



## PREPARING A WILL

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To prepare for making a Will you (the Adult) should make a list of the following:

- Adult's full legal name (include any aliases), address, phone number and email address.
- Full legal name and address of whom you wish to appoint as your primary executor.
- Full legal name and address of whom you wish to appoint as an alternate executor (should your first choice be unable to act).
- A brief description of your assets.
- A detailed description of any items or specific sums of money you wish to leave to beneficiaries.
- How you want to distribute the balance of your estate (often referred to as the residue of your estate) after specific items or money have been given, if any.
- Full legal names and addresses of all of your beneficiaries.
- If a beneficiary should predecease you, who should receive his or her share?
- If you have children under 19 years of age, the name and address of the person(s) you wish to designate as primary guardian or as alternate guardian.
- Information on any burial or cremation arrangements you may have.

## CHOOSING AN EXECUTOR

Your executor is responsible for administering your estate, arranging your funeral, proving the Will, liquidating the estate, paying debts, distributing the assets as the Will directs and many other duties.

Choosing an executor is a very weighty decision. It is important that your executor be able to keep proper records and be available for an extended period of time to administer your estate. You should be sure and discuss this responsibility with your potential executor as it is a very time consuming job.

An executor is entitled to be paid up to 5% of the gross value of the estate depending on the complexity of the estate, but you can stipulate in advance what the fee should be.

An independent executor can often resolve conflicts among siblings or disappointed relatives. Some people choose an independent person such as a Notary, accountant or a trust company if they haven't any family close by or if they suspect there may be a conflict of interest.



## REPRESENTATION AGREEMENTS

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A Representation Agreement is a tool that allows your appointed representative to make **MEDICAL** and **PERSONAL HEALTH CARE** decisions for you. There are 2 types of Representation Agreements: a **Section 7** "Standard" Representation Agreement, and a **Section 9** "Non-Standard" or "Enhanced" Representation Agreement. Another name for a Representation Agreement is a "Living Will".

For those who may have capacity issues, a s. 7 "Standard" Rep Agreement covers routine financial and/or health care decisions, while a s. 9 "Enhanced" Rep Agreement gives broader powers to the Representative, including "No CPR Orders" and end of life decision making.

Representation Agreements are much more thorough than a Power of Attorney. They may address your medical or health care needs. The Adult may appoint different Representatives for different purposes. For a s. 7, a Monitor (optional) may be appointed who will ensure that your Representative is carrying out your wishes and oversees banking.



## POWER OF ATTORNEY

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At this time you should consider whether or not you may require a Power of Attorney. This document allows your Attorney (the person appointed by you) to manage your **LEGAL AND FINANCIAL AFFAIRS** in your place. This is particularly useful if you become incapacitated due to physical or mental health problems, or in the event of your absence.

### WHO CAN BE MY ATTORNEY?

The person who you appoint as your Attorney should be someone who is prepared to accept the responsibility. The person must be 19 years or older, must be mentally capable and understand what it means to have power of attorney or to be a Representative. You can appoint your spouse or partner, a friend or a family member. You can appoint more than one person. An Attorney's authority starts from the moment the Power of Attorney is signed, not when a need arises so it is essential that the person be trustworthy. There are some precautions a person can take to prevent it being used while you are still able to look after your own affairs.



## NOTARIES IN SOOKE FEES\*\*

(As at September 1, 2017 - rates subject to change)

### “SIMPLE” WILL

One Person	\$ 225
Couples “Mirror” Wills	\$ 375*
*(if both wills reflect the same outcome)	
Changes to Will drawn by NIS	\$ 100

Please Note: more Complex Wills, with multiple beneficiaries, charities, etc. will be based on an hourly rate and will be quoted by the Notary at the time of the first interview.

### POWER OF ATTORNEY (POA)

Appoints a person (or persons) to make or help you make FINANCIAL AND LEGAL decisions on your behalf.

One Person - appoint one Attorney	\$ 175
One Person - appoint two Attorneys	\$ 200
Couples - appoint one Attorney	\$ 275*
Couples - appoint two Attorneys	\$ 325*
*(if both POA's reflect the same outcome)	
Register (2) POA's at Land Titles Office	\$ 150

### REPRESENTATION AGREEMENT

(sec. 7) “**Standard Agreement**” – capacity may be limited  
Appoints a person(s) to make or help you make decisions about your Health and Personal Care, or help manage ROUTINE Financial Affairs.

One Person \$ TBD

(sec. 9) “**Non-Standard or Enhanced Agreement**”

Appoints a person(s) to make or help you make decisions about Health and Personal Care ONLY (also includes “end-of-life” decisions)

One Person	\$ 225
Couples	\$ 350*

\* If both Representation Agreements reflect the same outcome

**SAVE \$150.00 PER COUPLE** if Wills, Enduring Powers of Attorney and Rep Agreements are prepared at the same time.

### ADVANCED HEALTH DIRECTIVE

One Person \$ 175

(Item of Note: There is an Additional Notary Fee of \$50 if documents must be mailed out for signatures)

### HOME OR HOSPITAL VISIT

Per visit (Local Sooke Area)	\$ 50-75
(Victoria and Area)	\$ 150

### WILL REGISTRATION

Registration at BC Vital Statistics \$ 17 ea

Note: Notaries in Sooke “Standard practice” is to register all Wills with the British Columbia Vital Statistics Agency.

**\*\*Fees DO NOT include Administration Costs, Disbursements or Taxes (PST & GST)**

**Please Note: A deposit is required at time of first interview.**

*“I promise to keep on living as though I expected to live forever. Nobody grows old by merely living a number of years. People grow old only by deserting their ideals. Years may wrinkle the skin, but to give up interest wrinkles the soul.”*

Douglas MacArthur



### NOTARIES IN SOOKE

#1 – 6726 West Coast Road,  
Mailing Address: PO Box 730,  
Sooke, BC V9Z 1H7  
Fax (250) 642-3328

Email: [cheryl@notariesinsooke.ca](mailto:cheryl@notariesinsooke.ca)

Website: [www.notariesinsooke.ca](http://www.notariesinsooke.ca)

**Office Ph (250) 642-3318**

## Notary Fees\*\*

# WILLS

## Powers of Attorney

Representation Agreements  
&

Advanced Health Directives

NOTARIES IN SOOKE

C H E R Y L A . V A V R A

**#1-6726 West Coast Road  
Sooke, British Columbia  
(250) 642-3318**

**BC Notaries**  
A TRUSTED TRADITION

