

GREETINGS FROM PRIVATE COMMITTEE SERVICES

Welcome to the latest issue of *Working Together*, our Private Committee Services (PCS) newsletter which highlights issues that may affect you as a Private Committee and covers topics that you've asked for in previous surveys. In this edition, we have included information about our new account passing process and a discussion of issues that commonly affect incapable adults.

We try to provide the best service possible to you and the adult for whom you are Committee. Feedback from you has led to many changes in the format and amount of information we ask you to provide when reporting to us, as well as how we intend to work with you in the future.

We hope you will take a few moments to complete the enclosed survey and give us more feedback on how we can better work with you and topics you would like to see covered in future issues of *Working Together*.

"We try to provide the best service possible to you and the adult for whom you are Committee."

I want to take this opportunity to thank you for doing the important and vital work you do. Our work is to help you do your work and together we serve the adults for whom the Supreme Court of British Columbia has appointed a Private Committee.

Sincerely,



Jay Chalke, Q.C.
Public Guardian and Trustee

WOODLANDS CLASS ACTION LITIGATION

The class action *Richards v. HMTQ*, 2005 BCSC 372, an action brought on behalf of people who were resident at Woodlands School, was recently settled. The Supreme Court of British Columbia approved the settlement on July 7, 2010. People who were resident at Woodlands on or after August 1, 1974 may claim compensation for injury suffered as a result of physical, sexual and/or psychological abuse.

Class counsel, the law firm of Klein Lyons, is available to answer questions about filing a claim on behalf of persons with disabilities. You can contact Shauna Tucker or Alicyn Cumming at Klein Lyons, at 604.874.7171 or stucker@kleinlyons.com for more information.

The details of the settlement can also be viewed on class counsel's website:

<http://www.kleinlyons.com/class/woodlands/woodlands-settlement-index.php>

As a Private Committee, you should be aware of strict time lines for filing claims.

Please contact your Committee Review Officer with any questions or concerns.

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Registered Disability Savings Plans (RDSPs)

The following provides some general information about RDSPs which were recently established by the federal government. These are tax deferred savings mechanisms to assist families in planning for the long term financial security of their relatives with disabilities.

Did You Know...?

- Contributions are matched by the federal government through Canada Disability Savings Grants (CDSGs) depending on family income and the amount contributed. The maximum CDSG is \$1,000 - \$3,500 per year (depending on family income) and \$70,000 lifetime.
- For low and modest income families, the federal government will donate Canada Disability Savings Bonds (CDSBs) up to \$1,000 per year and \$20,000 lifetime. No contributions are necessary to receive a CDSB.
- The 2010 federal budget contained some exciting changes to RDSPs, including the ability to carry forward CDSG and CDSB entitlements and rollover a Registered Retirement Savings Plan or Registered Retirement Income Fund into a dependant's RDSP on a tax deferred basis.

A Disability Tax Credit Certificate (Form T2201) is required to set up an RDSP and normally needs to be completed and certified by a qualified medical practitioner. However, in our experience the Canada Revenue Agency (CRA) has accepted evidence of the adult's incapability in lieu of the practitioner's opinion. You may find that your Court Order is acceptable for this purpose.

To establish an RDSP, talk to a financial institution that offers them. For more info, you can visit the Canada Revenue Agency's website at www.cra.gc.ca or you may wish to seek the advice of a qualified tax practitioner. The Planned Lifetime Advocacy Network (PLAN) also has a website at www.rdsp.com that provides plain language information about RDSPs, advice, support and frequent updates you may find helpful.

Get Your Newsletter Via Email!

If you would like to receive these newsletters electronically, please send us an email with your name, the name of the person for whom you are committee, your regular mailing address and email address to : mail@trustee.bc.ca. The PGT is making efforts to cut down on paper use, and this is a great way to help the PGT keep the environment a little greener!



FAST FACT: During 2009/10, the Public Guardian and Trustee was involved with 2,148 Private Committees.

Payment of Public Guardian and Trustee and Committee Fees by WorkSafeBC

If the adult for whom you are Committee is incapable due to a compensable work related injury or disease, certain fees for managing their estate may be payable by WorkSafeBC. These include:

- The account review fee you pay to our office when submitting your accounts;
- Fees you pay to an accountant to prepare your accounts; and
- Committee fees awarded after we have approved your accounts.

If you believe the adult for whom you are committee may qualify for this fee reimbursement, you should discuss this with your WorkSafeBC case manager.

LISTENING TO YOU – New Account Passing Format

Private Committees told us many times over the years that there were two big problems when reporting to us:

- Forms were complicated and difficult to complete
- We took too long to review your accounts

In response, in 2008 we decided to pilot a whole new way of reporting for Private Committees, streamlining our review process. This new format proved to be a success and has been permanently adopted. It is less work for you and speeds up our review—a win-win for everyone.

If you haven't had the opportunity to review our new reporting forms, you can find them on our website at: http://www.trustee.bc.ca/reports_publications/index.html under Summary of Accounts - Account Submission Package.

Key Changes: We still require an update from you on the adult's financial and personal circumstances. However, in most cases, we now only require you to provide us with documents supporting the market value and the adult's ownership of their assets and liabilities. You are also required to provide copies of the adult's tax returns and Notices of Assessment for each year since your last report, along with an affidavit swearing that everything you spent was for the benefit of the adult.

Although our new report does not require the same level of detail that we asked for in the past, you are required to maintain records that keep track of the adult's income and expenses, and receipts to support these expenses. We may request this information from you if we have concerns or if you are randomly selected for a more detailed review.

Find us on the Web at: http://www.trustee.bc.ca/services/adult/private_committees.html

HARMONIZED SALES TAX

Effective July 1, 2010, the new Harmonized Sales Tax (HST) is payable on the fees you pay to our office. Accordingly, we have prepared the following summary of some of the fees currently charged with the new HST factored in for your convenience:

Service Provided	Fee	HST (12%)	Total
Reviewing an application for Committeeship	\$500.00	\$60.00	\$560.00
Reviewing subsequent Court Applications	\$300.00	\$36.00	\$336.00
Court Discharge of Committee	\$200.00	\$24.00	\$224.00
<i>-Reviewing Accounts-</i>		<i>-Fee for Each 12 Month Period-</i>	
Gross value of the assets of the Estate	Fee	HST(12%)	Total
Under \$25,000.00	--	--	--
\$25,000.00 - \$100,000.00	\$125.00	\$15.00	\$140.00
\$100,000.01 - \$300,000.00	\$250.00	\$30.00	\$280.00
\$300,000.01 - \$500,000.00	\$325.00	\$39.00	\$364.00
\$500,000.00 +	\$500.00	\$60.00	\$560.00

These fees are set out in the Public Guardian and Trustee Fee Regulation, and are payable from the estate of the adult whose affairs you manage.

CONTACT US

Toll Free Calling

This is a service 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

Private Committee Services

700-808 West Hastings Street
 Vancouver , BC V6C 3L3
 Phone: 604.660.1500
 Fax: 604.660.4456

Newsletter Survey

If you have comments or concerns about the newsletter or other issues relating to PGT Private Committee Services, please take a minute to complete and return the enclosed survey form.