

RECIPES FOR LIVING WELL

*From the Alliance for the
Prevention of Elder Abuse*

**Produced by the Legal Services Commission with the support
of the Law Foundation of SA**



The
LAW FOUNDATION
of SA Incorporated

The Alliance for the Prevention of Elder Abuse brings together five agencies that support & protect older South Australians.

The Legal Services Commission (also known as legal aid) provides legal assistance including advice about Wills, Advance Care Directives and Power of Attorney documents. T: 1300 366 424 W: www.lsc.sa.gov.au

The Office of the Public Advocate promotes & protects the rights of people with mental incapacity & has responsibilities relating to guardianship and advocacy. T: (08) 8342 8200 W: www.opa.sa.gov.au

The Aged Right Advocacy Service provides free advice, information, assistance & education to older South Australians & their carers or representatives. T: (08) 8232 5377 W: www.sa.agedrights.asn.au

SA Police provide security & safety advice for people living in their own homes or in aged care facilities. Call the Police Home Assist section on (08) 7322 3211 or go to www.police.sa.gov.au

Public Trustee helps with matters relating to Wills, Enduring Power of Attorney and the management of financial estates. T: (08) 8226 9200 W: www.publictrustee.sa.gov.au



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE



MAKING AN ADVANCE CARE DIRECTIVE

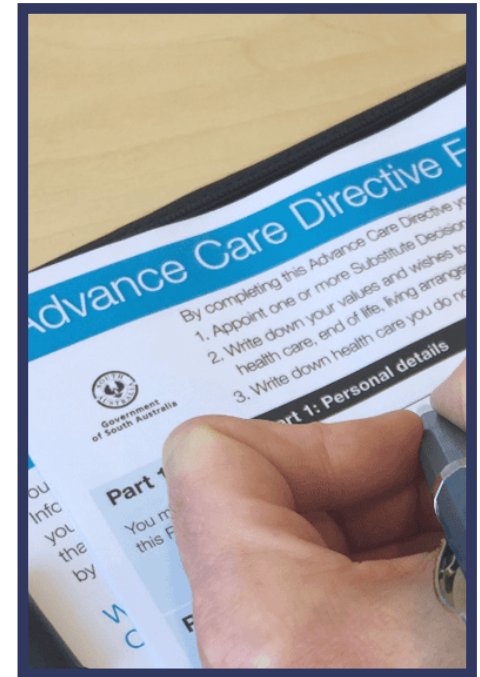
An Advance Care Directive is a legal document that sets out your future choices regarding healthcare, accommodation and lifestyle.

INGREDIENTS

- An Advance Care Directive form
- An authorised witness (such as a Justice of the Peace, a lawyer or a police officer)
- You must be 18 or over and have legal capacity (this means you understand the nature and purpose of an Advance Care Directive)
- One or more people who will follow your written wishes (called your Substitute Decision Maker/s). This step is optional but recommended.

METHOD

1. Get a free Advance Care Directive form from www.advancecaredirective.sa.gov.au or purchase the form from Service SA www.service.sa.gov.au.
2. Read the Information Statement that comes with the form.



3. Think about what lifestyle choices are important to you (regarding your future healthcare and living arrangements) as this will help you to complete the form.
4. Decide whether you want to appoint one or more people to be your Substitute Decisions Maker/s who would:
 - a. follow your instructions; and
 - b. communicate your instructions to others.
5. Talk to your Substitute Decision Maker/s about your wishes and check that they are willing to accept the role.

DIRECTIONS

1. Complete the Advance Care Directive form.
2. Have your Substitute Decision Maker/s sign and date part 2(a) of the form.
3. Sign and date the form yourself in front of an authorised witness (such as a Justice of the Peace, lawyer or police officer).
4. Ask the authorised witness to make certified copies of the Advance Care Directive and give them to your Substitute Decision Maker/s and to people who should know about your wishes (such as family members and doctors).

SERVE

A fully completed Advance Care Directive will serve you and your family during periods of crisis and need.

Keep your Advance Care Directive in a safe place and re-read it on a regular basis to ensure it continues to reflect your wishes.

Members of APEA



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

MAKING AN ENDURING POWER OF ATTORNEY

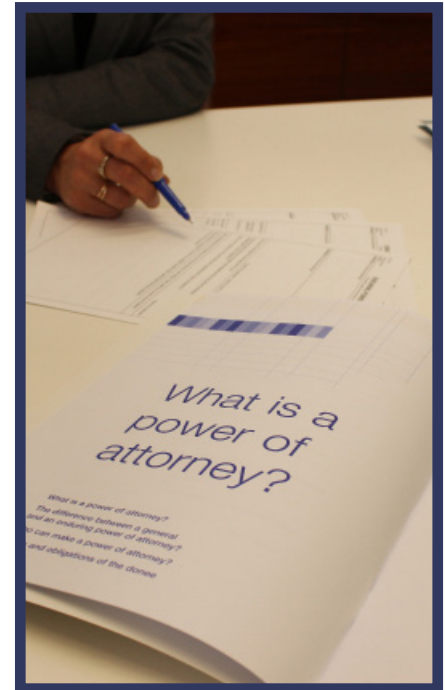
An Enduring Power of Attorney is a legal document that appoints one or more people to manage your financial and legal affairs during your lifetime.

INGREDIENTS

- An Enduring Power of Attorney form
- An authorised witness (either a lawyer or a Justice of the Peace)
- One or more people you trust to make financial decisions for you (called your Attorney)
- You must be 18 or over and have legal capacity (this means you understand the nature and purpose of an Enduring Power of Attorney).

METHOD

1. Obtain an Enduring Power of Attorney form using one of these options:
 - a. purchase the form from Service SA www.service.sa.gov.au
 - b. purchase the Do it Yourself Kit and form from Service SA or the Legal Services Commission (visit www.lsc.sa.gov.au or call 1300 366 424).



- c. download the form free of charge from the Lands Titles Registration Office www.landservices.com.au.
2. Obtain legal advice if you have questions about Enduring Powers of Attorney.
3. Decide who to appoint to manage your money and assets and ask them if they are willing and able to accept the role.
4. If you are a concession card holder you can ask the Public Trustee to manage your money and prepare your Enduring Power of Attorney documents.
5. Tell your family members about your Power of Attorney documents so that you can answer any questions they have.

DIRECTIONS

1. Complete the Enduring Power of Attorney form.
2. Make arrangements to sign and date the form in front of an authorised witness (such as a Justice of the Peace or a lawyer).
3. Arrange for your Attorney/s to sign and date the acceptance section of the form.
4. Make copies of the fully signed and completed form. Arrange to have the copies certified by an authorised witness (take the original form with you).

SERVE

A fully completed Enduring Power of Attorney document will serve you and your family during times of crisis and need.

Place the completed original form in a safe place so it's available when needed. Give certified copies to your close family members, accountant and bank manager.

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HOW TO MAKE A WILL

A Will is a legal document that sets out how you want your money and assets to be distributed after your death (Wills can also include your funeral instructions).

INGREDIENTS

- You must be 18 or over and have legal capacity (this means you understand the nature and purpose of a Will)
- One or more people you trust to follow your instructions in your Will (they are called your Executor/s)
- An understanding of your assets and debts
- Two adult witnesses

METHOD

1. Make a list of all the assets and debts that are in your name only (this will tell you what you can leave to family and friends).



2. Choose who your Executor/s will be and ask them if they are able and willing to take on the role.
3. Decide who to leave your assets to (they are called your beneficiaries).
4. Decide how you want your Will to be prepared. There are three options:
 - a. pay a lawyer to make your Will (this is recommended)
 - b. if you have a concession card, you can ask the Public Trustee to be your executor and prepare your Will (fees will apply)
 - c. purchase and complete a Will kit (however, it is recommended that you get legal advice before drafting your own Will using a Will kit).

DIRECTIONS

1. Get your Will drafted (after getting legal advice).
2. Sign and date the Will in front of two adult witnesses.
3. Give your Executor/s a copy of your completed Will.

SERVE

A carefully completed Will avoids confusion during a time of grief and upholds your right to have your assets distributed as you wish. Keep the Will in a safe place that is known to your Executors and close family members.

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