



## Guide for Estate Claimants to Establish Legal Authority

### 1. Tobacco Settlement Compensation

The PCC Compensation Plan permits payment to both living Tobacco-Victims and the estates of deceased Tobacco-Victims who meet all eligibility criteria.

The Claims Administrator will review all Claims Packages received by the Claim Deadline and decide if the claimant is eligible to receive compensation. Payment amount depends on the diagnosis, smoking history, and the total number of claims received. Final payments may be less than, and cannot exceed, the maximum amounts in the below table:

| Disease with which the Tobacco-Victim was diagnosed | Compensation amount for a Tobacco-Victim who started smoking <u>before</u> January 1, 1976 | Compensation amount for a Tobacco-Victim who started smoking <u>on or after</u> January 1, 1976 |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>Emphysema or COPD (GOLD Grade III or IV)</b>     | \$18,000                                                                                   | \$14,400                                                                                        |
| <b>Lung Cancer</b>                                  | \$60,000                                                                                   | \$48,000                                                                                        |
| <b>Throat Cancer</b>                                | \$60,000                                                                                   | \$48,000                                                                                        |

### 2. Who Can File a Claim on Behalf of a Deceased Tobacco-Victim?

If the Tobacco Victim has passed away, only a person with legal authority to administer their estate can file the claim. This legal authority may come from:

- The Tobacco Victim's will (if you are named as an estate trustee, executor or administrator), or
- A court order or court-issued certificate appointing you as administrator of the estate (if the Tobacco-Victim died without a will).

Before the Claims Administrator can make a payment, you must provide proof of your legal authority to receive the payment on behalf of the estate. This usually means a court document or order issued by the court in the province or territory where the deceased resided at the time of death, confirming that you have been validly appointed as estate trustee, executor or administrator.

### 3. Do You Need a Court Certificate?

If you are named as an estate trustee or executor under a deceased Tobacco Victim's will but have not yet applied to the court for a certificate (commonly called "probate"), or if there is no will and you wish to represent the estate of a Tobacco Victim, you will likely need to apply for one.

An estate lawyer (hired at your own expense) can tell you:

- How to obtain legal authority to represent the estate of a deceased Tobacco-Victim, and
- The costs involved, including government probate/estate administration fees.

This information will help you decide whether pursuing a claim for the Tobacco-Victim's estate makes financial sense.

#### 4. How Much Will It Cost?

In every jurisdiction except Manitoba, a government fee is charged when applying for a certificate to administer the estate. This fee is called an estate administration tax or a probate fee, and is in addition to any lawyer's fees.

**Here's a breakdown of the 2025 probate fee landscape across Canada. Please confirm exact amounts with your estate lawyer:**

| Province                          | Probate Fee Structure                                                                                                                                                                                                                                                                                                    |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Alberta                           | <ul style="list-style-type: none"> <li>Flat fee structure, maxing out at \$525 regardless of estate size</li> </ul>                                                                                                                                                                                                      |
| Quebec                            | <ul style="list-style-type: none"> <li>No probate fees for notarial wills; court fees apply only if a will needs verification.</li> </ul>                                                                                                                                                                                |
| Northwest Territories and Nunavut | <ul style="list-style-type: none"> <li>\$30 for estates of \$10,000 or less</li> <li>\$110 for estates of \$10,001-\$25,000</li> <li>\$215 for estates of \$25,001-\$125,000</li> <li>\$325 for estates of \$125,001-\$250,000</li> <li>\$435 for estates of \$250,001 or more</li> </ul>                                |
| Yukon                             | <ul style="list-style-type: none"> <li>Minimal fees, typically under \$140</li> </ul>                                                                                                                                                                                                                                    |
| British Columbia                  | <ul style="list-style-type: none"> <li>\$0 for estate under \$25,000</li> <li>0.6% for estates between \$25,000-\$50,000</li> <li>1.4% for estates over \$50,000</li> </ul>                                                                                                                                              |
| Manitoba                          | <ul style="list-style-type: none"> <li>No estate fees</li> </ul>                                                                                                                                                                                                                                                         |
| Saskatchewan                      | <ul style="list-style-type: none"> <li>0.7% on all estates</li> </ul>                                                                                                                                                                                                                                                    |
| New Brunswick                     | <ul style="list-style-type: none"> <li>\$25 for estates up to \$5,000</li> <li>\$50 for estates between \$5,001-\$10,000</li> <li>\$75 for estates between \$10,001-\$15,000</li> <li>\$100 for estate between \$15,001-\$20,000</li> <li>0.5% for estates of \$20,001 or more</li> </ul>                                |
| Ontario                           | <ul style="list-style-type: none"> <li>\$0 for the first \$50,000</li> <li>1.5% on amounts over \$50,000</li> </ul>                                                                                                                                                                                                      |
| Nova Scotia                       | <ul style="list-style-type: none"> <li>\$85.60 for estates of \$10,000 or less</li> <li>\$215.20 for estates between \$10,001-\$25,000</li> <li>\$358.15 for estates between \$25,001-\$50,000</li> <li>\$1,002.65 for estates between \$50,001-\$100,000</li> <li>+1.695% for any amount exceeding \$100,001</li> </ul> |

| Province                | Probate Fee Structure                                                                                                                                                                                                                                                                 |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prince Edward Island    | <ul style="list-style-type: none"> <li>• \$50 for estates of \$10,000 or less</li> <li>• \$100 for estates of \$10,001-\$25,000</li> <li>• \$200 for estates of \$25,001-\$50,000</li> <li>• \$400 for estates of \$50,001-\$100,000</li> <li>• 0.4% for \$100,001 or more</li> </ul> |
| Newfoundland & Labrador | <ul style="list-style-type: none"> <li>• \$60 for estates under \$1,000</li> <li>• \$60 + \$0.60 per \$100 over \$1,000</li> </ul>                                                                                                                                                    |

## 5. Options to Reduce Costs

In some provinces and territories, you may be able to reduce costs:

- **Limited Authority Certificate:** Allows you to apply for a certificate that provides limited authority over specific assets in an estate (such as the Tobacco claim) and pay a flat or reduced probate fee for doing so.
- **Small Estate Procedures:** If the estate is below a certain value or the Tobacco claim is the only asset, you may qualify for a simplified estate procedure.

An estate lawyer in the province where you are applying can confirm what options are available, and the associated costs.

## 6. Next Steps and Help Available

Consult an estate lawyer if probate is required.

Gather proof of authority before submitting the claim.

If you have additional questions, please contact the PCC Agent for free guidance about the claims process at:

- Phone: 1-888-482-5852
- Email: [PCCAgent@TobaccoClaimsCanada.ca](mailto:PCCAgent@TobaccoClaimsCanada.ca)
- Website: [www.TobaccoClaimsCanada.ca](http://www.TobaccoClaimsCanada.ca)
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