

SECTION 7 REPRESENTATION AGREEMENT

Pursuant to Section 7 of the *Representation Agreement Act*

Note: A representative appointed under a section 7 representation agreement cannot be authorized to:

- help make, or to make on the adult's behalf, a decision to refuse health care necessary to preserve life;
- help make, or to make on the adult's behalf, a decision about the kinds of health care prescribed under section 34 (2) (f) of the *Health Care (Consent) and Care Facility (Admission) Act*;
- to physically restrain, move or manage the adult, or authorize another person to do these things, over the objections of the adult;
- admit the adult under the *Health Care (Consent) and Care Facility (Admission) Act* to a care facility, unless the facility is a family care home, a group home for the mentally handicapped, or a mental health boarding home.

If you wish to give a representative this type of authority, please refer to the section 9 representation agreement.

1. This Representation Agreement is made by

_____ *Full Legal Name of Adult*
of _____ *Address of Adult*

2. Revocation of Previous Agreements

I revoke all previous Representation Agreements made by me.

(Note: Revocation is effective when written notice of the revocation has been given to each representative, each alternative representative, and any monitor named in the representation agreement that is to be revoked.)

3. Appointment of Representative(s)

(Check one)

- I name the following person to be my Representative:
 I name the following person to be my Representative:

_____ *Full Legal Name of Representative*
of _____ *Address of Representative*

OR

- I name the following persons to be my Representatives:

_____ *Full Legal Name of Representative*
of _____ *Address of Representative*

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AND

_____ *Full Legal Name of Representative*
of _____ *Address of Representative*

[You may appoint two or more persons.]

4. [Complete the following if you have named two or more Representatives.]

My Representatives must act:

(Check one)

- Unanimously *[Representatives must act together]*
- Severally *[Representatives can act separately]*

5. Alternate Representative

If my Representative [, or any one of them,] *[include if more than one representative is named]* is unwilling to act, dies or is for any other reason unable to act, then I appoint

_____ *Name of Alternate*
of _____ *Address of Alternate*

to be my Alternate Representative and if so acting has all the authority granted to my Representative in this Representation Agreement.

6. Authority

Pursuant to section 7 of the Representation Agreement Act, I authorize my Representative to help me make decisions, or to make decisions on my behalf, concerning:

(Check one or more)

- personal care
- routine management of my financial affairs;
- major health care and minor health care, as defined in the *Health Care (Consent) and Care Facility (Admission) Act*;
- obtaining legal services for me and instructing counsel to commence proceedings, except divorce proceedings, or to continue, compromise, defend or settle any legal proceedings on my behalf.

Note: Section 7 (2.1) of the Representation Agreement Act states that a representative appointed under section 7 of the Representation Agreement Act cannot be authorized to:

- help make, or to make on the adult's behalf, a decision to refuse health care necessary to preserve life;
- help make, or to make on the adult's behalf, a decision about the kinds of health care prescribed under section 34 (2) (f) of the Health Care (Consent) and Care Facility (Admission) Act;
- to physically restrain, move or manage the adult, or authorize another person to do these things, over the objections of the adult;
- admit the adult under the Health Care (Consent) and Care Facility (Admission) Act to a care facility, unless the facility is a family care home, a group home for the mentally handicapped, or a mental health boarding home.

7. Monitor

Note: This provision appointing a monitor is not required if:

- a. the representation agreement does not authorize a representative to make, or help to make, decisions concerning routine management of financial affairs;
- b. the named representative is the adult's spouse, the Public Guardian and Trustee, a trust company or a credit union;
- c. the authority to make decisions regarding the routine management of financial affairs has been given to two or more representatives and they are required to act unanimously.

I name the following person as Monitor of this Representation Agreement:

_____ Name of Monitor

of _____ Address of Monitor

(Optional)

8. Conditions and Restrictions

The authority given to my Representative is subject to the following conditions or restrictions:

(Optional)

9. Instructions and Wishes

My Representative must make decisions based on the following instructions or wishes:

10. Signatures of Adult and Witnesses

Adult's Signature

Date

The following persons may not be a witness:

- a. A person named in the representation agreement as a representative or alternate representative;
- b. A spouse, child or parent of a person named in the representation agreement as a representative or alternate representative;
- c. An employee or agent of a person named in the representation agreement as a representative or alternate representative;
- d. A person who is under 19 years of age;
- e. A person who does not understand the type of communication used by the adult unless the person receives interpretive assistance to understand that type of communication.

Note: Only one witness is required if the witness is a lawyer or notary public.

Witness No. 1

(Witness No. 1 must sign in the presence of the Adult and Witness No. 2):

Signature

Name

Address

Date

Witness No. 2

(Witness No. 2 must sign in the presence of the Adult and Witness No.1):

Signature

Name

Address

Date

11. Signature of Representative(s)

Representative No. 1

Representative's Signature

Date

Representative No. 2

[if more than one representative is named]

Representative's Signature

Date

The following certificates must be completed:

- *Form 1 (Certificate of Representative or Alternate Representative);*
- *Form 3 (Certificate of Monitor), if the representation agreement names a monitor;*
- *Form 4 (Certificate of Person Signing for the Adult), if a person is signing the representation agreement on behalf of the adult;*
- *Form 5 (Certificate of Witnesses).*

CONSULTATION DRAFT