



# Preparing for end of life

## What you need to know

Planning for end of life can feel confronting and overwhelming. But being prepared can make things a lot easier for you - and your loved ones - when the time comes. These are the key documents you should have in place.

### **Advanced Health Care Plan (sometimes called a Living Will)**

An Advanced Health Care Plan sets out what quality of life would be acceptable to you and what medical or health care you would/would not agree to. It enables you to consent to medical treatment and to refuse treatment, even if it is lifesaving. It takes precedence over the wishes of your family, is only legally valid while you are alive, and only comes into effect if you lose capacity (are not of sound mind).

For more information go to <https://www.advancecareplanning.org.au/>

### **Enduring Guardianship and Power of Attorney**

The laws about guardianship and power of attorney are different depending on your state or territory. The following information applies to NSW.

In NSW an Enduring Guardianship is a legally binding document and is made while you have capacity. It covers similar issues as an Advanced Health Care Plan except you are appointing a guardian or guardians to act on your behalf after you lose capacity. It can be revoked while you have capacity.

A Power of Attorney is a legally binding document that appoints another person or people to act on your behalf in administrative or financial matters. A POA cannot make quality of life or health and medical decisions and can be revoked while you have capacity. A general POA ceases when you lose your capacity. An enduring POA which has an extra clause and is witnessed by a lawyer continues after you have lost capacity.

You can find information about guardianship and power of attorney in your state or territory via the relevant State Trustee, Office of the Public Advocate or Civil and Administrative Tribunal.

### **Will**

A will is a document that appoints an executor/s to manage your affairs after your death. It sets out your instructions for how your assets should be managed, plans for your funeral and burial, who will look after dependent children, and how much money you'd like to give to charity. It needs to be signed, dated and witnessed by two people who do not stand to benefit from the will.

If you don't have a will, the law decides who will get your assets and other people can make decisions about your funeral and burial, which may not be in line with what you want.

You can get your will written by a solicitor or a Public Trustee or do it yourself with an online will kit. If you use an online will kit it's important to have it checked by a solicitor or Public Trustee to make sure it is not invalid.

For more information go to [www.canstar.com.au/life-insurance/writing-a-will](http://www.canstar.com.au/life-insurance/writing-a-will)



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