

The assistance **measure**

Official recognition to better
help you

Awareness | Support | Action



Do you want someone close to you to be able to share information about you with various departments, agencies, service companies and professionals?

Do you wish to act or be recognized as an official intermediary for someone close to you?

The assistance measure can help you!



What is the assistance measure?

The assistance measure gives a person experiencing any kind of difficulty the right to be assisted by one or two other people of their choice. The Curateur public officially recognizes them as assistants to help the person concerned make decisions, exercise their rights and manage their property.

This recognition allows the **assistant** to act as an **intermediary** between the **assisted person** and all third parties (government departments and agencies, service providers, physicians, pharmacists, social workers, lawyers, chartered professional accountants) for a maximum of three years.

That means the assisted person doesn't need to contact each third party individually to authorize their assistant to speak on their behalf. They also don't need to be present each time the assistant needs to contact a third party.

How does the assistance measure differ from a power of attorney?

A power of attorney is a contract that allows a person to represent and act on behalf of another person, while the assistance measure does not allow the assistant to act on behalf of the assisted person. For example, the assistance measure does not allow the assistant to sign a contract or make a bank transaction. However, it does allow the assistant to send or receive information to and from third parties or acknowledge a decision on behalf of the assisted person.

Is the assistance measure right for me?

The assistance measure is designed for any adult who would like assistance due to a difficulty, while being able to choose their own assistant(s). To qualify, the person must demonstrate that they understand the scope of this measure and be able to express their wishes and preferences.

Examples of difficulties that may cause a person to want to use the assistance measure include:

- age-related loss of autonomy;
- mild intellectual disability;
- vision, hearing, or motor impairment;
- mental illness;
- language barrier;
- addiction problem (substance abuse).

If any of these examples resonates with you, the assistance measure is right for you.

Role and responsibilities of the assisted person

From the time the assistant is recognized, you must, among other things:

- ask the assistant directly for help, as needed;
- inform the Curateur public of any change that impacts the support provided by your assistant;
- ensure the assistant does not act beyond the scope of their responsibilities, e.g., by signing documents or making decisions for you.

To find out more about the responsibilities of the assisted person, visit [Québec.ca/assistance-measure](https://quebec.ca/assistance-measure).



Can I become an assistant for someone close to me?

To become an assistant for someone close to you, you must:

- be a person of full age (or a fully emancipated minor);
- be able to exercise your civil rights (not be under a representation measure, such as a tutorship or a homologated protection mandate);
- know the person who wants assistance (you must be a relative or someone close to them, or have an interest in them, e.g., informal caregiver, neighbour or friend);
- be available to help;
- have their interests at heart;
- respect the privacy and confidentiality of their personal information.

Neither the Curateur public nor a professional (social worker, specialized educator, notary, etc.) may act as an assistant as part of their duties.

Role and responsibilities of the assistant

Once recognized as an assistant, you must:

- intervene only upon request and for aspects identified by the assisted person;
- ensure that the assisted person understands the information and decisions communicated by third parties;
- inform the Curateur public of any change that impacts the support you provide to the assisted person.

Under specific circumstances, activity reports may be requested by the Curateur public.

Visit [Québec.ca/assistance-measure](https://quebec.ca/assistance-measure) for more details on the assistant's responsibilities and what they can and cannot do.

How can I get assistance?

The person seeking assistance and the proposed assistant must jointly submit the application for the recognition of an assistant.

There are two ways to submit an application.

Directly to the Curateur public

You can submit a free application online or print and fill out the form available at [Québec.ca/assistance-measure](https://quebec.ca/assistance-measure), and by attaching required additional documents. You can also request a form by mail.

With help from a notary or a lawyer

You can ask a lawyer or a notary to help you. After processing the request for recognition, they will send their recommendation to the Curateur public.

Expect to pay a fee if you choose this option.

And whether the application is submitted directly to the Curateur public or via a notary or a lawyer, only the Curateur public can recognize an assistant.

How to find out if a person has been recognized as an assistant?

When the application for recognition is accepted by the Curateur public, the name of the assistant is entered in the **Public register of assistants** for a maximum of three years. The various organizations with which the assistant communicates must then access this register to confirm their identity. This lets them make sure the assistant is recognized by the Curateur public.

Visit [Québec.ca/assistance-measure-register](https://quebec.ca/assistance-measure-register) to access the register.

Safety first and foremost

Prevention of abuse and potentially harmful situations for the person who wants assistance is a major concern for the Curateur public. For this reason, there are protective layers built into the recognition and role of the assistant, for example:

- criminal background check on the prospective assistant;
- notification to two people close to the person being assisted about the choice of the prospective assistant;
- written undertaking by the prospective assistant to respect the privacy of the person seeking assistance;
- written declaration by the prospective assistant that they are not in a situation of conflict of interest.

Visit [Québec.ca/assistance-measure](https://quebec.ca/assistance-measure) for find out more about these protective layers.

How can the assistance measure be ended?

The assistance measure can be terminated by notifying the Curateur public at any time, should the following occur:

- the person being assisted feels the measure no longer corresponds to their situation or they have doubts about the assistant's intentions;
- the assistant no longer wishes to fulfil their role.

The Curateur public may also terminate the assistance measure if it has reason to believe the assisted person may be at risk.

The assistance measure also ends when a tutorship is opened or when a protection mandate is homologated for the assisted person or their assistant.

For more information about the assistance measure and the processing of an application for recognition, visit [Québec.ca/assistance-measure](https://quebec.ca/assistance-measure).

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