

# Private Committee Account Submission Package



PUBLIC GUARDIAN  
AND TRUSTEE OF  
BRITISH COLUMBIA

**Information for Committee**

# Accounts Submission Package

## Why do I file this report?

You have been appointed as a committee under the *Patients Property Act*. You are required to report to the Public Guardian and Trustee (PGT) on the actions you have taken in managing the financial and, in some cases, personal, well being of the person for whom you are committee. The PGT is required to determine a reporting schedule and the extent of the documentation required to be submitted.

This package, together with documentation to support your statements in the forms, provides the information the PGT requires to pass accounts for most committees. In some circumstances, the PGT will ask for clarification or additional information on certain items in order to complete the passing.

We will generally refer to the person for whom you are committee as “the adult” in keeping with the language of the *Adult Guardianship and Planning Statutes Amendment Act, 2007 (Bill 29)*, that is awaiting proclamation. “Estate” means all the adult’s financial assets and liabilities.

Please note that any personal information you provide to the PGT is collected, used and disclosed in accordance with the *Freedom of Information and Protection of Privacy Act*.

## What is in the Package?

This package includes the documents you need to prepare your accounts for passing by the PGT and instructions to complete each form.

The report to be submitted consists of:

1. Committee Information
2. Personal Summary for the Adult
3. Financial Summary
4. Affidavit to be sworn by committee of estate / both committee of estate and person
5. Authorization to Request Information
6. Payment for Authorized Fees

### 1. Committee Information

This section provides information about you and your co committees, if any. It identifies the role that you play (committee of estate / both committee of estate and person). Complete this form in its entirety to ensure we have any changes in your contact information or committeeeship.

### 2. Personal Summary about the Adult

This section provides information about the adult for whom you are committee. Please complete all sections even if you have provided us with this information previously. Please also provide specific information about changes in the adult’s circumstances, if any. This is part of the affidavit which you are swearing to be true.

**3. Financial Summary**

This form provides us with the financial information we need to pass (confirm) your accounts. There is an additional Detail Sheet you may use if the summary form is not sufficient.

**4. Affidavit**

After you have completed the Personal and Financial Declaration Form, take the forms to a local lawyer, Notary Public or Commissioner of Oaths, and have the Affidavit sworn by **all committees** (committee of estate / both committee of estate and person) prior to sending them to our office. Committees may swear their affidavits separately for those who live at some distance apart.

**5. Authorization to Request Information**

We request that you sign the authorization to disclose information. It will allow us to ask for information directly from third parties in exceptional circumstances and assist in the speedy review of the accounting presented. Indicate on the Authorization form whether you are committee of estate or both committee of estate and person. Each committee should complete a separate Authorization form.

**What Documentation do I have to provide?**

**1. Income Tax Returns**

Please provide us with copies of the T1 Income Tax Return filed and the Notice of Assessment for each year since your last report or for each year since your appointment as committee.

**2. Assets and Liabilities**

You will need to provide us with the total value of each asset and liability type listed, as of the end date of the report, as well as supporting documentation such as bank statements to support the amount you are reporting. On the Financial Summary, please provide the total amounts for each asset and liability type.

The documentation that we need is as follows:

Asset or Liability Type	Documentation Required (Copies not originals)
<b>Bank account(s)</b>	Bank statement showing the balance at the end date of the report.
<b>Term Deposits, GICs, Certificate of Deposit</b>	Bank or other statement showing the balance as near to the date of the report as possible.
<b>Investment Portfolio</b>	Investment statement showing the balance at the end of the month of the report.

<b>Asset or Liability Type</b>	<b>Documentation Required (Copies not originals)</b>
<b>Securities in Certificate Form</b>	Photocopies of the security certificate held by you.
<b>Private Companies</b>	Financial statements for the company at the most recent fiscal year end.
<b>Real Estate</b>	BC Assessment Authority notice for the most recent year or property tax invoices.
<b>Vehicles</b>	Most recent insurance documents.
<b>Personal Property and Other Assets</b>	If you have documentation for these assets, please provide it to us. This refers to art, jewellery, or antiques purchased as an investment. You are not required to report items purchased replacing items of a similar value.
<b>Interest in a Trust</b>	If the adult has an interest in a trust, please provide the trust documentation if you have not done so already.
<b>Loans Payable</b>	Please provide credit card statements or a copy of the loan agreement.
<b>Real Estate Mortgage</b>	Most recent statement of mortgage amount owing.
<b>Other Liabilities</b>	Describe the liability and how it arose. If you have confirmation of the amount from independent sources, please send it to us.

## **Common Questions regarding the Reporting Process**

### **What is the Deadline for Sending in my Report?**

Your report is usually due 30 days after the end of the accounting period set by the PGT. For example, if your accounting end date is October 31, 2011, your report is due in our office no later than November 30, 2011.

### **Which Forms do I fill out?**

Please complete all the forms. The Detail Sheet only needs to be completed when there is more than one entry per line in the Financial Report.

For example: If the adult has two bank accounts, report both on the Detail Sheet and transfer the total of both accounts to the Financial Summary.

## Is there Anything Else to Submit in my First Report?

Please provide us with documentation showing the values of all assets and liabilities at the date of your court order.

## What are Non Arm's Length Payments or Benefits? What are Gifts and Charitable Donations?

Non arm's length payments or benefits are payments that you, as committee, make to yourself or to your family members or friends. If you or your family or friends receive payments or benefits from the estate of the adult, you may be in a conflict. Such payments or benefits may include caregiving fees, gifts, or free accomodation.

A gift is defined as any payment or benefit that is not a direct advantage to the adult and where there is no legal obligation to make a payment or benefit. For example, support for an adult child, tuition fees for children or grandchildren of the adult would be considered gifts.

As committee, you are allowed your reasonable out of pocket expenses from the estate. Your ability as committee to make other non arm's length payments, gifts or charitable donations is determined by statute and case law and may require court approval. In many cases, you are in a conflict of interest in making such payments. We urge you to refer to Chapter 6 of the *Private Committee Handbook*, previously provided to you, for a discussion on this topic **prior to advancing any funds which would come under this heading.**

The Handbook may also be printed from the PGT website at:  
[http://www.trustee.bc.ca/services/adult/private\\_committees.html](http://www.trustee.bc.ca/services/adult/private_committees.html)

Please report all such payments made and provide any documentation that you have for the payments.

## How do I get my Remuneration for Acting as a committee?

The PGT sets the remuneration of the committee (fees) at the Passing of Accounts if you request it on the form. The PGT has no authority to approve payment of remuneration in advance. Once you have PGT approval, you may take your fees from the adult's estate.

## What are the Fees Payable to the PGT for Review?

The *Public Guardian and Trustee Fees Regulation* sets the fees charged by the PGT for reviewing the accounts. The fees currently payable are calculated on the following scale:

	Fee	GST (5%)	Total
Value of the assets of the Estate:	Fee for each 12 month period:		
Under \$25,000.00	-	-	-
\$25,000.00 - \$100,000.00	125.00	6.25	131.25
\$100,000.01 - \$300,000.00	250.00	12.50	262.50
\$300,000.01 - \$500,000.00	325.00	16.25	341.25
\$500,000.00 +	500.00	25.00	525.00

Please ensure that you attach a cheque payable to the Public Guardian and Trustee for the fee when submitting your accounts. No other form of payment is accepted for this fee.

An example of the fee calculation is:

If the period is for one year and the value of the assets are over \$100,000 but not over \$300,000, the amount payable is \$262.50 (\$250.00 fee plus GST of \$12.50).

If the period under review is four years with the same asset value, then the amount payable is \$1,050.00 ( $\$262.50 \times 4$ ).