



representation agreements

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What they are, and why you might consider one.

Representation Agreements are documents that allow adults to appoint individuals to make their health and personal care decision in the event that they are not able to. Only since February 2000 have we had this right in BC. In the past, many people wrote Living Wills and other health care directives, but those were not legally binding documents and they could be over-riden or ignored by family members or the medical community. Today, Representation Agreements may be written as general or specific as individuals circumstances require. The law allows for appointing representatives and alternate representatives, and even monitors to watch over the decisions that the appointed representatives make.

What happens if you don't have a representation agreement in place?

When adults become incapacitated and do not have Representation Agreements, the medical community will search for the adult's next of kin to act as temporary substitute decision makers. The next-of-kin must honor any expressed wishes of the adult. The Public Guardian and Trustee will only make medical and personal care decisions when adults who become incapacitated do not have a Representation Agreement and no next-of-kin can be located.

Today people making Living Wills, health care directives and Representation Agreements. This area of law is still developing so please ask your notary public or lawyer to determine which documents are best suited for you.

Representation Agreements are a key component of your estate plan. Ensure you have covered off all of the bases and have left nothing to chance or speculation. Professional advice will help you determine your requirements and guide you in choosing the most appropriate plan for a secure future.

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