



NEWS RELEASE

For Immediate Release
February 4, 2011

Public Guardian and Trustee of
British Columbia

INCAPACITY PLANNING REFORMS PROCLAIMED SEPTEMBER 1, 2011

The Public Guardian and Trustee welcomes increased safeguards, renews call for Guardianship reforms to be enacted.

VANCOUVER - On February 4, 2011, the Honourable Attorney General and Minister of Health announced that parts of the British Columbia *Adult Guardianship and Planning Statutes Amendment Act, 2007* will be brought into force September 1, 2011.

Coming into force will be changes to incapacity planning through amendment to the *Power of Attorney Act*, *Representation Agreement Act*, and *Health Care (Consent) and Care Facility (Admission) Act*. Four regulations have also been enacted effective September 1, 2011 to support the legislative reforms. Other changes relating to adult abuse and neglect legislation and to health care consent legislation will also be implemented September 1, 2011.

As of September 1, 2011, there will be three types of legal documents that adult British Columbians can make for a time when they are unable to make their own decisions independently:

- Enduring Power of Attorney – The primary document to appoint someone to make financial and legal decisions
- Representation Agreements – To appoint someone to make health care and personal decisions
- Advance Directives – To give or refuse consent to health care without the involvement of a substitute decision maker.

The government also announced that the court and statutory guardianship reforms set out in the 2007 legislative package are not coming into force at this time. The fiscal challenges facing government associated with the global economic downturn and the costs associated with guardianship reform mean that enactment of the court and statutory guardianship reforms will occur later.

“The new safeguards for individuals who make powers of attorney and other incapacity plans are good news”, said Public Guardian and Trustee Jay Chalke, Q.C. “Once these changes are implemented I look forward to working with the government and others to bring into force the improvements to court and statutory guardianship also set out in the 2007 reforms.”

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NEWS RELEASE

For more information see the following:

- [Provincial Government News Release](#)
- [Coming into Force Regulation](#)
- [New Power of Attorney Regulation](#)
- [Amendments to the Representation Agreement Regulation](#)
- [Amendments to the Health Care Consent Regulation](#)
- [Amendments to the Adult Guardianship \(Abuse and Neglect\) Regulation](#)

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