

## GREETINGS!

### FROM PRIVATE COMMITTEE SERVICES

I am very pleased to launch our first issue of *Working Together*. This annual newsletter will highlight any legislative changes, policy updates and other items that could affect your role as a Private Committee. Also, we have included an insert that summarizes Commonly Raised Issues for Private Committees.

The PCS Department looks forward to providing the best service to you and the adult for whom you are committee. We hope you will take a few moments to give us some feedback, with the enclosed survey, on how we can better work with you and especially what you would like to see in future issues of *Working Together*.

I want to take this opportunity to thank you for doing the important, vital work you do. Our job is to help you do yours and together we serve adults for whom the Supreme Court of BC has appointed a committee.

Sincerely,



Harp Bagri, Manager  
Private Committee Services

### PGT PILOTS ELECTRONIC ACCOUNT FILING

We are currently piloting an electronic account filing process. Some committees are filing with us electronically. Following a trial period, we will evaluate the project with a view to expanding this submission method to be available for all Private Committees. This will allow Private Committees to submit accounts via email and help speed up service in passing accounts.



### PGT MEETS TIMELINESS SERVICE STANDARD

Reducing the time for reviewing Private Committee accounts is a priority for our department. Over the last few years, we have successfully reduced average wait times from 12 months down to 7 months. We know we can do better and are aiming at further improvements next year.



### 2003/04 ANNUAL REPORT

We recently released our 2003-2004 Annual Report, which provides detailed information on our programs, service performance and financial position. A copy of the report is available on the Publications page of our website along with a request for comments. Read our Annual Report and let us know what you think!

## LEGISLATIVE CHANGES

Over the past few years, a number of legislative changes that impact Private Committees were made.

*Patients Property Act* – changes in force March 29, 2003

- The requirement to file an inventory of the estate (confirmation of assets, liabilities and income) within six months of the committee appointment was eliminated. A detailed accounting of the estate is now submitted one year from the date of the court ordered appointment of all committees. Subsequent reporting intervals are then assigned by the Committee Review Officer. These typically range from one to five years (depending on factors such as the size and complexity of the estate).
- Section 10 now requires committees to notify the Public Guardian and Trustee (PGT) if property valued at \$25,000 or more is discovered after the first passing of accounts. Our office requires a description of the asset, its value and any supporting documentation that is available within 30 days from date of discovery of the asset.
- Section 16 clarifies that the Public Guardian and Trustee is not considered co-committee for restricted assets.



- Section 24 describes the process for winding down a committee on the death of the person under committee. After the death of the person, the Private Committee is no longer required to provide a final accounting to our department. The Private Committee must provide the accounting to the executor or administrator, or if the committee holds that position, to the beneficiaries of the estate. The Private Committee may also pass their accounts through the courts.

*Health Care (Consent) and Care Facility (Admission) Act* – changes in force October 1, 2003

- Sections 12.1 and 12.2 clarify when a health care practitioner can treat an adult without substitute consent in an emergency situation.
- The Health Care and Care Facility Review Board was eliminated. Health authorities are developing informal resolution processes to handle disputes concerning substitute health care decisions.

*Trustee Act* – changes in force February 28, 2003

- Provides direction for committees as to the nature of investments they can make on behalf of the individual they represent. Amendments now incorporate the “prudent investor rule”. For more information, see our Fact Sheet – *Your Investment Decisions* that is available on the Publications page of our website.



## COMMUNITY CARE AND ASSISTED LIVING ACT – NEW!

In May 2004, the new *Community Care and Assisted Living Act* was proclaimed, replacing the former *Community Care Facility Act*. This new law continues protection for adults and children in licensed care and introduces a registration and oversight system for assisted living residences. Assisted living is a housing and care option for seniors and people with disabilities who do not require the 24-hour professional nursing care of a residential care facility.

The PGT has been working with the government, the Assisted Living Registrar and others in reviewing the assisted living service agreements that people are being asked to sign. The PGT's goal is to ensure that people's rights are protected in these new arrangements.

More information on assisted and independent living is available at the following websites:

- Office of the Assisted Living Registrar:  
[www.healthservices.gov.bc.ca/assisted/](http://www.healthservices.gov.bc.ca/assisted/)
- Independent Living BC:  
[www.bchousing.org/ILBC/](http://www.bchousing.org/ILBC/)

### INCREASED DISABILITY BENEFITS

The provincial government increased disability benefits by \$70 per month per person, effective December 22, 2004. For more information, see the November 6, 2004 news release and backgrounder on the Ministry of Human Resources website at [www.mhr.gov.bc.ca](http://www.mhr.gov.bc.ca).

## PROPOSED IMPROVEMENTS TO COURT AND STATUTORY GUARDIANSHIP LAWS

In the spring of 2004, the PGT proposed improvements to BC adult guardianship laws for long-term substitute decision-making. The PGT's report includes recommendations for improving procedural fairness, ensuring consistency with other laws and reducing the cost associated with committeeship arrangements for individuals and their families. We would be very interested in your comments or suggestions. Please refer to the contact information listed on the enclosed feedback survey.



A copy of this report is available at:  
[www.ag.gov.bc.ca/legislation/guardianship/modernizing.pdf](http://www.ag.gov.bc.ca/legislation/guardianship/modernizing.pdf).

## COURT CONFIRMS PATIENTS PROPERTY ACT DOES NOT APPLY TO CHILDREN

The BC Court of Appeal has determined that a committee cannot be appointed for a minor - a person under the age of nineteen years. The court indicated that an application to appoint a committee could be brought just prior to the minor's nineteenth birthday but the order would not be effective until the minor turned nineteen years of age.

If you were appointed committee for someone prior to their nineteenth birthday you may wish to seek legal advice about the validity of your order, even if the person is now an adult. The citation for the appeal court's ruling is *Macdonald v. British Columbia (Public Guardian and Trustee)* 2003 BCCA 428 and a copy is available at the BC Courts website at [www.courts.gov.bc.ca/jdb-txt/ca/03/04/2003bccca0428.htm](http://www.courts.gov.bc.ca/jdb-txt/ca/03/04/2003bccca0428.htm).

**PGT PUBLICATIONS AVAILABLE ONLINE!**

All PGT publications are available on the Publications page of our website. The following are of interest to Private Committees:

- How You Can Help Finances Manage Finances and Legal Matters When They Cannot Manage On Their Own
- Committee of Person
- When the Public Guardian and Trustee is Committee
- Private Committee Handbook
- Summary of Accounts: Booklet A
- Summary of Accounts: Booklet B
- Fact Sheet – Assessing Your Legal Bill
- Fact Sheet – Sale of Real Property
- Fact Sheet – Frequently Asked Questions (FAQ), Private Committees
- Fact Sheet – Your Investment Decisions

**CALLING LONG DISTANCE?**

If you are outside the Lower Mainland area, you may call our office toll-free through Enquiry BC and they will transfer your call. From Victoria, call Enquiry BC at 387-6121 and from elsewhere in BC, call 1-800-663-7867.



**MOVING?**



Please remember to send us your change of address and phone number, whether it is for yourself or the person whose affairs you manage. Please call us or email us at [mail@trustee.bc.ca](mailto:mail@trustee.bc.ca) and reference your committee file number.

**Public Guardian and Trustee of BC  
Private Committee Services  
700 - 808 West Hastings St.  
Vancouver, BC V6C 3L3  
General Inquiries (604) 660-1500  
[www.trustee.bc.ca](http://www.trustee.bc.ca)**

**WE'RE HERE TO SERVE YOU**

While you may deal with a number of PCS staff during your committee, your key contact is the Committee Review Officer assigned to work with you. These assignments are made based on the last name of the adult for whom you are committee:

A to Dn.....	Phil Campeau	(604) 775-0204	<a href="mailto:pcampeau@trustee.bc.ca">pcampeau@trustee.bc.ca</a>
Do to J .....	Judy Chen	(604) 660-4483	<a href="mailto:jchen@trustee.bc.ca">jchen@trustee.bc.ca</a>
K to Ol .....	Christoper Ting	(604) 660-4424	<a href="mailto:cting@trustee.bc.ca">cting@trustee.bc.ca</a>
Om to Te .....	Mohan Sidhu	(604) 660-1854	<a href="mailto:msidhu@trustee.bc.ca">msidhu@trustee.bc.ca</a>
Tf to Z.....	Doris Wong	(604) 660-4432	<a href="mailto:dwong@trustee.bc.ca">dwong@trustee.bc.ca</a>
Manager .....	Harp Bagri	(604) 660-4481	<a href="mailto:hbagri@trustee.bc.ca">hbagri@trustee.bc.ca</a>