



L'aide juridique :  
un réseau au service des gens

www.csj.qc.ca



**Legal  
Brief\***

**Vol. 15**

**Number 2**

**February 2023**

## **ASSISTANTS TO PERSONS OF FULL AGE**

You are 80 years old and are still very alert, but you have some difficulties with computers and anything electronic. You also have trouble hearing people on the phone when dealing with suppliers or when trying to get information about your accounts.

The newly adopted *Law to better protect people in vulnerable situations* put into place a number of measures, including the creation of a new role, that of assistant to a person of full age. This measure will allow people like you to choose a person to help them in various areas of their life.

Through this measure, a person who is experiencing difficulties and wants to be assisted will be able to do so freely, and the process will be supervised by the Public Curator of Québec.

The difficulties in question can be of all types, including simple motor, visual or auditory limitations. Regardless of the reason, you will not have to prove that reason. However, you must be capable and able to express your wishes. Therefore, a person suffering from Alzheimer's or who has been recognized as incapable will not be able to benefit from such an assistant.

The person appointed as your assistant will be able to take care of you by helping you make decisions, exercise your rights or manage your property.

Your assistant should be someone you trust fully and know well, such as a family member, a neighbour or a friend. This person must be of full age, be available and have your best interests at heart.

An assistant cannot sign documents for you or make decisions for you. However, they may communicate with third parties on your behalf, be kept informed and obtain confidential information. Your assistant will therefore act as an intermediary.

The person selected will be required to act free of charge, but any reasonable expenses incurred by them may be reimbursed. They will not be able to act in situations where they would have a conflict of interest.

Such a system is advantageous, because you will not have to notify every third party you deal with, and you will not have to be present at every meeting or for every conversation.

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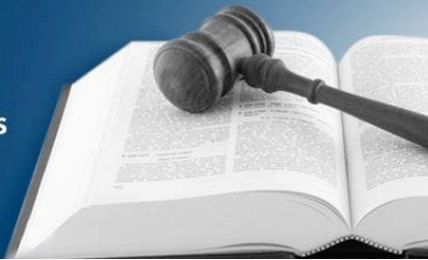
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\* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.



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## ASSISTANTS TO PERSONS OF FULL AGE (continued)

The assistant will be registered in the public register upon a simple application to the Public Curator, without the need for court intervention, and the designation will be valid for a maximum period of three years. It can also be terminated at your request.

The assistant will be able to intervene only at your request and to help you understand information. They will not be able to make decisions, but will only be able to assert your freely expressed wishes. The assistant must always act with transparency and in good faith.

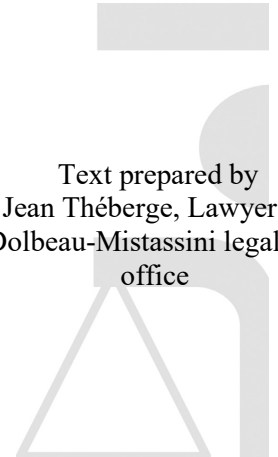
An assistant differs greatly from someone who holds a power of attorney. Indeed, a person with power of attorney can sign for the person they represent and make decisions for them, while the assistant has no such powers.

There are many ways to get help and assistance, and a Legal Aid lawyer can certainly guide you in choosing the way that best suits your needs.

\*\*\*\*\*  
Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you. You can also check your eligibility online [here](#).

To find the contact information for your legal aid office, please click on the following link [www.csj.qc.ca/](http://www.csj.qc.ca/).

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