

# Terms and Conditions

## Ordering Nidus Custom RA9

Nidus processes Requests once a week (usually Thursdays). We may email you for clarification. We will not start processing orders until payment is received the day before. Please keep on top of your email messages.

These Terms and Conditions relate to ordering a customized Representation Agreement under section 9 (RA9) produced by the Nidus Personal Planning Resource Centre (Nidus), a non-profit charitable organization. The RA9 forms by Nidus are for personal use. The Custom RA9 is based on the Representation Agreement Act of the province of British Columbia and the experiences of hundreds of people over many years.

Nidus uses a **self-help approach**. Members of Nidus were involved in creating the Representation Agreement Act and drafting BC's first Representation Agreement forms. Nidus does not give legal advice.

Legal requirements for making an RA9:

- You must be 19 years or older (19 is the age of adulthood in BC), and
- You must be capable of understanding the nature and consequences of the RA9, at the time of making it.

### Self-Help Procedures

- 1** Read information about the RA9 to determine the best fit for a custom RA9. See the [RA9 fact sheet](#) at [www.nidus.ca](http://www.nidus.ca) > click Information (top blue menu bar) > [Representation Agreement](#)  
The Basic RA9 package lists restrictions and requirements on who may be named as a representative/alternate and who can be a witness. This applies to the Custom RA9 too.  
**NOTE:** No legal professional is required for making a valid Agreement: the BC government wanted to ensure accessibility. The wording in Nidus RA forms do NOT accommodate the involvement of legal professionals. You can do it yourself.
- 2** On the Custom RA9 Request select one set-up from those listed. The set-ups listed meet the legal requirements. You are NOT allowed to change wording — this may affect the legal validity.  
If you want personal help to discuss the options or you want a different set-up than shown — you can book a phone appointment to discuss. The fee for the appointment is in addition to the Custom form.
- 3** On the Request, enter the necessary information in provided fields. The Custom RA9 will be emailed with instructions — we will only enter the Adult's legal name, you complete the rest.
- 4** After completing the Request, select 'Save As' to your computer or print and scan. Submit your Request to Nidus by email or by regular mail. Nidus reserves the right to refuse a Request.
- 5** There is a non-refundable fee of \$85 when we provide a Custom RA9 based on your Request. You must indicate on the Nidus Custom RA9 Request, which payment option you choose. Do NOT pay by gift card as PayPal will put a hold on the payment and this will delay your order.  
You may pay by:
  - Funds from your PayPal Account OR by credit card or Visa debit card online using PayPal – a secure online service (Nidus will email you the PayPal invoice); or
  - Cheque by regular mail. Do **NOT send a money order** unless we have pre-approved your request.
- 7** Nidus will provide the Custom RA9 by email, as a fillable PDF document.
- 8** Complete your Custom RA9 and register it. Refer to the instructions we send about registration. Do NOT send any paperwork to Nidus.

Please see page 2

## General Requirements

You are responsible for meeting the requirements of the legislation with respect to capability and who can or cannot be named as a representative or alternate. You are also responsible for the accuracy of the information you provide and for the choices you make when selecting the Custom RA9 set-up and any optional clauses.

## Copyright

All the materials that you receive from Nidus, including the RA9 and optional clauses, are copyright. These are only for the use of making a Representation Agreement for the adult whose legal name was submitted on the Custom RA9 Request.

Copyright means that, without permission from Nidus, you may not use the wording in the Agreement for creating another document and you may not copy or take excerpts of wording to create a different form for use by the same adult or for another adult's use. You are also responsible for not giving the form or wording to anyone else to copy and use to make an Agreement for someone else.

The RA9 by Nidus (Basic and Custom forms) are designed to meet the legal requirements of the legislation and are provided with the understanding that you will not change, add or delete any wording and you will not leave blank fields on the form.

## Fees

Nidus charges a fee of \$85 for a Custom RA9. The fee is non-refundable and non-transferrable. All payments are in Canadian funds. Nidus is not responsible for the operation of the PayPal service or your interaction with it. The fee of \$85 includes the fee for setting up the adult's Registry Account and registering the completed Custom RA9 with the Nidus Personal Planning Registry.

## Registration

You are responsible for registering the completed Custom RA9 with the Nidus Personal Planning Registry. Nidus provides a coupon code. If you choose not to register the completed Custom RA9, please note that the Registry fee/coupon code is not refundable and is not transferrable.

## Communication and Correspondence

Any communications and correspondence from Nidus will occur using the email address you provided on the order form.

Nidus will enter the adult's legal name on the Custom RA9 according to what you provided on the Request. You must not edit this field in the Custom RA9 provided. You are responsible for ensuring that you have received the correct set-up and any selected options.

## Collection of Data

Nidus collects and retains the adult's legal name, phone number and email address provided during the procedures of ordering the Custom RA9. This enables us to keep track of the process and ensure quality control of our information provision. It also allows us to facilitate registration of the completed RA9.

Nidus does not share or sell your information. Nidus may use some of the data for research and reporting purposes. Nidus will not identify any individual in such analysis. The goal is to influence policy and inform professional practice, encourage and inspire other citizens, demonstrate service needs and report to funders.

## Privacy

Nidus is committed to ensuring we comply with legislative requirements regarding privacy.