

IPPJANAR BIKRI

MALTESE

Ippjanar bikri jista' jaghmilha iktar facli biex kemm il-persuni bid-dementia kif ukoll ilfamilji tagghom u dawk li jiehd u hsiebhom jimmaniggaw l-affarijiet finanzjarji u legali tagghom. Dan il-Fuljett ta' Ghajjnuna jiddiskuti modi biex isir ippjanar bil-quddiem u jaghti lista ta' nies u organizzazzjonijiet li jistghu jghinu.

Id-dementia taffettwa lin-nies b' modi differenti. Persuna tista' tibda titlef minn kmieni l-kapacita` li timmanigga l-flus jew li taghmel decizjonijiet kompetenti fin-negozju, filwaqt li ohra tista' zzomm din il-kapacita` ghal zmien iktar twil.

Madankollu, issa jew imbaghad il-kapacitajiet tagghom ser jonqsu u l-persuni bid-dementia mhumiex ser ikunu kapaci jaghmlu decizjonijiet dwar l-affarijiet finanzjarji u legali tagghom.

Ippjanar bikri

Ippjanar bikri jista' jaghmilha iktar facli biex ilfamilja jew dawk li jiehd u hsieb haddiehor jimmaniggaw l-affarijiet tal-persuna biddementia. Jista' jfisser ukoll li l-persuni biddementia jkunu jistghu jiehd u sehem flippjanar u jizguraw ruhhom li x-xewqat tagghom se jitwettqu kif ikunu jridu huma.

Fejn ikun possibbli, hu l-parir meta l-persuna bid-dementia tkun ghadha tista' tiehu sehem fid-diskussjoni u tkun legalment kompetenti biex tiffirma d-dokumenti.

L-affarijiet tal-flus

Jekk l-akkont tal-bank huwa fiz-zewg ismijiet, il-parti l-ohra tista' tkompli thaddmu minghajr bdil fl-arrangamenti. Madankollu jista' jkun hemm il-problemi jekk il-persuna bid-dementia tuza hazin l-akkont jew ikollha kotba ohra talbank f'isimha biss. Biex ikun evitat dan kollu l-persuni bid-dementia jistghu jaghtu l-awtorita`, meta jkunu ghadhom legalment kompetenti, lil persuna ohra biex thaddem l-akkont. Huwa importanti li tiftakar li din l-awtorita` ma tkunx valida jekk il-persuna ma tkunx ghadha legalment kompetenti. Jekk ma jkunx iridu jaccettaw li jbiddu l-arrangamenti jista' jkun ta' ghajjnuna jekk ikun ikkonsultat ilmaniger tal-bank dwar xi soluzzjoni possibbli.

Ippjanar bil-quddiem ifisser:

- Ikun hemm zewg firem fuq kull akkont finanzjarju
- Ikunu diskussi l-affarijiet finanzjarji ma' konsulent finanzjarju
- Jitranga kif u meta l-persuni bid-dementia ghandu jkollhom access ghall-finanzi tagghom

Min jista' jghin?

- Il-maniger tal Bank
- Konsulent finanzjarju akkreditat.
- Avukat
- Alzheimer's Australia

Prokura li tibqa'

F'hafna mill-Istati u t-Territorji persuna tista' tiffirma prokura li tibqa' jekk tkun legalment kompetenti meta tiffirma. Prokura li tibqa' hija arrangement li bih persuna li tkun nominata tkun tista' thares l-affarijiet finanzjarji ta' persuna ohra jekk ma tibqax kapaci li taghmel hekk hi. Hafna nies ghandhom prokura li tibqa' hemm jew m'hemm x dijanjosi jew mard.

Prokura ordinarja jew generali tista' tinkiseb ukoll izda tibqa' valida biss sakemm il-persuna tkun ghadha legalment kompetenti. Prokura li tibqa' isservi sal-mewt tal-persuna sakemm ma tigix revokata.

Wiehed mill-beneficcji tal-prokura li tibqa' huwa li taghti cans lill-persuni bid-dementia li jaghzlu lil xi hadd biex jagixxi f'isimhom fl-affarijiet finanzjarji u legali meta ma jibqghux kapaci li jaghmlu huma stess.

Ippjanar bil-quddiem ifisser:

- Li jkun zgurat li l-persuni bid-dementia jkollhom l-opportunita` li jikkunsidraw li jaghmlu prokura li tibqa', jekk mhux digaghandhom wahda, kmieni kemm jista' jkun wara d-dijanjosi u meta ghad ghandhom il-kapacita` li jaghmlu dan.

FIGHTDEMENTIA.ORG.AU NATIONAL DEMENTIA HELPLINE 1800 100 500

**UNDERSTAND ALZHEIMER'S
EDUCATE AUSTRALIA**

This help sheet is funded by the Australian Government under the National Dementia Support Program

- Li jkun zgurat li l-familji u dawk li jiehdu hsieb haddiehor ikollhom ukoll prokuri biex ikun zgurat li l-affarijiet taghhom ikunu maniggati sewwa fil-kas li jigu inkapacitati
- Li jkollok kopja tal-prokura u tkun taf fejn qeghda

Min jista' jghin?

- Avukat
- Is-Socjeta` jew Istitut Legali (Law Society/Institute) jew il-Legal Aid
- L-Avukat Pubbliku jew it-Tutor Pubbliku
- Alzheimer's Australia

Testmenti

Testment jaghti struzzjonijiet dwar kif ghandu jinqasam il-wirt ta' persuna. Testament huwa legali biss meta l-persuna tifhem l-implikazzjonijiet tieghu, ghalhekk huwa importanti li jekk persuni bid-dementia jkunu jridu jaghmlu jew jaggornaw it-testment taghhom, jaghmlu dan meta jkunu ghadhom kompetenti biex jiffirmaw.

Ippjanar bil-quddiem ifisser

- Li jkollok testament aggornat
- Li tkun taf min huwa l-esekutor u fejn ikun mizmum it-testment

Min jista' jghin?

- Avukat
- Is-Socjeta` jew Istitut Legali (Law Society/Institute), Legal Aid
- Alzheimer's Australia

Decizjonijiet dwar il-kura medika

Jekk tiflef il-kapacita` legali li taghmel decizjonijiet dwar il-kura medika tieghek ikun jinhtieg li xi hadd iehor jaghmlhom ghalik. F'hafna mill-Istati u t-Territorji tista' tahtar lil xi hadd li tafda biex jaghmel dawn id-decizjonijiet. Jekk ma tkunx ippjanajt bil-quddiem il-ligi f'kull Stat u Territorju thalli f'idejn qorti partikulari biex tahtar lil xi hadd biex jiehdu d-decizjonijiet ghalik.

Hemm zewg tipi ta' strumenti biex jghinuk tippjana bil-quddiem ghad-decizjonijiet dwar il-kura medika tieghek:

- Prokura li tibqa' dwar il-materji tas-sahha. B'din inti tahtar persuna li tiehu postok fid-decizjonijiet dwar il-kura medika
- Direttiva bil-quddiem li tkun dokument miktub li jesprimi x-xewqat tieghek dwar il-kura medika

Jistghu jintuzaw ismijiet differenti fl-Istati u t-Territorji, izda il-funzjoni tad-dokument hija tista' tghid l-istess.

Ippjanar bil-quddiem ifisser:

- Li jkun zgurat li l-persuni bid-dementia jkollhom l-opportunita` li jaghmlu prokura li tibqa' dwar il-kura medika jew direttiva bil-

quddiem

- Li jkollok kopja tad-dokument u li tkun taf fejn tinzamm

Min jista' jghin?

- Avukat
- Is-Socjeta` jew Istitut Legali (Law/Institute Society), Legal Aid
- L-Avukat Pubbliku jew it-Tutor Pubbliku
- Alzheimer's Australia

It-Tutor u l-Amministrazzjoni

F'hafna mill-Istati u t-Territorji hemm Bord jew Tribunal tat-Tutori li jista' jahtar tutor jew amministratur ghall-persuni li ma jkunx ghadhom kapaci jiehdu decizjonijiet ghalihom infushom. Jekk ikun hemm xi problemi fittmexxija ta' l-affarijiet ta' persuni bid-dementia jew ikun hemm kunflitti dwar l-ahjar interesse tal-persuni ghandha tkun ikkunsidrata l-applikazzjoni ghall-hatra ta' tutor jew amministratur.

Alzheimer's Australia tista' tkun ikkuntattjata biex tkun diskussa il-htiega ta' applikazzjoni ghall-hatra ta' tutor jew amministratur u kif ghandha ssir.

IKTAR TAGHRIF

Alzheimer's Australia toffri sapport, taghrif, edukazzjoni u pariri. Ikkuntattja l-Linja Nazzjonali ta' Ghajnuna fid-Dementia fuq **1800 100 500**.

Ghal iktar taghrif u biex tara l-Fuljetti ta' Ghajnuna l-ohra zur il-websajt taghna f' fightdementia.org.au

EARLY PLANNING

This Help Sheet discusses ways to plan ahead and organise financial and legal affairs and lists people and organisations that can help.

Dementia affects people differently. One person may begin to lose the ability to handle money or make competent business decisions at an early stage, while another person may keep these skills much longer.

However, sooner or later their abilities will decline and the person with dementia will be unable to make their own decisions about their financial and legal matters.

Planning ahead

Planning ahead can make it easier for families and carers to manage the affairs of a person with dementia. It may also mean that the person with dementia can participate in the planning and make sure that their wishes are carried out in the way that they would like.

Wherever possible, get advice while the person with dementia can still participate in the discussion and is legally competent to sign any documents.

Money matters

If a bank account is in joint names, the partner of the person with dementia can continue to operate it without any change in arrangements. However problems can occur if the person with dementia uses the account inappropriately or has accounts in their name only. To avoid these difficulties the person with dementia can give authority, while legally competent, for another person to operate the account. It is important to remember that this authority will be invalid if the person is no longer legally competent. If they are unwilling to agree to a change of arrangement it may be helpful to consult the bank manager about a possible solution.

Planning ahead means:

- Having joint signatures on all financial accounts
- Discussing future financial affairs with a financial adviser
- Arranging how and when the person with dementia will access their finances

Who can help?

- Bank manager
- Accredited financial adviser
- Solicitor
- Alzheimer's Australia

Enduring Power of Attorney

In most States and Territories a person can sign a document called an enduring power of attorney if they are legally competent at the time of signing. An enduring power of attorney is a legal arrangement that enables a nominated person to look after the financial affairs of another person should they become unable to do so. Many people have enduring powers of attorney regardless of any illness or diagnosis.

An ordinary, or general, power of attorney is also available but is only valid while a person is legally competent. An enduring power of attorney continues until the person's death, unless revoked.

One of the benefits of having an enduring power of attorney is that it allows the person with dementia to choose someone to act on their behalf in legal and financial matters when they are no longer able to do so themselves.

Planning ahead means:

- Ensuring that the person with dementia has the opportunity to consider making an enduring power of attorney if they don't already have one, as soon as possible after diagnosis and whilst they have the capacity to do so
- Ensuring that family and carers also have their own enduring powers of attorney to ensure that their affairs are well managed in case they also become incapable
- Having a copy of the enduring power of attorney, and knowing where it is kept

Who can help?

- Solicitor
- The Law Society or Institute, or Legal Aid
- The Public Advocate or Public Guardian
- Alzheimer's Australia

Wills

A will gives instructions as to how the estate of a deceased person should be distributed.

A will is only legal if the person understands its implications, so it is essential that if the person with dementia wishes to make, or update their will, they do so while they are still competent to sign.

Planning ahead means:

- Having an up-to-date will
- Knowing who the executor is, and where the will is kept

Who can help?

- Solicitor
- The Law Society or Institute, or Legal Aid
- Alzheimer's Australia

Decisions about medical treatment

If a person with dementia loses the legal capacity to make decisions about their medical treatment, someone else needs to make those decisions for them. In most States and Territories a trusted relative or friend can be appointed to make these decisions. If this has not been put in place, the law in every State and Territory allows a particular court to appoint someone to make decisions on behalf of the person with dementia.

Two types of tools are available to help plan ahead for decisions about medical treatment:

- An enduring power of attorney covering health matters. This allows the person with dementia to appoint a person to be a substitute decision-maker for medical decisions
- An advance directive. This is a written document expressing the wishes of the person with dementia about medical treatment

Different names may be used in some States and Territories, but the function of the document is much the same.

Planning ahead means:

- Ensuring the person with dementia has the opportunity to make an enduring power of attorney covering health matters or an advance directive
- Having a copy of the document, and knowing where it is kept

Who can help?

- Solicitor
- The Law Society or Institute, or Legal Aid
- The Public Advocate or Public Guardian
- Alzheimer's Australia

Guardianship and Administration

In most States and Territories there is a Guardianship Board or Tribunal that can appoint a guardian or administrator for a person who is no longer able to make decisions for themselves. If there are problems dealing with the affairs of the person with dementia, or there is conflict about the person's best interests, an application for the appointment of a guardian or administrator may need to be considered.

Alzheimer's Australia can be contacted to discuss whether an application to appoint a guardian or administrator may be needed, and how to go about it.

FURTHER INFORMATION

Alzheimer's Australia offers support, information, education and counselling. Contact the National Dementia Helpline on **1800 100 500**, or visit our website at **fightdementia.org.au**



For language assistance phone the Translating and Interpreting Service on **131 450**