offence under section 136 of the *Victorian Civil and Administrative Tribunal Act 1998* to knowingly give false or misleading information to VCAT.

Full name of person completing this form:

Date:

FURTHER STEPS TO TAKE

Ensure you do the following:

- Make a copy of this application for your own records
- Speak to the represented person, supported person or former missing person (if possible)

PRIVACY POLICY

All information you give VCAT for your case is available to anyone who inspects the case file or attends the hearing, including media. They might get information like your name, contact details and personal information. By law, with limited exceptions, VCAT must share information that you provide for your case with other parties. This includes your documents and evidence. But it is illegal to publish or broadcast information that could identify a party in a guardianship, powers of attorney or medical treatment case, unless VCAT makes an exception.

You can ask VCAT at the start of the case to keep your information confidential. VCAT may not agree to this request. For more information, go to www.vcat.vic.gov.au/privacy

SUBMITTING THIS APPLICATION

Submit your application and a copy of the medical report to VCAT either by email, by post or in person.

By email

Email humanrights@vcat.vic.gov.au

By post

Send to:

The Registrar
VCAT Guardianship List
GPO Box 5408 Melbourne VIC 3001

In person

Go to:

Victorian Civil and Administrative Tribunal
Ground Floor, 55 King Street, Melbourne VIC 3000

NEED HELP WITH YOUR APPLICATION?

If you have any questions about completing this form, contact us by email, phone or in person.

By email

Email humanrights@vcat.vic.gov.au

By phone

Call 1300 018 228 Monday - Friday 9am - 4.30pm

In person

We are open Monday - Friday 9am - 4.30pm

55 King Street
Melbourne VIC 3000