

ADVANCE STATEMENTS

Making an advance statement

“A document that sets out a person’s preferences in relation to treatment in the event that the person becomes a patient”

An authorised psychiatrist must have regard to an advance statement when making substitute treatment decisions for a patient

Must be in writing

Once made, a person cannot amend or vary an advance statement. A new one will be required if they wish to change preferences for treatment in their current advance statement

AND

Must be signed and dated by the person making the advance statement

in their opinion, the person understands what an advance statement is and the consequences of making the statement

AND

Must include a statement signed by an authorised witness that:

the person signed the advance statement in the presence of the witness

AND

An ‘authorised witness’ means:
 - a registered medical practitioner
 - a mental health practitioner; or
 - a person who may witness the signing of a statutory declaration

Revoking an advance statement

A person may revoke their advance statement at any time

The revocation of an advance statement:

An advance statement is also revoked if the person makes a new advance statement

Must be in writing

AND

Must be signed and dated by the person revoking the advance statement

in their opinion, the person understands the consequences of revoking the advance statement

AND

Must include a statement signed by an authorised witness that:

the person signed the revocation of the advance statement in the presence of the witness

AND

An ‘authorised witness’ means:
 - a registered medical practitioner
 - a mental health practitioner; or
 - a person who may witness the signing of a statutory declaration