

# Property guardianship and the role of the Public Guardian and Trustee

## The Public Guardian and Trustee

The Public Guardian and Trustee (PGT) protects people in British Columbia who are under the age of 19 if they have a legal claim or a right to be paid money or receive other assets.

The PGT works separately from government when protecting people. Here are some of the ways the PGT protects people under the age of 19 in British Columbia:

### Protective legal reviews

If a person under the age of 19 in British Columbia has a legal claim and would like to settle it without going to court, the PGT looks over the proposed settlement to make sure it is fair for that person.

The PGT looks at personal injury, estate (inheritance) and Family Compensation Act claims. The PGT also looks into reports of wrongdoing related to money held by someone else for a person under the age of 19.

### Trustee

The PGT holds and protects money for children and youth. This money can come from legal claims, life insurance payments, inheritances or earnings for child and youth entertainers. This money is normally held by the PGT until the young person turns 19. Sometimes the money is paid for the young person's needs before they turn 19, if that is what is best for them.

## Property Guardian

### Guardianship of a child consists of 2 different but related roles:

- Personal Guardianship involves responsibility for a child's day-to-day personal, health and wellness needs
- Property Guardianship involves responsibility for a child's legal and financial interests

Usually, both roles are carried out by a child's parents or legal guardians. However, when a child comes into the care of the Province, the 2 roles are divided. This is due to the potential conflict of interest between the 2 roles. Sometimes, protecting the interests of a child or youth can mean making a legal claim against the personal guardian. This can happen if their actions (or inaction) may have harmed the young person or caused them to lose money.

When a child is in the care of the Province, the Ministry of Children and Family Development (MCFD) or a Delegated Aboriginal Child and Family Services Agency (DAA) takes on the role of personal guardian, but not the role of property guardian. Sometimes the role of property guardian stays with a child's parents or existing guardian or it may transfer to the PGT.

The PGT becomes property guardian for children in the continuing care of the Province, those undergoing adoption, those without a legal guardian and sometimes, children in temporary care. The PGT seeks financial benefits and legal claims for its property guardian clients.

The PGT also opens Registered Disability Savings Plans (RDSPs), gets legal identification for children and youth, helps young people learn about money management and helps prepare youth as they become adults.

## Post-Majority Services

In cases where the PGT is property guardian for a client who is reaching the age of 19 and leaving the care of the government, the PGT can agree to continue to hold and manage the young adult's money up until they turn 27. The PGT can help young adults manage their money in many ways. For example, the PGT can help a young person with their financial goals, setting up a budget or holding and investing their money.

## Reconciliation

The PGT is committed to meaningful truth and reconciliation and to building respectful relationships with Indigenous communities. The PGT is dedicated to these goals as expressed in its [Seeking Truth, Pursuing Reconciliation](#) strategy.

The PGT supports the United Nations' Convention on the Rights of the Child and the United Nations' Declaration on the Rights of Indigenous Peoples. The PGT believes in involving children and youth in decisions that impact their lives and is committed to upholding the rights of Indigenous clients.

# Contact the Public Guardian and Trustee

## Child and Youth Services

700–808 West Hastings Street  
Vancouver, B.C. V6C 3L3

<b>Trust service phone</b>	604-775-3480
<b>Legal intake phone</b>	604-660-3040
<b>Fax</b>	604-775-2429
<b>Email</b>	CYS@trustee.bc.ca
<b>Website</b>	www.trustee.bc.ca

## Toll free calling

Toll free calling is available through Service BC. After dialing the appropriate number for your area (see below) request to be transferred to the Public Guardian and Trustee.

<b>Vancouver</b>	604-660-2421
<b>Victoria</b>	250-387-6121
<b>Other areas in B.C.</b>	1-800-663-7867

## PGT hours of operation

Monday to Friday 8:30am to 4:30pm