

Procedures to Revoke (Cancel) a Representation Agreement

When would someone revoke a Representation Agreement?

If an adult wants to change the people named in the Agreement or the powers/authorities included, they need to revoke (cancel) their Agreement and then make a new one.

Making a new Agreement does NOT automatically revoke (cancel) an existing Agreement. The law spells out specific procedures for making a legal revocation. This is explained in this fact sheet and a Notice of Revocation form is included at the end.

What if the changes are only for a phone number or address?

If the changes are only for contact information — such as phone, address, legal name change — for the adult or those named, there is no need to revoke (cancel) the Agreement.

Never make these kinds of changes on your original Representation Agreement. If you alter the original it may create concerns and suspicions. If there is a legal name change, keep a copy of the paperwork (such as a marriage certificate) with your original.

You can neatly change a phone number or address on future photocopies you make. You should also update (edit) contact information in the Registry. However, the uploaded document in the Registry should match the original.

Who can revoke a Representation Agreement?

A Representation Agreement can only be revoked by the person it belongs to. This person is referred to as the 'adult' on the Revocation Notice form. If you need help to revoke your Agreement, consider asking the monitor, if one is named.

If a representative/alternate or monitor is no longer able or willing to act, they can resign. See the Nidus fact sheet at www.nidus.ca — click Information (blue menu bar) > Representation Agreement > More RA Resources > [Resigning as a Representative](#).

How do I revoke my Representation Agreement?

As mentioned above, only the adult who made the Representation Agreement can revoke it.

The *Representation Agreement Act* and Regulation sets out the requirements for how to legally revoke a Representation Agreement.

Check if the Representation Agreement lists other requirements or steps related to revoking in addition to the requirements from the legislation as described in this fact sheet. If you do not follow the procedures outlined in the law, your revocation may not be valid.

To revoke (cancel) your Representation Agreement, you must put it in writing. This is called a 'Notice of Revocation.'

What does a Notice of Revocation look like?

We have included a form for a Notice of Revocation at the end of this fact sheet. You may adapt the form as needed.

If you made the original Representation Agreement with a legal professional it may be helpful to use a legal professional to prepare your Notice of Revocation — so the documents 'match' in terms of the professional.

Is a witness required?

Although the law does not require it, it may be helpful to ask someone to witness (watch) you sign and date the Notice of Revocation. After you sign, the witness can sign the Notice and print his or her name and contact information.

Ask someone who is not appointed in the Representation Agreement you are revoking and who will not be appointed in a new Representation Agreement.

Who do I give the Notice of Revocation to?

In order for your revocation to be valid, you must give a signed and dated copy of the written Notice of Revocation to each person appointed in your Representation Agreement:

1. each representative, and
2. each alternate, and
3. the monitor (if one is named).

How do I deliver the Notice of Revocation?

In order to be valid, you must send a copy of the Notice of Revocation to each person in one of these ways:

- by registered mail to the person's last known address; or
- by leaving it:
 - with the person, or
 - at the person's address, or
 - with an adult who appears to reside with the person;
- if the person operates a business, at the business, with an employee of the person; or
- by transmitting it by fax to the person with the number they provided for notification purposes.

When does the Revocation take effect?

The revocation takes effect when it is given to everyone required, in one of the ways listed above. You can also list a specific future date in the Notice when it will take effect.

Who else do I need to inform that my Representation Agreement is revoked?

If you gave the original Agreement to someone else, ask for it back. You can ask for copies back. If you gave copies to the bank or doctor, send them a copy of the Notice of Revocation and your new Agreement if you make one.

It is also a good idea to register a copy of the Notice of Revocation with the Nidus Personal Planning Registry. One of the challenges when revoking a legal document is communicating this to various third parties (hospitals, banks, government agencies, etc.) who may need to know about it. Registration helps you communicate this important information to others.

The Nidus Registry provides a centralized place to keep a record of your most current plans and wishes and have them available when needed. The Registry is online for secure storage with 24/7 access. Go to www.nidus.ca - click on [Registry](#) (blue menu bar). Click on the green button and arrow for how-to-instructions on how to Create an Account and other features.

If your previous Representation Agreement is registered, you need to register a Revocation in order cancel the existing registration and make sure it is not found on a search of the Registry. Sign into the Registry Account and select Revocation under Registration Options - then be sure to click on the link for the EXISTING registered document. Read the how-to-instructions [Register a Revocation for an Existing Registered Document](#).

NOTICE OF REVOCATION OF REPRESENTATION AGREEMENT

Representation Agreement Act, Section 27 (1)

I hereby revoke the Representation Agreement (RA)

that I made on _____
(PRINT the date the RA being revoked was signed by adult)

that named the following people (as representative, alternate, monitor):

_____ as _____
(TYPE/PRINT name as it appears on the RA) (SELECT from list or PRINT role)

_____ as _____
(TYPE/PRINT name as it appears on the RA) (SELECT from list or PRINT role)

_____ as _____
(TYPE/PRINT name as it appears on the RA) (SELECT from list or PRINT role)

_____ as _____
(TYPE/PRINT name as it appears on the RA) (SELECT from list or PRINT role)

_____ as _____
(TYPE/PRINT name as it appears on the RA) (SELECT from list or PRINT role)

This notice is signed below by me (the adult) on _____
(PRINT the current date)

(Signature of adult)

(TYPE/PRINT name of adult)

To be valid, the Representation Agreement Act section 27 says to send written notice to those named in the Agreement (as indicated above). The Representation Agreement Regulation says that a written notice must be given to each person in one of these ways:

- by registered mail to the person's last known address; or
- by leaving it:
 - with the person, or
 - at the person's address, or
 - with an adult who appears to reside with the person;
- if the person operates a business, at the business, with an employee of the person; or
- by transmitting it by fax to the person with the number they provided for notification purposes.