

# The Guardianship Review

The Law Reform Commission has been asked by the Attorney-General to review Queensland's guardianship legislation and make recommendations as to how it could be improved. In Queensland, the guardianship legislation is contained in the *Guardianship and Administration Act 2000* (Qld) and the *Power of Attorney Act 1998* (Qld).

The guardianship legislation regulates the making of decisions by, and on behalf of, adults with impaired capacity. It deals with issues such as:

- When is an adult unable to make their own decisions?
- If an adult can't make their own decisions, who should make them on his or her behalf?
- How should those decisions for an adult be made?

The Commission will be conducting the review in two stages. The first stage will focus on the legislation's confidentiality provisions. The final report on the confidentiality provisions is due in June 2007.

The second stage of the review then involves reviewing Queensland's guardianship laws more generally, although particular regard will be had to the matters specified in the Commission's terms of reference. The Commission will present its final report to the Attorney-General at the end of 2008.

The Commission is currently undertaking the first stage of its review and invites interested members of the public to make comments on the confidentiality provisions.

## Queensland Law Reform Commission

Post: PO Box 13312  
George Street Post Shop  
Brisbane Qld 4003

Phone: (07) 3247 4544

Fax: (07) 3247 9045

Email: [qlrcguardianship@justice.qld.gov.au](mailto:qlrcguardianship@justice.qld.gov.au)

Web: [www.qlrc.qld.gov.au/guardianship](http://www.qlrc.qld.gov.au/guardianship)