

Administration Orders



If there are decisions that need to be made for a person with a mental incapacity, the South Australian Civil and Administrative Tribunal (SACAT) can make an Administration Order.

An Administration Order:

- Is a legal document.
- Can appoint one or more administrators to work together or separately.
- Can appoint an administrator to make financial, legal and/or property decisions.
- Must be reviewed within 3 years, on a date specified by SACAT.
- Can be varied or revoked if there is a change in circumstances.

An Administration Order may be made if:

- There is no one to help informally (family or friends).
- Informal support/arrangements are not working.
- The person does not agree with informal decisions.
- There is no Enduring Power of Attorney in place.
- An appointed decision-maker is not making appropriate decisions.
- There is conflict about decisions or decision-makers.

An administrator:

- Would preferably be a family member or friend, who knows the person well.
- Can be the Public Trustee as a last resort.
- Should consult with an appointed guardian or substitute decision-maker (under an Advance Care Directive) and relevant professionals.
- Must respect the person's wishes.
- Must respect the person's cultural background.
- Must maintain confidentiality as far as possible.
- Must keep good receipts and records.
- Must produce a financial report annually.

The Tribunal and administrators must consider:

- The past and present wishes of the person.
- The adequacy of any existing informal arrangements.
- The least restrictive option.

You can apply to SACAT:

- To review or appeal an Administration Order.
- To review or appeal a decision of the Tribunal.

For more information about making an application to SACAT, please see our "Applying to SACAT" Fact Sheet.