

From: [REDACTED]
To: [Have Your Say](#)
Cc: [REDACTED]
Subject: Guardianship and Administration Amendment (Advance Care Directives) Bill 2020
Date: Thursday, 1 October 2020 11:15:09 AM

Dear Brooke Craven,

Thank you for your letter of 22 September 2020 to the Tasmanian Society of Justices of the Peace Inc (TSJPI) inviting comment on the Guardianship and Administration Amendment (Advance Care Directives) Bill 2020.

In forwarding your letter, the TSJPI invited members to provide feedback directly in response to your invitation so in this regard, the following is a representation of my own opinion(s) and not a representation by the TSJPI.

35E 3(b)

It appears (to me) from the wording that an adult is considered to have impaired decision making ability if their ACD contains a statement or implication to the effect that a future set of circumstances retrospectively classifies them as having impaired decision making ability at the time of making their ACD thus voiding their ACD. If my interpretation is correct, this would seem to be an extreme outcome given the adult may have had unimpaired decision making ability at the time of making their ACD.

35K (3)

The use of a double negative to exclude an exclusion is confusing and could be misconstrued.

35EZI (3)

This paragraph appears to nul and void any acceptance of interstate ACD's despite provisions for conditional acceptance contained elsewhere in the Bill.

Regards,

Keith Lello JP DipFP

[REDACTED]