Nidus Personal Planning Resource Centre and Registry

Representation Agreement Section 7

To support self-determination for ALL adults.

STEP FOUR
COMPLETING RA7 FORM

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This information is based on the legislation in the province of British Columbia.

The following is provided as information.

Nidus does not give legal advice.

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Content of this Slideshow

- Basic RA7 forms
- Custom RA7 forms
- Signing – important to read!
- Completing the RA7 form and Certificates

The Nidus RA forms are **copyright and for personal use only.*
You require permission to use the wording or the format to create a form.

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Nidus RA7 Forms

Nidus RA7 forms are NOT designed for involving legal professionals. Why?

- A lawyer or notary public must take instruction directly from the adult – not you.
- The RA7 law was designed so it is not necessary to involve a lawyer or notary public, Nidus supports self-help so the form is valid.

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Nidus RA7 Forms

Nidus has **Basic RA7** forms available to download free from the website.

- This slideshow explains the RA7 form options and where to find the basic forms.

The Nidus RA forms are **copyright and for personal use only.*
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Nidus RA7 Forms

You must use the Basic RA7 form as written – you cannot alter the form.

- If the form includes a monitor, you MUST name someone as a monitor or the Agreement is not valid.

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Nidus RA7 Forms

Nidus can also make a **Custom RA7** form if the Basic RA7 form doesn't fit the situation.

- More information is provided after the explanation of the Basic RA7 forms.

Basic RA7 Forms

Most adults need an RA7 to cover ALL four life areas.

Health | *Personal* | *Legal* | *Financial*

Representation Agreement Section 7

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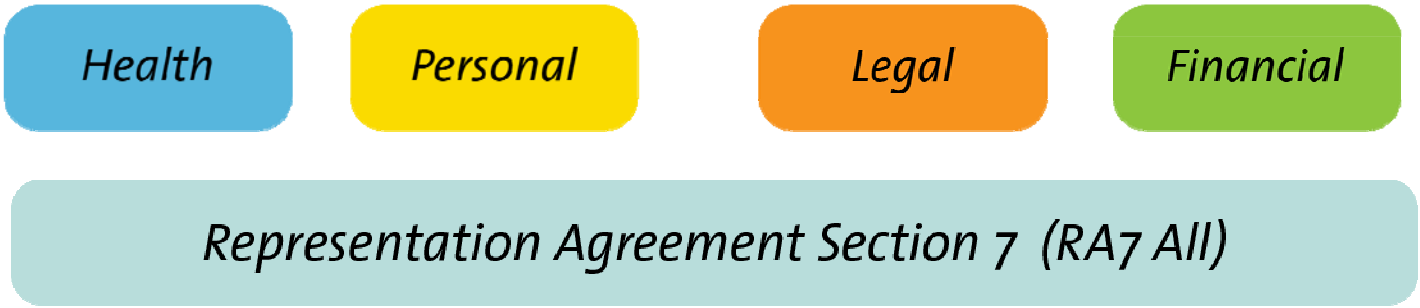
Basic RA7 Forms – RA7 All

If there are **3 people** available, the adult may use the **RA7 All** form.

- It is for 1 representative, 1 alternate and a monitor.



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Basic RA7 Forms – RA7 H+P and RA7 F+L

If there are only **2 people** available, the adult can cover ALL areas in **two separate RA7 forms** and they can name the same people.

- RA7 H+P, and
- RA7 F+L

Health | *Personal* | *Legal* | *Financial*

Representation Agreement Section 7 (RA7 H+P)

Representation Agreement Section 7 (RA7 F+L)

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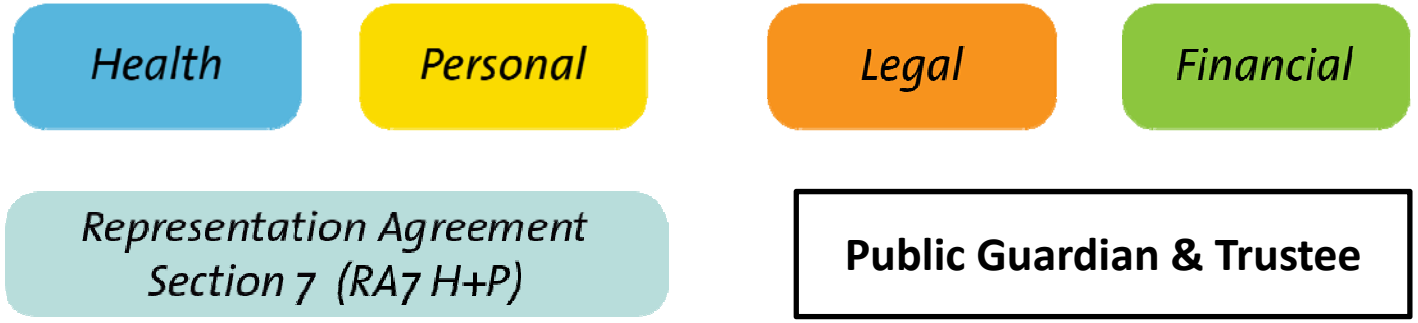
Basic RA7 Forms – if PGT involved

If the Public Guardian & Trustee is managing the adult's financial affairs, the adult may make an RA7 to cover health and personal care. It is for **2 people**: 1 representative, 1 alternate.



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Basic RA7 Forms – fee to register

The next slideshow explains what to do with the completed Agreement, including registration procedures.

- To register an RA7 All – the fee is $25.00.
- To register an RA7 H+P and an RA7 F+L – the fee is $35.00.
  - The two documents deal with different life areas and you can grant different access permissions.
  - The fee to set up the account and register one RA is $25.00, and $10.00 for the additional RA.

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Nidus RA7 Forms – Custom Form

Nidus can also make a **Custom RA7** form if the Basic RA7 form doesn't fit the situation.

- A Custom RA7 form is $75.00, which includes a personal appointment and the fee for registering the completed Agreement.
- To order, please book an appointment – go to www.nidus.ca – click on BOOK NOW (right sidebar).

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Order Custom RA7 – Reasons

People order a Custom RA7 for different reasons.

- To include more than 3 people.
- To have a different combination of roles.
- If there are only 2 people – to combine everything in one form instead of using the two Basic forms (RA7 H+P and RA& F+L).

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Order Custom RA7 – Examples

Custom RA7 for ALL areas:

- 2 representatives (one or both may act), and Monitor (to satisfy extra safeguard requirement for finances).

OR

- 2 representatives who *must act jointly for finances* (to satisfy extra safeguard); and

  1 alternate who will act if one representative is unavailable (so there are always two representatives to act jointly for finances).

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Order Custom RA7 – Examples

Custom RA7 for ALL areas:

- 2 representatives (one or both may act), and

  Monitor (to satisfy extra safeguard requirement for finances).

OR

- 2 representatives who must *act jointly for finance*s (to satisfy extra safeguard requirement for finances) and one or both may act for other areas; and

  1 alternate (who will act if one representative is unavailable).

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Order Custom RA7 – Examples

Custom RA7 for ALL areas:

- 1 representative, and

  2 alternates who will move up *one at a time* (Alternate #1, Alternate #2), and

  Monitor (to satisfy extra safeguard requirement).

OR

- 1 representative, and

  2 alternates who will *both* move up at the same time (one or both may act); and

  Monitor (to satisfy extra safeguard requirement).

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Completing the RA7 Form

The Nidus RA7 form comes with instructions.

- The RA7 form is designed to meet the legal requirements for making a valid document.
  - Read the instructions carefully.
  - Do NOT leave blanks on the form.
  - Do NOT delete, add or change the wording, do **NOT** use white out on a legal form.

Review RA7 form and Certificates

The Nidus RA7 form also includes Certificates, which are part of the legal document.

1. Fill in names, addresses and other contact information on theRA7 form and the Certificates.
2. No signing until the adult and witnesses are together. They sign first.
3. The representative and alternate sign on the Agreement – **no witnesses** – and also complete a Certificate of Representative/Alternate.
4. The monitor completes a Certificate of Monitor.

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Adult signs the RA7 first

The adult signs their own Agreement. The two witnesses watch.

- It does not matter what the adult's signature looks like; but it is crucial that the adult makes their own mark – a dot, line, squiggle…
- Do **NOT** use hand-over-hand.
- Do not use a stamp or thumbprint alone – the adult needs to make a mark.
- See examples on the following slides.

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Example of adult's signature

8 When Agreement is in effect

This Agreement is effective immediately.

9 Signing and Witnessing

This Agreement is signed by the adult in the presence of two witnesses who signed here in the presence of each other:

The Adult

Signature of the Adult	Date signed (Month, DD, YYYY)
	11/20/2013
PRINT full legal name of the Adult [redacted]	

Witnesses to the Adult's Signature

Signature of WITNESS #1	Signature of WITNESS #2

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Example of adult's signature

8 When Agreement is in effect

This Agreement is effective immediately.

9 Signing and Witnessing

This Agreement is signed by the adult in the presence of two witnesses who signed here in the presence of each other:

The Adult

Signature of the Adult	Date signed (Month, DD, YYYY)
AARON	January 13, 2014
PRINT full legal name of the Adult [redacted]	

Witnesses to the Adult's Signature

Signature of WITNESS #1	Signature of WITNESS #2

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Example of adult's signature

8 When Agreement is in effect

This Agreement is effective immediately.

9 Signing and Witnessing

This Agreement is signed by the adult in the presence of two witnesses who signed here in the presence of each other:

The Adult

Signature of the Adult	Date signed (Month, DD, YYYY)
	1st of Feb, 2014
PRINT full legal name of the Adult	
[redacted]	

Witnesses to the Adult's Signature

Signature of WITNESS #1	Signature of WITNESS #2

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Adult signs the RA7 – Tips

It is very important that the adult signs. This shows voluntariness and self-determination.

- Sometimes people think the adult does not understand. But you have no way of knowing that. The adult signs in the spirit of trust.
- Tips for signing:
  - Practice, if signing is a new activity for the adult.
  - Build up the pen so it is easier to grasp.
  - Attach the page to a clipboard so it doesn't move or you can use it to catch the signature.
  - The adult can hold the pen in their mouth or foot.

Two witnesses – not a legal professional

Witnesses must watch adult sign and then watch each other sign. Qualifications:

- Must be 19 years or older.
- Must understand the adult's type of communication.
- Can NOT be a representative or alternate.
- Can NOT be the spouse, parent, child, employee or agent of a representative or alternate.

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Two witnesses

The witnesses sign the RA7 form, below where the adult signs.

- The witnesses must **also** each complete and sign a Certificate of Witnesses (Form 4).

09/01/11

Form 4
CERTIFICATE OF WITNESSES
(Section 13 of the Representation Agreement Act)

- *This certificate is to be completed by each person witnessing the signing of a representation agreement made under section 7 of the Representation Agreement Act.*
- *The completed certificate should be attached to the signed representation agreement.*

Part 1 – Identification of, and certifications made by, first witness

1 This certificate applies to the representation agreement made by:

Full legal name of the Adult (first, middle, last)	Date the Adult/witnesses signed (Month, DD, YYYY)

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Adding date of signing

After adult and witnesses signed, add the date the adult and witnesses signed:

- Beside the adult's signature, and
- Top of page 1 of the RA7 form, and
- On the Certificate of Witnesses – top and bottom, and
- Top of the other Certificates, beside the adult's name.

Representative and alternate sign

The representative and alternate each sign the RA7 form.

- They must also each complete a Certificate of Representative/Alternate (Form 1).
  - **NO witnesses** are required.
  - They can sign the same day as adult or later. They must not sign in advance of the adult.

Monitor signs

The monitor only signs a Certificate of Monitor (Form 2).

- NO witnesses are required.
- They can sign the same day as the adult or later. They must not sign in advance of the adult.

If someone lives out of town

If a representative, alternate or monitor lives out-of-town, follow the instructions in the RA7 package.

For Those Who Live Out of Town

Signing if your representative or alternate lives out-of-town:

1. Make a photocopy of page 3 of the RA7 form - the page where the representative and alternate have to sign on the Agreement.
2. Send the photocopy of this page of the Agreement AND send the Certificate of Representative/Alternate (Form 1) to the representative/alternate who lives out-of-town.
3. Tell the representative or alternate to:
   a. Sign their name in the appropriate space on page 3;
   b. Sign and date the Certificate, and;
   c. Mail both signed pages back to you.
4. Attach the returned signed page 3 and the Certificate to your original Agreement and other original Certificates.

Signing by a monitor who lives out-of-town:

1. Send the Certificate of Monitor (Form 2) to the person named as monitor.
2. Tell the monitor to:
   a. Sign and date the Certificate, and;
   b. Mail the signed Certificate back to you.
3. Put the signed Form 2 with your original Agreement and other original Certificates.

REMINDER

Don't forget to send the representative, alternate and monitor a photocopy of the completed Agreement.

Order of RA7 Pages

Keep the legal document in order so a third party (bank, hospital) can find the necessary information easily and quickly.

1. RA7 form – look at bottom of each page for page numbers and put it order.
2. Certificates of Representative/Alternate (Form 1) – in the order they are listed.
3. Certificate of Monitor (Form 2)
4. Certificates of Witnesses (Form 4)

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Download Basic RA7 form

You can download the Basic RA7 form at the Nidus website.

- Go to www.nidus.ca – click on Self-Help – click on RA Forms.
- Click on 'Forms' at first heading/photo – Helping a Relative with a Disability.

Download the Basic RA7 Form through the RA Forms page
www.nidus.ca > Self-Help > RA Forms

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Need Personal Help?

If you want to be sure you use the right RA form for your situation or if you want to order a Custom RA7 form, book an appointment for personal help.

- Save time and money, get tips for using the RA.
- Go to www.nidus.ca – click on BOOK NOW in the right sidebar.

Book an in-person or phone appointment
www.nidus.ca > click on BOOK NOW in the sidebar.

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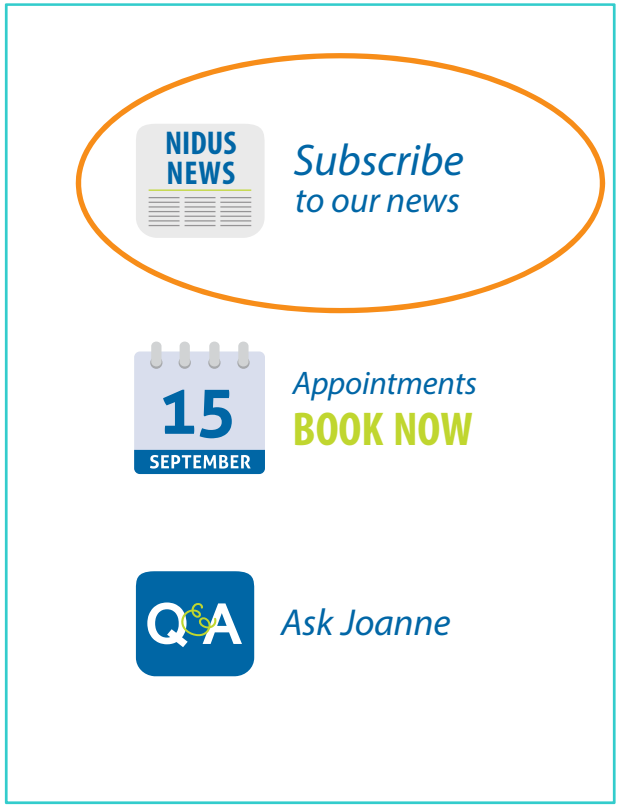
Stay Informed

- Sign up for the newsletter to stay informed about new resources, changes to the law and other news.
- Read Ask Joanne for answers to specific questions.
- Check on What's New under Highlights, also in the right sidebar.



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This information is provided in part through a contract with Community Living BC in 2013-2014.

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