



HEALTH CONSUMERS'
COUNCIL

Application Process

WA Guardianship / Administration

What is a Guardian?

A Guardian is a person given the job of making important personal decisions on someone else's behalf. This can include medical decisions, and decisions about where the person lives.



What is an Administrator?

An Administrator is a person given the job of looking after someone else's money (finances and property). This can include making sure bills are paid on time and that they have enough money for food, and any decisions about the sale of assets (such as houses or other property).

Who is the Applicant?

The Applicant is the person who makes the application for Guardianship and/or Administration.



Who is the Subject?

The Subject is the person who the application is about.



What is a Guardianship/ Administration hearing?

This is the meeting when the Member will decide if the Subject needs a Guardian or Administrator.

Who is the Member?

The Member is the person who decides if the Subject needs a Guardian or Administrator. The Member is legally trained and works at the State Administrative Tribunal (SAT). They will hear the case and decide if Guardianship/Administration is in the best interest of the Subject



Who will be at the Guardianship/ Administration hearing?

- ✓ The Subject
- ✓ The Applicant
- ✓ The Member
- ✓ The State Administrative Tribunal (SAT) Clerk

Can the Subject take someone with them to the hearing?

Yes, the Subject can take a friend or support person. Sometimes a Subject might have their lawyer at the hearing to represent them.



The Application

The Subject can request to view the application file, which includes the application and the Subject's medical reports. They can make this request by contacting the State Administrative Tribunal on **(08) 9219 3111**.

If the request is accepted the Subject can arrange a time to view the documents. The Subject cannot usually take the documents with them, so should bring a pen and paper to take notes.

If the Subject has read the application and the medical opinions and doesn't agree with them or anything in them, they can organise a second medical opinion from a different medical team. These can be submitted to be considered by the Member.

The Subject should consider writing a letter to the State Administrative Tribunal to give their views and offer examples to support whether they think they need a Guardian/Administrator or not. The letter needs to be submitted at least three (3) working days before the hearing.



If the Subject believes they need more time to prepare, can they apply for the hearing to be postponed?

Yes, the Subject can ask for an adjournment to be considered. They can make this request by contacting the State Administrative Tribunal.



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