

Personal Planning Tools Across Canada

This chart is drafted by Nidus to focus attention on personal planning and to find out about community-based sources of information and assistance elsewhere.

In British Columbia, the legislative framework for personal planning addresses four life areas: health care, personal care, legal affairs and financial affairs. This framework may not fit other jurisdictions. The purpose of this chart is not to provide details of the law in other provinces; it is to encourage discussion about the concept of personal planning. We have chosen to highlight legal tools that allow for the appointment of a person/people rather than written instructions only.

Nidus differentiates personal planning from estate planning. Estate planning is about making legal arrangements for after death; personal planning is about making legal arrangements in the event you need assistance during your lifetime due to illness, injury or disability. Personal planning is a critical issue, driven by the aging population and recognition of equal rights for people with disabilities (United Nations Convention, 2008). Personal planning allows people to stay in charge of their lives when their mental capability is in question and to avoid losing their rights under adult guardianship.

At this time, BC is the only jurisdiction that provides a new legal definition of capability, which allows adults, whose mental capability may already be compromised, to engage in personal planning by making a Representation Agreement Section 7. This is important for people with developmental disabilities, acquired brain injury and advanced dementia. In other jurisdictions, you must be capable of understanding the nature of the document and the effect of appointing someone to act on your behalf.

Prov.	Planning Tool	Powers Covered		Legislation	Information Resources
BC	Representation Agreement	HEALTH	PERSONAL	Representation Agreement Act	Nidus Personal Planning Resource Centre Nidus, a non-profit charity, operates the Personal Planning Registry www.nidus.ca info@nidus.ca
		FINANCIAL	LEGAL		
Enduring Power of Attorney			Power of Attorney Act		
	FINANCIAL	LEGAL			
AB	Personal Directive	HEALTH	PERSONAL	Personal Directives Act	Do you know a community organization that helps with personal planning?
			LEGAL		
Enduring Power of Attorney			Powers of Attorney Act		
	FINANCIAL	LEGAL			
SK	Health Care Directive	HEALTH		Health Care Directives Act and Substitute Health Care Decision Makers Act	Do you know a community organization that helps with personal planning?
Enduring Power of Attorney		PERSONAL	Powers of Attorney Act		
	FINANCIAL				

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MN	Health Care Directive	HEALTH		Health Care Directives Act	Do you know a community organization that helps with personal planning?
	(Enduring) Power of Attorney	FINANCIAL		Power of Attorney Act	
ON	Power of Attorney for Personal Care	HEALTH	PERSONAL	Substitute Decisions Act	Do you know a community organization that helps with personal planning?
	Continuing Power of Attorney for Property	FINANCIAL	LEGAL	Substitute Decisions Act	
QC	Mandate	HEALTH	PERSONAL	Civil Code of Quebec	Do you know a community organization that helps with personal planning?
		FINANCIAL	LEGAL		
NB	Enduring (Durable) Power of Attorney	HEALTH	PERSONAL	Property Act; Infirm Persons Act	Public Legal Education and Information Service of New Brunswick www.legal-info-legale.nb.ca
		FINANCIAL	LEGAL		
PEI	Health Care Directive	HEALTH	PERSONAL	Medical Consent Act	Community Legal Information Association 1-800-240-9798 www.cliapei.ca
	Power of Attorney	FINANCIAL	LEGAL	Powers of Attorney Act	
NS	Personal Directive	HEALTH	PERSONAL	Personal Directives Act	Legal Information Society of Nova Scotia www.legalinfo.org
	(Enduring) Power of Attorney	HEALTH	PERSONAL	Powers of Attorney Act	
		FINANCIAL	LEGAL		

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NL	Advance Health Care Directive	HEALTH	PERSONAL	Advance Health Care Directives Act	Public Legal information Association of Newfoundland www.publiclegalinfo.com
	(Enduring) Power of Attorney	FINANCIAL		Enduring Powers of Attorney Act	
YT	Supported Decision-Making Agreement	HEALTH	PERSONAL	Adult Protection and Decision-Making Act	Do you know a community organization that helps with personal planning?
		FINANCIAL	LEGAL		
	Advance Directive	HEALTH	PERSONAL	Care Consent Act	
	Representation Agreement	FINANCIAL	PERSONAL	Adult Protection and Decision-Making Act	
	(Enduring) Power of Attorney	FINANCIAL		Enduring Power of Attorney Act	
NWT	Personal Directive	HEALTH	PERSONAL	Personal Directives Act	Do you know a community organization that helps with personal planning?
			LEGAL		
	(Enduring) Power of Attorney	FINANCIAL	LEGAL	Powers of Attorney Act	
NU	(Enduring) Power of Attorney	FINANCIAL		Powers of Attorney Act	Do you know a community organization that helps with personal planning?

You may come across the term 'Advance Care Planning.' This term was coined and is promoted by health care providers/authorities and organizations such as hospice to encourage people to discuss their end-of-life wishes. However, wishes are not enough. Personal planning is about appointing someone who has the legal authority to carry out your wishes. Personal planning also covers more than health care and end-of-life. People who live with a disability, chronic illness or degenerative disease such as dementia will need assistance with financial and health care issues before and in addition to end-of-life care.