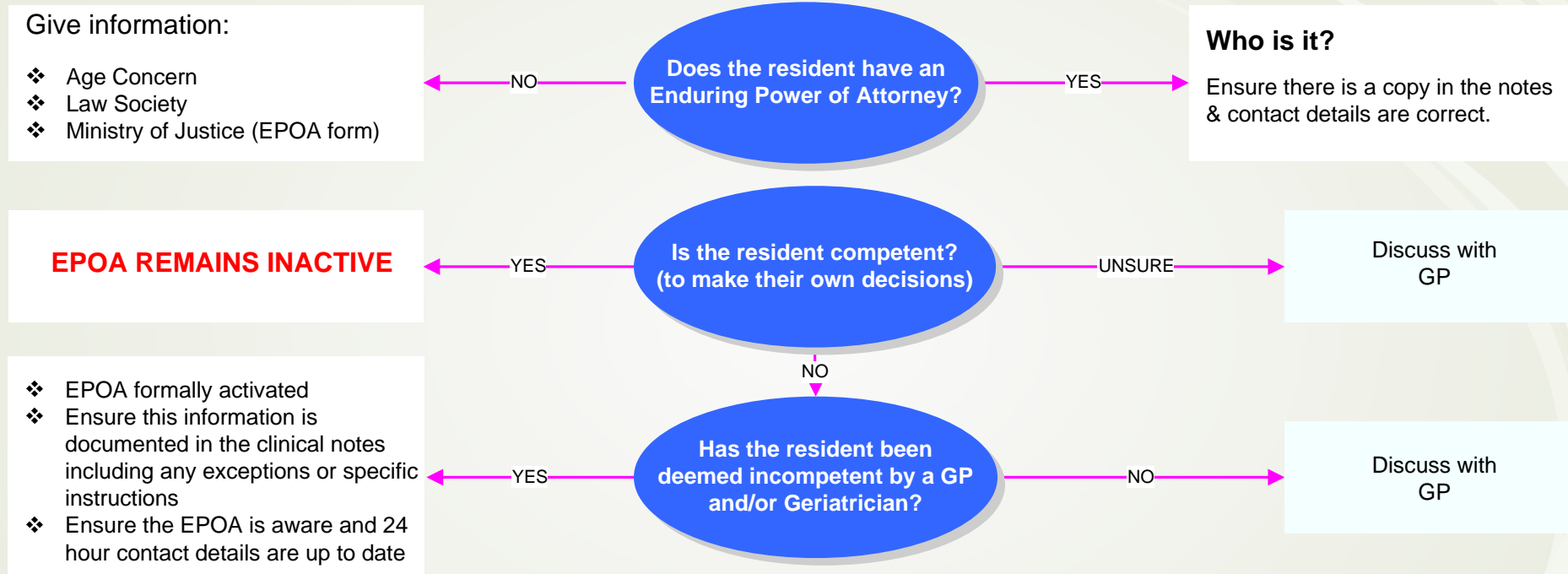


## ENDURING POWER OF ATTORNEY (EPOA) CARE GUIDE For Personal Care and Welfare

**EPOA PERSONAL CARE AND WELFARE:** enables the designated person to make care decisions about personal care in the event of mental incapacity e.g. the sort of medical treatment the resident would have agreed to if they had the capacity to do so. This may be general or only in relation to specific matters. After 26 Sept. 2008, a lawyer's stamp is required on the document.

**EPOA PROPERTY:** The Attorney can act on the resident's behalf with respect to property which includes land, houses, businesses, bank accounts and other possessions. Can be general or limited to specific property. Can take immediate effect (while still mentally capable) or only in the event of mental incapacity.



**The Resident can vary or revoke (cancel) the EPOA at any time they are still mentally capable**

**“Mentally Incapable” means:**

- ❖ In relation to personal care and welfare, being wholly or partly unable to understand the nature and foresee the consequences of decisions, or wholly lacking the ability to communicate decisions.
- ❖ Determination of inability to make competent decisions for oneself can only be done by a GP or a Geriatrician.

Web links for resources:

Age Concern <http://www.ageconcern.org.nz/money/planning/enduring-power-attorney>

NZ Law Society [http://www.lawsociety.org.nz/data/assets/pdf\\_file/0009/3105/48354\\_Powers\\_of\\_Attorney\\_September.pdf](http://www.lawsociety.org.nz/data/assets/pdf_file/0009/3105/48354_Powers_of_Attorney_September.pdf)

Ministry of Justice (EPOA form) <http://www.justice.govt.nz/courts/family-court/forms/list-of-forms/forms-for-proceedings-under-protection-of-personal-and-property-rights-act-1988>