

Court to make personal care decisions on behalf of an adult. The PGT can also make substitute health care decisions when a patient's family members are not able to do so.

Estate and Personal Trust Services

The PGT is responsible for administering the estates of deceased and missing persons. The PGT may be named as executor in a will and may also agree to act as Trustee for a living person.

Legal Services

The PGT employs a team of lawyers that act on behalf of clients. The legal services team within each division provides legal services on behalf of clients and carries out statutory roles such as reviewing certain proposed settlements of legal claims.

Client Finance and Administrative Services

Client Finance and Administrative Services (CFAS) is responsible for investigations, record keeping, safekeeping of client assets and the investment of client funds. As well, CFAS provides corporate support in human resources and training, financial planning, budgeting reporting and control, administration and all computer systems services.

Acts

The powers and duties of the PGT are directed by numerous Acts. These include:

Adult Guardianship Act
Child, Family & Community Service Act
Community Care and Assisted Living Act
Employment Standards Act
Estate Administration Act
Estates of Missing Persons Act
Family Relations Act
Health Care (Consent) and Care Facility (Admission) Act
Infants Act
Insurance Act
Insurance (Motor Vehicle) Act
Patients Property Act
Power of Attorney Act
Public Guardian and Trustee Act
Representation Agreement Act
Trust and Settlement Variation Act
Trustee Act
Wills Variation Act

Making Use of Our Services

This brochure is published by the PGT. For more information or to order other PGT publications, please call 604.660.4444 or fax 604.660.0374 or visit our website: www.trustee.bc.ca

Toll-free calling is available through Service BC. After dialing the appropriate number for your area (below) request to be transferred to the Public Guardian and Trustee.

Vancouver: 604.660.2421
Victoria: 250.387.6121
Other areas of BC: 800.663.7867

Child and Youth Services:

Trust Services Tel: 604.775.3480
Legal Intake Tel: 604.660.3040
Fax: 604.775.2429

Services to Adults:

Greater Vancouver Tel: 604.775.1007
(Vancouver, North Shore, Richmond, Delta, Sunshine Coast) Fax: 604.660.9498

Lower Mainland Tel: 604.775.1001
(Burnaby, Tri-Cities, North Fraser and Fraser Valley) Fax: 604.660.9479

Vancouver Island Tel: 250.356.8160
(Vancouver Island, Powell River and Gulf Islands) Fax: 250.356.7442

Interior-North Tel: 250.712.7576
(Interior and Northern BC, east and north of Hope) Fax: 250.712.7578

Estate and Personal Trust Services

Tel: 604.660.4444
Fax: 604.660.0964
Email: estates@trustee.bc.ca

Website: www.trustee.bc.ca
Email: mail@trustee.bc.ca

Who We Are



PUBLIC GUARDIAN
AND TRUSTEE OF
BRITISH COLUMBIA

A Unique Role

British Columbians become clients of the Public Guardian and Trustee (PGT) through legislation, Court Order, Trust Deed and by referral. The PGT provides assistance to its clients by carrying out certain roles and responsibilities. These include:

1. **Trustee** - appointed by law or under a will, deed or Court Order to protect the financial and legal interests of an incapable adult, child or other person needing assistance.
2. **Committee** - under the *Patients Property Act*, appointed by Court Order or Certificate to make financial and legal decisions for an adult requiring assistance, or to make decisions regarding an adult's personal and health care needs.
3. **Guardian of Estate** - appointed by Court Order or by statute to protect the legal and financial interests of children in the continuing care of the province.
4. **Temporary Substitute Decision-Maker** - under the *Health Care (Consent) and Care Facility (Admission) Act* to make health care decisions for an adult when the adult is incapable of providing consent to health care and there is no one else who is qualified to do so on his/her behalf. The PGT may also authorize others to make health care decisions on behalf of adults who are incapable.
5. **Estate Administrator or Executor** - under the *Estate Administration Act* to administer estates of deceased persons where no family member is willing and able to act as administrator; or under a will when named as executor. Under the *Estates of Missing Persons Act*, the PGT acts as Curator for missing persons where no one else is determined to be more suitable to do this. This role is established by Court Order.
6. **Monitor of Private Committees and Other Private Arrangements** - under the *Public Guardian and Trustee Act*, the PGT investigates complaints regarding Attorneys (under a Power of Attorney) and monitors the activities of Private Committees. Under the *Representation Agreement Act* the PGT investigates complaints regarding Representatives.
7. **Reviewing Settlements of Claims for Damages Brought by Children and Incapable Adults** - under the *Infants Act*, the PGT has authority to approve the settlement of claims for damages brought by children up to the sum of \$50,000 exclusive of costs and disbursements. For settlements over \$50,000, the PGT provides written comments to the Court. The Supreme Court may also ask the PGT to provide comments regarding the settlement of an incapable adult's claim for damages.

8. **Guardian ad Litem** – under the *Public Guardian and Trustee Act*, the PGT acts as Guardian for litigation purposes in cases where a child or mentally incapable adult requires a Litigation Guardian and there is no one else willing or able to fulfill that responsibility.

Vision

Rights, choices and security for all British Columbians.

Mission

The Public Guardian and Trustee is appointed to safeguard and uphold the legal and financial interests of children; manage the legal, financial and personal care interests of adults needing assistance in decision-making; and administer the estates of deceased and missing persons.

Mandate

The PGT is a corporation sole established under the *Public Guardian and Trustee Act*. The mandate of the PGT is to serve:

- children and youth under the age of 19 by protecting their legal and financial interests
- adults who require assistance in decision-making through protection of their legal rights, financial interests and personal care interests, and

- heirs and beneficiaries of deceased or missing persons by ensuring careful and appropriate administration and distribution of assets under PGT administration.

PGT services are paid for through a combination of client fees and funds provided by the provincial government. In order to ensure the independence of the office, the law provides that the PGT holds office for a fixed term of six years.

Child and Youth Services

The PGT protects the legal and financial interests of minors (children under the age of 19), and acts in the roles of Trustee, Guardian of Estate, and Litigation Guardian. As Trustee, the PGT holds and administers certain funds on behalf of children and youth until they reach the age of 19. In administering trust funds, the PGT works directly with children and youth, as well as with their parents. In addition, the PGT is Guardian of Estate for children who are in the continuing custody of the province and works closely with their social workers.

Services to Adults

The PGT upholds and protects the rights of adults who are unable to manage their own affairs.

This role includes managing the property of adults by acting as Committee of Estate under the *Patients Property Act*, and monitoring activities of Private Committees. In addition, the PGT can be appointed by the