

Fact Sheet for Estate Planning

Nidus will provide information on this topic in our regular fact sheet format. In the meantime, here is a basic overview. In order to make any of these arrangements, you must be mentally capable of understanding what the arrangements mean and how making these may affect your intentions.

Cremation or Burial

Your wishes about cremation or burial are binding if they are stated in your Will. However, the Will is often not looked at until much later. Therefore, it is very important to communicate this information and a copy of your Will.

You cannot register this information or a copy of your Will in the Wills Registry. However, you can use the [Personal Planning Registry](#) to help communicate these wishes. You can store a copy of your Will (or the section of the Will that lists your wishes about cremation or burial) under the 'Other Documents' type of registration. Share the registration with your executor using the executor's email address. You might also share it with family members to help things go smoothly at a time when people usually are in the mode of quick action.

Pre-paid Funeral or Memorial Arrangements

People often think they are helping others by paying for funeral or cremation in advance or by joining the Memorial Society of BC for discounts on burial or cremation when the time comes. The problem is that people often make these arrangements long before they are needed. They might have told someone but at the time of death family and friends are often caught up in procedures required by the health system and forget. They often end up paying again at the time of death because they did not know you made arrangements.

If you want to make arrangements, we recommend you register these with the [Personal Planning Registry](#) and share them with others who may need to know. The Registry is a secure way to store documents but more importantly, those you permit can access the information at any time (24/7) and using their mobile phone or iPad/tablet.

Remember, that if you pay money to a funeral home ahead of time, it will not cover all the costs. Some things will still have to be paid at the time of your death. Read important information about consumers rights related to these kinds of arrangements provided by [Consumer Protection BC](#).

Designating and distributing gifts and settling your estate

The key legal document for settling your estate is a Will. You must be mentally capable of understanding the purpose and effect of making a Will at the time of making it. Nidus recommends you contact a legal professional to make a Will.

The legislation in BC governing Wills and Estates changed as of March 31, 2014. The new law is called the Wills, Estates and Succession Act (WESA).

WESA outlines the requirements for making a Will and what happens if someone dies without a Will. Nidus will be producing a fact sheet to explain what happens if there is no Will as some adults in BC will not meet the capability requirements to make a Will. The fact sheet will be posted at www.nidus.ca > Information > Estate Planning > More Resources.

There are other things that people who are mentally capable can do for estate planning such as designate beneficiaries for certain assets such as a Tax Free Savings Account or life insurance.

People also sometimes make someone else a joint owner on their real estate property or vehicle or bank account. This is common for spouses but requires caution for other relationships as there have been court cases when a parent adds a son or daughter as a joint owner. Also – joint ownership is only for when someone dies. Joint ownership with right of survivorship means that if an owner dies, the other owner(s) takes over the share of the deceased. But, this does not happen if an owner becomes incapable – they are still alive and you hope they made the necessary personal planning document in case you have to sell or re-mortgage.