

DEFINITION OF TERMS ON DRAFT VULNERABLE ADULTS BILL 2016

1. **Vulnerable adult:** An individual aged 18 and above, who by reason of mental or physical infirmity, disability or incapacity, is incapable of protecting himself from abuse, neglect or self-neglect.
2. **Abuse:** Includes physical, sexual or emotional / psychological abuse.
3. **Neglect:** Lack of provision to an individual of essential care, such as food, clothing, medical aid, lodging and other necessities of life, to the extent of causing or being likely to cause injury or pain.
4. **Self-Neglect:** Failure of an individual to perform essential tasks of daily living resulting in (a) the individual living in a highly unsanitary or dangerous condition, (b) malnutrition or dehydration or (c) suffering from an untreated illness or injury.
5. **Director:** The Director of Social Welfare as appointed by the Minister of Social and Family Development under section 3(1) of the Children and Young Persons Act. The Director is responsible for the administration of the VAA and is empowered to discharge certain functions, including the appointment of protectors and approved welfare officers under the Act.
6. **Protector:** An appointed senior official from the Ministry of Social and Family Development's Adult Protective Service empowered to discharge certain functions for the protection of vulnerable adults.
7. **Perpetrator:** An individual who wilfully causes harm to an individual.
8. **Place of Safety / Place of Temporary Care and Protection:** A designated institution or residential facility at which the Court may order a vulnerable adult to be housed for a specified period of times for the vulnerable adult's protection.
9. **Fit Person:** An individual (relative or friend), or person-in-charge of a residential facility, with whom a vulnerable adult may be ordered by the Court to live with for a specified period of time for the vulnerable adult's protection.
10. **Expedited Order:** An order made by the Court on an urgent basis for a limited period of time, to protect the vulnerable adult.
11. **Mental incapacity:** An individual lacks mental capacity in relation to a matter if, at the material time, he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain. An individual is unable to make a decision for himself if he is unable to: (i) understand the information relevant to the decision; (ii) retain that information; (iii) use or weigh that information as part of the decision-making process; or (iv) communicate his decision (whether by talking, using sign language or any other means).

12. **Adult Protective Service:** The Adult Protective Service provides statutory intervention and supportive services to protect individuals and families from abuse, neglect and self-neglect, and enhance their well-being.
13. **Approved Welfare Officer:** A suitably qualified individual who is not a public officer, such as a social worker from a Voluntary Welfare Organisation, who is appointed by the Director to perform certain functions under the Act.