



REPRESENTATION AGREEMENT

For Adults age 19 years + only

What is a Representation Agreement?

A Representation Agreement is a legal document available to adults in British Columbia for personal planning. It allows you to authorize one or more personal supporters to be your representative to help you manage your affairs and, if necessary, to make decisions on your behalf in case of illness, injury, or disability.

A Representation Agreement is the only way you can appoint someone to assist you or to act on your behalf for health care and personal care matters. It can also cover routine financial affairs.

The Representation Agreement Act is the result of law reform initiated by citizens and community groups. The purposes of the Act are to: 1) provide a legal alternative to adult guardianship for adults who need help today, and 2) enable planning for the future. The Representation Agreement Act came into effect in February 2000. http://www.nidus.ca/?page_id=50

What areas of authority are covered by a Representation Agreement?

The authorities you can include in a Representation Agreement are described in Sections 7 and 9 of the Representation Agreement Act. Each section has different capability requirements, which are discussed under the next heading.

Standard powers are outlined in Section 7 of the Act and consist of minor and major health care, personal care, legal affairs and routine management of financial affairs. This legal document can address many situations, particularly those where an adult needs help today. See the Nidus fact sheet [Representation Agreement with Section 7 Standard Powers](#).

The broadest health and personal care powers are listed in Section 9 of the Act. This document is used by adults who want to plan for the future to cover all health and personal care matters possible. It can also cover arrangements for the care of minor children. See the Nidus fact sheet on [Representation Agreement with Section 9 Broader Powers](#).

http://www.nidus.ca/?page_id=50



*Critical piece to RA

Duty to consult Sections - 16(2) to (4) require a representative to consult with the adult about the adult's current wishes and, if "practicable," comply with any wishes expressed by the adult. These provisions are also potentially problematic. For example, section 16(2) requires the representative to consult with the adult "to the greatest extent possible." It is unclear whether this means that the representative must consult with the adult on every decision, no matter how minor the matter and irrespective of the adult's ability to participate in that decision - See more at:

<https://www.lawsociety.bc.ca/page.cfm?cid=1209&t=The-Representation-Agreement-Act#sthash.4ifcEuG4.dpuf>

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