

APPENDICES

APPENDIX A - KEY TERMS AND DEFINITIONS

The users of the Guide should orient themselves to the following key terms and definitions. These terms are used throughout the Guide and Forms. The specific Act or Regulation from which the definition was based is indicated at the end of the specific definitions.

Key Term	Definition and Source
Abuse	The deliberate mistreatment of an adult that causes them (a) physical or emotional harm or (b) damage or loss in respect of the adult's financial affairs. This includes intimidation, humiliation, physical assault, sexual assault, overmedication, withholding needed medication, censoring mail, invasion or denial of privacy, or denial of access to visitors. <i>[AGA s.1]</i>
Assessment – Medical Component	Must be conducted by a physician and consists of one or more examinations and all resulting diagnoses and prognoses relevant to the adult's incapability to manage their financial affairs. <i>[SPG Regulation s. 5(a)]</i>
Assessment – Functional Component	Must be conducted by a QHCP and consists of one or more evaluations of the adult's understanding of, and ability to manage their financial affairs. <i>[SPG Regulation s.5(b)]</i>
Second Assessment	A second assessment of the adult's incapability which may be requested by the adult, or someone acting on the adult's behalf, within 40 days of being advised that the PGT is the adult's statutory property guardian.
Reassessment	Reassessment is intended to consider changes in the adult's financial incapability over time and is subsequent to the initial assessment.
Form 1	An assessment report made as defined in SPG Regulation. <i>[SPG Regulation s.10]</i>
Attorney	A person authorized by a power of attorney or enduring power of attorney to make decisions on behalf of another. <i>[AGA s.1]</i>
Certificate of Incapability	A certificate issued by a HAD which transfers authority for managing an adult's financial affairs to the PGT.
Collateral Information	Collateral information is any information obtained from third parties during the certificate of incapability process. It can

Key Term	Definition and Source
	include reports, test results, information from discussions with people in the adult’s life. Collateral information can be obtained from anyone who knows the adult including spouse, family, friends, neighbours, care and service providers, and financial institutions. <i>[Guide Content]</i>
Committee of Estate	An individual who has the authority to make financial, business and legal decisions on behalf of the adult.
Committee of Person	An individual who has the authority to make personal and health care decisions on behalf of the adult.
Enduring Power of Attorney	A power of attorney made under the <i>Power of Attorney Act</i> Part 2. <i>[AGA s.1]</i>
Financial Affairs	Includes an adult’s business and property, and the conduct of their legal affairs. <i>[AGA Part 1]</i> Financial affairs include securing assets, confirming eligibility for benefits, receiving income, paying bills, contracting for services, maintaining, purchasing and selling real property, managing investments, preparing tax returns, and appropriately providing for legal dependents. Legal responsibilities include acting as litigation guardian on civil law matters.
Mental Capability	An adult's ability to make decisions. This is decision specific, meaning a person might be capable of making some decisions but not others.
Medical Practitioner	Physician
Neglect	Any failure to provide necessary care, assistance, guidance or attention to an adult that causes, or is reasonably likely to cause within a short period of time, the adult serious physical, mental or emotional harm or substantial damage or loss in respect to the adult’s financial affairs, and includes self-neglect. <i>[AGA Part 1]</i>
Observational Information	Information collected through observation of the adult.
Representative	A person authorized by a representation agreement to make decisions on behalf of another. <i>[AGA s.1]</i>
Representation Agreement	An agreement made under the <i>Representation Agreement Act</i> . <i>[AGA s.1]</i>
Self-Neglect	Any failure of an adult to take care of themselves that causes, or is reasonably likely to cause within a short period of time,

Key Term	Definition and Source
	<p>serious physical or mental harm or substantial damage or loss in respond of the adult’s financial affairs, and includes:</p> <ul style="list-style-type: none"> (a) Living in grossly unsanitary conditions (b) Suffering from an untreated illness, disease or injury (c) Suffering from malnutrition to such an extent that, without intervention, the adult’s physical or mental health is likely to be severely damaged (d) Creating a hazardous situation that will likely cause serious physical harm to the adult or others or cause substantial damage to or loss of property (e) Suffering from an illness, disease or injury that results in the adult dealing with their financial affairs in a manner that is likely to cause substantial damage or loss in respect of those financial affairs. <i>[AGA s.1]</i>
<p>Statutory Property Guardian</p>	<p>A person who, under AGA Part 2.1, may make decisions regarding an adult’s financial and legal affairs. <i>[AGA s.1]</i> Only the PGT can be statutory property guardian.</p>