



Our Office

The Board is situated at Unit 807, Hong Kong Pacific Centre, 28 Hankow Road, Tsimshatsui, Kowloon. The building is accessible to people with disabilities. The location is convenient for access by MTR or motor vehicle.

A location map is available in our website.

Our Identity

The Guardianship Board is a legal quasi-judicial tribunal of Hong Kong Special Administrative Region. Its central statutory role is to conduct hearings in order to make guardianship orders for people aged 18 years or over with decision-making incapacities. It may make a range ancillary orders as well.

The Board is an independent body corporate and operates under Part IVB of Mental Health Ordinance, Cap. 136, which provides functions and powers of the Board, most of the orders it can make, the principles and criteria to be applied when the Board is making decisions.

The sponsoring bureau of the Guardianship Board is the Labour and Welfare Bureau.

The Guardianship Board has specific and limited powers. The Board can:

- (1) make Guardianship Orders to appoint a private guardian (family member or friend) or the public guardian (Director of Social Welfare);
- (2) grant the following powers to guardian so appointed:
 - (a) to require the person concerned to reside at a specific place;
 - (b) to bring the person concerned to a specific place and use reasonable force for the purpose;
 - (c) to require the person concerned to attend at a place and time for medical or dental treatment, special treatment, occupation, education or training;
 - (d) to consent to medical or dental treatment if the person concerned is incapable of understanding the general nature and effect of the treatment;
 - (e) to require access to the person concerned to be given to any doctor, approved social worker or other person specified in the Guardianship Order;
 - (f) to hold, receive or pay a specified monthly sum for the maintenance or other benefit of the person concerned (currently maximum at HK\$17,000 per month).

Remarks: (1) A legal guardian is obliged to first pay for the current maintenance and provisions of subject person before repaying the pervious debts approved by the Board.

(2) Guardianship Order is not suitable for many cases. For example: withdraw MPF; on behalf of the subject to deal with insurance policies e.g. continuing or terminating the policies (including retrieval of cash value etc.); to rent out, sell, assign or manage property; buy or sell stocks, securities or investments; applying for a grant of probate; seeking work injury or accident compensations; handling disputes on property or investment; recovering money misappropriated; handling problems on access and visit or making pension options of civil servants. (Telephone enquiry welcomed.)

Our Work

The Board is authorized to appoint guardians for adults 18 years of age or over who are mentally incapable of making their own decisions about their personal affairs, financial matters or medical or dental treatment. In normal situation, application for guardianship will be proceeded only where there are no effective informal arrangements already in place or such an arrangement cannot be made. Therefore, the Board may decide to appoint a private guardian (family member or friend) or the public guardian (Director of Social Welfare). In addition, the Board may give the guardian the legal power to make important decisions relating to personal circumstances for such adults about his/her place of residence or consenting to his/her medical or dental treatment. The guardian may also be given legal power to manage a limited amount of that person's money, which currently is a maximum of HK\$17,000 per month.

Whom we serve?

The Board appoints legal guardian for person aged 18 or over who has mental handicap or mental disorder, e.g. mental illness, dementia, stroke and brain damage.

More Information

You can obtain the information and application form of the Guardianship Board from the Integrated Family Service Centres or Medical Social Services Units of Social Welfare Department.

Related websites

- ★ Mental Health Ordinance, Cap. 136
www.elegislation.gov.hk
- ★ Labour and Welfare Bureau
www.lwb.gov.hk

Note: According to the revision of Coroners Ordinance (Cap. 504) in 1997, where a subject should die whilst under guardianship, a coroner shall hold an inquest into the death.

For more information, contact the Guardianship Board:

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Fax : 2739 7171
E mail : gbenquiry@adultguardianship.org.hk
Webstie : www.adultguardianship.org.hk

Important notes : The information in this leaflet is for general guidance only and does not purport to be legal advice given by the Guardianship Board.

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