



## Substitute Decision Making



This guide is for information only

It is not legal advice

This guide is for people who live in NSW

You can check the laws in the state where you live  
for the correct information

This guide was made on Gadigal land

We say thank you to the Traditional Owners of this land

Always was, always will be Aboriginal land

## 1. What if I need help or support making decisions?



### 1. You choose who helps you

Sometimes you can sign a form that says it is okay for a trusted person to help you with decisions

For example

- speak to or get information for you from Government departments like
  - Centrelink
  - Department of Housing





If you are 18 or older you can choose someone now to help you in the future if in the future you can not make your own decisions



They can help

- make health and lifestyle decisions for you
- make money decisions for you



This person is called

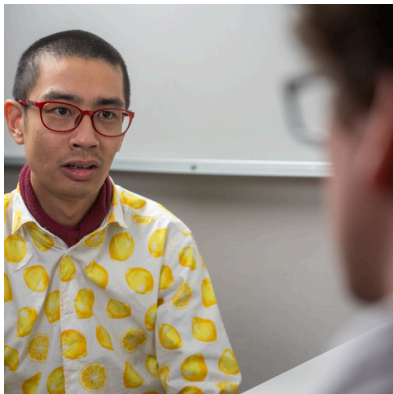
**A. Enduring Guardian**

**B. Enduring Power of Attorney**

## A. Enduring Guardian



This is a person you choose to make health and lifestyle decisions for you if you can't



These might be decisions about

- your life
- your healthcare
- where you live

This must be done with a lawyer



## B. Enduring Power of Attorney

This is a person you choose to make decisions about money for you if you can't



It must be done with a lawyer

## 2. The court chooses for you



Sometimes a decision maker might need to be chosen for you

This person is usually chosen by a special court or tribunal called **NCAT**

**NCAT** stands for **NSW Civil and Administrative Tribunal**



This is called **substitute decision making**



This person is called

**A. Guardian**

**B. Financial Manager**

## A. Guardian



NCAT might choose a Guardian for you

This is called a **Guardianship Order**

A Guardian can make decisions about your daily life

This could be things like

- where you live
- what healthcare you need



A Guardian can be

- a parent or carer
- someone else in your life who can make good decisions for you



- someone who works at NSW Trustee and Guardian



This person is called a **Public Guardian**

## B. Financial Manager



NCAT might choose a Financial Manager for you

This is called a **Financial Management Order**

A Financial Manager looks after your money



A Financial Manager can be

- a parent or carer
- someone else in your life who can make good decisions for you



- someone who works at NSW Trustee and Guardian

## 2. What should I remember?

You still have rights



- The person who helps you can only make some decisions for you
- NCAT tells the person what they can help with
- You can still make decisions about other things in your life
- What you want is still important
- The decision maker must listen to your wishes and try to do what you want



**NCAT**  
 NSW Civil &  
 Administrative  
 Tribunal

NCAT only choose a decision maker if there is no easier way to help you

### 3. What can I do if I want to change an NCAT order or I think it is unfair?



Ask someone you trust for help if you want to change an NCAT order

You will need to look at the NCAT website and fill out a form

[www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au)

The forms are called:

1. Request to review a Guardianship Order

or

2. Application to review or revoke a Financial Management Order

It is a good idea to ask NCAT for a **Written Statement of Reasons**

This will explain why they made the decision and will help you say why you think it is unfair or why you want it changed

**NCAT**  
NSW Civil and Administrative Tribunal  
July 2025

**Request to review a guardianship order**  
 GUARDIANSHIP DIVISION

Complete this form to request NCAT to review a guardianship order made under the Guardianship Act 1987.

When NCAT makes a guardianship order it specifies the length (term) of the order. Unless NCAT orders that the guardianship order will not be reviewed, NCAT will conduct a hearing review close to the end of its term.

If someone has a genuine concern for the welfare of the person and believes the order is no longer working in the best interests of the person, or is no longer necessary, they can request that NCAT review the order before the end of the order.

Read the [Review of guardianship orders](#) fact sheet for more information about requesting a review and the Tribunal process.

**IMPORTANT INFORMATION:**

- The NSW Public Guardian is a statutory party to all reviews of guardianship orders.
- All parties will receive a copy of the application and all documents unless the Tribunal orders otherwise.
- For more information read the fact sheets [Providing information to the Guardianship Division](#) and [Who is a party to proceedings in the Guardianship Division?](#)

Case Number  
 Office use only

**1. PERSON THIS APPLICATION IS ABOUT**

Provide details of the person who has a guardianship order.

**A. PERSON'S CASE NUMBER, NAME AND ADDRESS**

NCAT Case Number \_\_\_\_\_

Given names \_\_\_\_\_ Family name \_\_\_\_\_

Date of birth \_\_\_\_\_ Gender \_\_\_\_\_

Address \_\_\_\_\_

**NCAT**  
NSW Civil and Administrative Tribunal  
July 2025

**Application to Review or revoke a financial management order**  
 GUARDIANSHIP DIVISION

Before completing this application form, please refer to the information for Applicants fact sheet 'Review or revoke a financial management order'.

Use this form only if you are seeking to review the financial management order (for example to vary the order including if you want to replace the appointed financial manager) or to have the order revoked. For more information, contact NCAT's Guardianship Division on (02) 9556 7600 or 1300 086 228.

**1. The applicant**

Who is making this request for a review of a financial management order?  
 The responsibilities of an applicant are explained in the information for Applicants sheet.

title  Mr  Mrs  Miss  Ms  Other, specify \_\_\_\_\_

given names \_\_\_\_\_  
 family name \_\_\_\_\_  
 relationship to the person \_\_\_\_\_  
 street \_\_\_\_\_  
 suburb/town, state, postcode \_\_\_\_\_  
 daytime phone \_\_\_\_\_ after hours phone \_\_\_\_\_  
 mobile phone \_\_\_\_\_  
 fax \_\_\_\_\_ pager \_\_\_\_\_  
 email \_\_\_\_\_

Does the appointed financial manager know about this application?  No  Yes  I am the appointed financial manager

**2. The person**

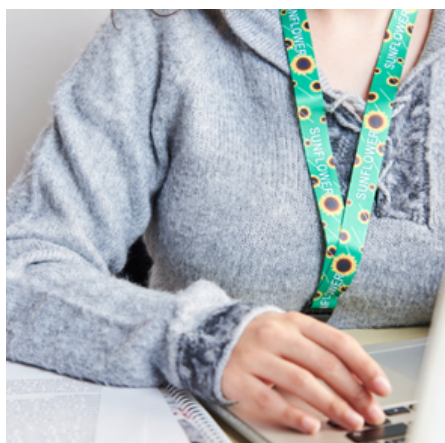


**NCAT**  
NSW Civil & Administrative Tribunal



# Ability Rights Centre

A SERVICE OF IDRS



You can call the **Ability Rights Centre**  
or **ARC** for legal help with NCAT  
orders

- ARC gives free legal help to people with disability
- ARC can help you understand your rights

Call or email for help

02 9265 6350

[arc@idrs.org.au](mailto:arc@idrs.org.au)

You can ask someone you trust to help  
you



ARC is part of the **Intellectual Disability  
Rights Service** or IDRS



Please give your feedback