



Changes in 2009

Replacement of *Dependant Adults Act*

Before the end of 2009, the Government of Alberta will bring into force the *Adult Guardianship and Trustee Act (AGTA)*. The AGTA will replace the current *Dependent Adults' Act*, which is mentioned in this booklet.

Once proclaimed, the AGTA will make important changes to decision-making for adults who lack capacity. As a result, some of the information in this booklet will soon be outdated.

These changes, however, only affect situations where an Enduring Power of Attorney and Personal Directive have not been made.

In brief, the AGTA will do the following.

- Avoid an “all or nothing” approach to mental capacity, by recognizing different levels of decision-making ability.
- Provide a range of decision-making options that allow adults to receive assistance with personal and financial decisions according to their needs while keeping as much autonomy as possible in their circumstances.

Although these new AGTA options will allow more flexibility in situations where an Enduring Power of Attorney or Personal Directive has *not* been made, it is still best for a person to have these documents made *before* any lack of capacity occurs. This will ensure more control over future personal and financial matters and provide greater peace of mind for loved-ones.

More information AGTA, and the choices it provides, can be found on the Alberta Seniors and Community Supports website at:

www.seniors.gov.ab.ca/services_resources/opg/guardianship/index.asp.

In addition, you can access the current draft of the Act, known as *Bill 24* of 2008 at:

www.assembly.ab.ca/bills/2008/pdf/bill-024.pdf.