



PCC Agent — Quick Reference Guide

Acceptable Documents for Legal Representation

Under the Pan-Canadian Claimants' (PCC) Compensation Plan, a Legal Representative may submit a claim on behalf of a Tobacco-Victim in the following circumstances:

- **For a deceased Tobacco-Victim:** A claim may be submitted by the legal representative of the estate if the Tobacco-Victim was alive on March 8, 2019, and meets all other eligibility criteria. Acceptable representatives include an Executor, Estate Administrator, or another individual with legal authority over the estate. The Claims Administrator requires both (1) proof of death; and (2) a document showing the representative's legal authority to act on behalf of the deceased Tobacco-Victim's estate. **Attachment A — Section 1** lists acceptable documents by province or territory of at the time of death.
- **For a living Tobacco-Victim:** A legal representative may file a claim on behalf of a living Tobacco-Victim who meets all the eligibility criteria but is unable to manage their own affairs. In such cases, the representative must provide valid legal documentation, such as a Power of Attorney or Mandate, demonstrating their authority to act on the Tobacco-Victim's behalf. **Attachment B — Section 2** contains a comprehensive list of documents accepted for legal representation, categorized by the jurisdiction of the living Tobacco-Victim.

Please Note: Family members of a deceased Tobacco-Victim who are not the legal representatives of the estate are not eligible to receive compensation directly.

If you do not currently possess the acceptable documentation proving your authority to act on behalf of a living or deceased Tobacco-Victim, it is strongly recommended that you consult a qualified lawyer in the province or territory where the Tobacco-Victim resides or resided in at the time of their death. This may include an estate or probate lawyer. Please note that any legal fees or costs associated with obtaining this documentation are the responsibility of the claimant.

If you have additional questions, please contact the PCC Agent at:

- Phone: 1-888-482-5852
- Email: PCCAgent@TobaccoClaimsCanada.ca
- Website: www.TobaccoClaimsCanada.ca
- PCC Agent
c/o Epiq Class Action Services Canada Inc.
P.O. Box 3408 STN B
Ottawa ON K1P 6H8

ATTACHMENT A:
ACCEPTABLE PROOF OF LEGAL AUTHORITY DOCUMENTS

SECTION 1 - Documentation Required if the Tobacco-Victim is deceased.

*If the Tobacco-Victim is still alive, please see **SECTION 2 - Documentation Required if the Tobacco-Victim is alive at the time of filing the Claim** (below).*

If the Tobacco-Victim is deceased, but was alive **on March 8, 2019**, their estate may still be eligible for compensation under the PCC Compensation Plan.

Section 1A) The Representative **must attach at least one** of the following documents (a certified copy, photocopy, or certified electronic extract of the document will be accepted by the Claims Administrator) to this Claim Form and submit it to the Claims Administrator by the deadline:

- Death Certificate or Certificate of Death;
- Short Form Death Certificate;
- Long Form Death Certificate;
- Registration of Death or Death Registration;
- Registration of Death or Death Registration with Cause of Death Information;
- Medical Certificate of Death issued by an attending doctor or a coroner;
- Interim Medical Certificate of Death issued by an attending doctor or a coroner;
- Statement of Death issued by a funeral service provider;
- Memorandum of Notification of Death issued by the Chief of National Defense Staff; or
- Statement of Verification of Death from the Department of Veterans Affairs.

Section 1B) Additionally, you **must attach** documentation of your legal authority based on the province or territory where the deceased Tobacco-Victim resided at the time of their death.

Province where the deceased Tobacco-Victim lived at time of death

Acceptable Documents
(Choose one of the following)

The Tobacco-Victim has Indian Status and resided on a reserve or on Crown lands

- Notice of Appointment as Estate Administrator or Notice of Appointment as Estate Executor
- Document showing Indigenous Services Canada or Crown-Indigenous Relations and Northern Affairs Canada is acting as the Estate Administrator

British Columbia	➤ Grant of Probate ➤ Grant of Administration with a Will ➤ Grant of Administration without a Will ➤ Order under s. 103 WESA — Administrator Pending Litigation ➤ Order under s. 132 WESA — Conditional or Limited Administration ➤ Grant under s. 103/132 WESA — Pendente Lite / Ad Colligenda ➤ Grant under s. 134 WESA — Guardian of Minor ➤ Grant under s. 138 WESA — Resealed or Ancillary ➤ Grant under s. 139 WESA — To Attorney ➤ Court Order under s. 159 WESA — Substitute Representative ➤ Grant under s. 159 WESA — de Bonis Non
Alberta	➤ Grant of Probate ➤ Grant of Double Probate ➤ Grant of Administration without a Will ➤ Letters of Administration without a Will ➤ Grant of Administration with Will ➤ Letters of Administration with Will ➤ Document indicating the appointment of Public Trustee
Saskatchewan	➤ Grant/Letters Probate with a Will ➤ Grant/Letters of Probate (small estate application) ➤ Grant/Letters of Administration without a Will ➤ Letters of Administration with Will Annexed
Manitoba	➤ Grant of Probate ➤ Letters of Administration (estates over \$10,000) ➤ Letters of Administration with Will Annexed ➤ Administration Order (estates under \$10,000)

Ontario	➤ Certificate of Appointment of Estate Trustee without a Will ➤ Certificate of Appointment of Estate Trustee with a Will ➤ Certificate of Appointment of Estate Trustee with a Will (Limited Assets) ➤ Small Estate Certificate ➤ Certificate of Appointment of Succeeding Estate Trustee with Will ➤ Certificate of Appointment of Succeeding Estate Trustee with Will (limited assets) ➤ Certificate of Appointment of Succeeding Estate Trustee without a Will ➤ Certificate of Appointment of Estate Trustee (during litigation) ➤ Resealed Estate Trustee Appointment ➤ Foreign Estate Trustee Appointment without a Will ➤ Court Status Certificate
New Brunswick	➤ Letters of Administration without a Will ➤ Letters Probate with a Will ➤ Letter of Administration with a Will Annexed ➤ Ancillary Letters of Administration/Probate
Nova Scotia	➤ Grant of Administration without a Will ➤ Grant of Probate ➤ Grant of Administration with Will Annexed ➤ Ancillary Grant of Probate ➤ Ancillary Grant of Administration ➤ Appointment of a Public Trustee to Administer an Estate Valued at \$25,000 or less
Prince Edward Island	➤ Letters of Administration without a Will ➤ Grant/Letters of Probate ➤ Letters of Administration with the Will Annexed ➤ Ancillary Letters of Administration/Probate ➤ Will with supporting affidavit (where estate property is valued at not more than \$5,000)

Newfoundland and Labrador	➤ Grant/Letters of Probate ➤ Letters of Administration without a Will ➤ Letters of Administration CTA with a Will Annexed (<i>cum testamento annexo</i>) ➤ Letters of Administration DBN (De Bonis Non) ➤ Letters of Administration CTA DBN ➤ Ancillary Letters Probate ➤ Ancillary Letters of Administration ➤ Satisfactory evidence under s. 13 of the Public Trustee Act (for estates valued at \$10,000 or less)
Yukon	➤ Grant/Letters of Probate ➤ Grant/Letters of Administration without a Will ➤ Grant/Letters of Administration with Will Annexed
Northwest Territories	➤ Grant of Probate ➤ Grant of Administration ➤ Grant of Administration with Will Annexed ➤ Grant of Double Probate ➤ Declaration of Small Estate (estate net value is less than \$35,000)
Nunavut	➤ Grant of Probate ➤ Certificate of Appointment of Estate Trustee with a Will ➤ Letters of Administration without a Will ➤ Letters of Administration with Will Annexed
<u>Province where the deceased Tobacco-Victim lived at time of death</u> <u>Acceptable Documents</u>	
Quebec	Provide Both of the following: ➤ Will Search Certificate from the Chambres des notaires du Quebec AND ➤ Will Search Certificate from the Bar of Quebec AND If the Deceased Tobacco-Victim died with a Will, choose one of the following: ➤ Copy of the notarial Will

	➤ Copy of the judgment probating the Will ➤ Certified copy of the Will and notarial minutes of probate ➤ Certified copy of notarial appointment of liquidator including a certified copy of the Will ➤ Copy of appointment of liquidator signed by heirs including a certified copy of the Will ➤ Certified copy of a court order appointing the liquidator including a certified copy of the Will If the deceased Tobacco-Victim died without a Will, choose one of the following: ➤ Copy of the appointment of liquidator signed by heirs entitled to name liquidator ➤ Certified copy of the court order appointing the liquidator
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If you need any assistance, please reach out to the PCC Agent, Epiq, at the following contact information:

Email: PCCAgent@TobaccoClaimsCanada.ca

Phone: 1-888-482-5852

Website: www.TobaccoClaimsCanada.ca

SECTION 2 - Documentation required if the Tobacco-Victim is alive at the time of filing the Claim

If the Tobacco-Victim is alive, the Representative **must attach at least one** of the following documents to this Claim Form and submit it to the Claims Administrator by the claims deadline to verify that they have the right and are authorized to make a claim on behalf of the living Tobacco-Victim (a certified copy, photocopy or certified electronic extract of the document will be accepted by the Claims Administrator):

<u>Province the Tobacco-Victim Resides in at the time of filing</u>	<u>Acceptable Documents</u>
If the Tobacco-Victim has Indian Status and resides on a reserve or on Crown lands	➤ Document showing the Representative has been appointed as the Tobacco-Victim's Administrator of Property.
British Columbia	➤ Power of Attorney ➤ Limited Power of Attorney ➤ Enduring Power of Attorney ➤ Enduring Limited Power of Attorney ➤ Springing Power of Attorney ➤ Representation Agreement for legal affairs (under the <i>Representation Agreement Act</i>)

	➤ Certificate of Incapability (under the <i>Adult Guardianship Act</i>) ➤ Court order appointing Representative (under <i>Patients Property Act</i>)
Alberta	➤ Power of Attorney/Enduring Power of Attorney ➤ Document showing that the Representative has been appointed as the trustee for the Tobacco-Victim ➤ Supporting Decision Making Authorization ➤ Document confirming the Public Guardian and Trustee's appointment as trustee ➤ Conditional Enduring Power of Attorney appointing an attorney and has either: • come into force on the lack of capacity of the Tobacco-Victim; or • come into force on another contingent event and Tobacco-Victim still has capacity
Saskatchewan	➤ Continuing Power of Attorney for Property ➤ Property Power of Attorney/Enduring Power of Attorney for Property ➤ Contingent Power of Attorney for Property that has either: • come into force on the lack of capacity of the Tobacco-Victim; or • come into force on another contingent event (Tobacco-Victim has capacity) ➤ Court Appointment — co-decision maker for property ➤ Court Appointment — temporary property guardian ➤ Court Appointment — property guardian
Manitoba	➤ Power of Attorney ➤ Enduring Power of Attorney ➤ Springing Power of Attorney that has either: • come into force on the mental incompetence of the Tobacco-Victim; or • come into force on another contingent event (Tobacco-Victim is competent) ➤ Order of Committeeship — for Committee of Property ➤ Order of Committeeship — for Committee of Property and Personal Care

	➤ Document confirming the Public Guardian and Trustee is appointed as Committee of Property and Personal Care ➤ Document confirming the Representative's appointment as substitute decision-maker for property matters
Ontario	➤ Power of Attorney for Property ➤ Continuing Power of Attorney for Property ➤ Proof of Representative's appointment as Guardian of Property from the Office of the Public Guardian and Trustee ➤ Proof of Representative's appointment as Guardian of Property by the Court
New Brunswick	➤ Power of Attorney for Property ➤ Enduring Power of Attorney for Property ➤ Enduring Power of Attorney for Property and Personal Care ➤ Document showing that the Representative has been appointed as the Committee of the Estate of the Tobacco-Victim ➤ Proof of appointment as decision-making supporter for financial matters
Nova Scotia	➤ Power of Attorney ➤ Enduring Power of Attorney ➤ Court Appointed Guardian Document ➤ Court-appointed Representative - financial matters per Representation Order
Prince Edward Island	➤ General Power of Attorney ➤ Court appointment as the Committee of the Estate
Newfoundland and Labrador	➤ Enduring Power of Attorney ➤ Power of Attorney ➤ Court-issued Letters of Guardianship
Yukon	➤ Enduring Power of Attorney ➤ Document confirming the Representative's appointment as Temporary Guardian with financial authority ➤ Guardianship Order

Northwest Territories	➤ Power of Attorney that has: ▪ come into force on the mental incapacity of the Tobacco-Victim; or ▪ come into force on another contingent event (Tobacco-Victim has capacity); or ▪ remains valid despite any later mental incapacity of the Tobacco-Victim ➤ Enduring Power of Attorney ➤ Springing Power of Attorney that has either: ▪ come into force on the incapacity of the Tobacco-Victim; or ▪ come into force on another contingent event (Tobacco-Victim has capacity) ➤ Order Appointing the Representative as the Trustee ➤ Order Appointing the Public Trustee as Trustee
Nunavut	➤ Power of Attorney that has: ▪ come into force on the mental incapacity of the Tobacco-Victim; or ▪ come into force on another contingent event (Tobacco-Victim still has capacity); or ▪ remains valid despite any later mental incapacity of the Tobacco-Victim ➤ Enduring Power of Attorney ➤ Springing Power of Attorney that has either: ▪ come into force on the mental incapacity of the Tobacco-Victim; or ▪ come into force on another contingent event (Tobacco-Victim still has capacity) ➤ Order appointing the Representative as Trustee for the Tobacco-Victim ➤ Order Appointing the Representative as the Trustee ➤ Order Appointing the Public Trustee as Trustee

Quebec	➤ Power of Attorney with court-filed proceedings for mandate homologation or adult tutorship ➤ Protection mandate with certified judgment of homologation ➤ Certified copy of the judgment ordering the tutorship ➤ Certified copy of minutes and conclusions of the notary opening tutorship ➤ Certified copy of the judgment ordering Curatorship, dated prior to November 1, 2022 ➤ Certified copy of minutes and conclusions of the notary ordering curatorship, dated prior to November 1, 2022 ➤ Detailed mandate with court-filed proceedings (incl. file #) for mandate homologation or adult tutorship ➤ Certified court order appointing a provisional property administrator for the claimant
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