

SCHEDULE

FORM

SUBSTITUTE DECISION MAKER FOR PROPERTY BOND

[Personal bond]

I, _____, bind myself and my successors to the Vulnerable
[name of substitute decision maker for property]
Persons' Commissioner in the sum of \$ _____.

[Bond with surety]

If one or more sureties are required, the following paragraph is substituted for the above:

WE, _____ and _____,
[name of substitute decision maker] [name of surety or sureties]
jointly and severally bind ourselves and our successors to the Vulnerable Persons' Commissioner in the
sum of \$ _____.

[AND]

THE PURPOSE OF THIS BOND is to ensure that _____,
[name of substitute decision maker]
as substitute decision maker for property of _____,
[name of vulnerable person]
performs the duties and exercises the powers of a substitute decision maker

(a) as set out in *The Vulnerable Persons Living with a Mental Disability Act* and regulations; and

(b) in accordance with his or her appointment as a substitute decision maker for property and in
accordance with the law.

The duties and powers of a substitute decision maker for property include the following:

1. To take possession and control of the real and personal property of the vulnerable person that is under the power of the substitute decision maker.
2. To manage, handle and administer the property referred to in paragraph #1.
3. To make an inventory of the property of the vulnerable person and to file an accounting of the property, debts, liabilities, receipts and disbursements of the vulnerable person in accordance with *The Vulnerable Persons Living with a Mental Disability Act* and regulations.
4. As a fiduciary, to perform the duties and exercise the functions of a substitute decision maker diligently, with honesty and integrity and in good faith, for the benefit of the vulnerable person.

[AND]

THE CONDITION OF THIS BOND is such that, if _____,
[name of substitute decision maker]
substitute decision maker for property for _____, performs the duties and exercises
[name of vulnerable person]
the powers of a substitute decision maker as set out in this Bond, then the above obligation shall be void
provided that the Vulnerable Persons' Commissioner gives his or her written approval; otherwise the
obligation shall be and remain in full force and effect.

Signatures:

Date: _____

Witness

Substitute Decision Maker

[Seal]

Date: _____

Witness

Surety

[Seal]

Date: _____

Witness

Surety

[Seal]

APPROVED:

Date: _____

Vulnerable Persons' Commissioner

AFFIDAVIT OF EXECUTION OF BOND

I, _____, of the _____ of _____ in the Province of
[name of witness]
Manitoba, _____, make oath and say:
[occupation]

1. I was present and did see the bond signed and sealed by
 - (a) _____, the party named in the bond as substitute decision maker; and/or
[name of substitute decision maker]
 - (b) _____, (and _____), the party
[name of surety] [name of surety]
(parties) named in the bond as surety (sureties).

2. I know the party (parties) so signing and am satisfied that (he/she is) (they are each) of the full age of 18 years.

3. The bond was signed and sealed by _____ on _____
[name of substitute decision maker]
_____ at the _____ of _____, in the Province of
[date]
Manitoba, and I signed the bond as a witness to the signature of _____.
[name of substitute decision maker]

[If a surety is required complete paragraph 4 below:]

4. The bond was signed and sealed by _____ (and by _____)
[name of surety] [name of surety]
_____ on _____ at the _____ of
[name of surety] [date]
_____ in the Province of Manitoba and I signed the bond as a witness to the signature of _____ (and _____).
[name of surety] [name of surety]

SWORN before me, at the _____ of _____)
 _____ in the Province of Manitoba,) [signature]
 this _____ day _____, 19____:)
 _____)
 a _____ in and for the)
 Province of Manitoba.)

AFFIDAVIT OF JUSTIFICATION BY (SURETY/SURETIES)

1. I, _____, of the _____ of _____ in the Province of Manitoba, _____, make oath and say
[occupation]

[OR]

1. WE, _____, of the _____ of _____ in the
 Province of Manitoba, _____, and _____,
 [occupation]
 of the _____ of _____ in the Province of Manitoba,
 _____, severally make oath and say
 [occupation]

that (I am/we are) the proposed (surety/sureties) on behalf of the proposed substitute
 decision maker for property of _____, a vulnerable person.
 [name of vulnerable person]

[AND]

[In the case of several sureties, the following paragraph is repeated with reference to each surety by name.]

2. I, _____, make oath and say
 [name]

(a) that my residence and occupation are correctly stated above and that value of the property that I own, including any equitable interest that I have in property, is more than \$ _____ over and above all encumbrances or charges against such property and over and above allowance for the payment of my just debts and every sum for which I am now bail or for which I am liable as surety or endorser or otherwise; and

(b) that I am of the full age of 18 years.

(c) that I am aware of the duties and powers of _____ as
 [name of substitute decision maker]
 substitute decision maker for property for _____
 [name of vulnerable person]
 under *The Vulnerable Persons Living with a Mental Disability Act* and regulations.

(d) that I am aware that in the event that _____
 [name of substitute decision maker]
 defaults in the performance of any of his or her duties or powers I may be held liable for any resulting loss or damage up to _____
 [amount of bond]

The above-named (surety/sureties))	_____
were sworn before me, at the _____)	[signature of surety]
of _____ in the Province of)	[Name of surety]
Manitoba, this _____ day _____, 19__:)	
_____)	_____
a _____ in)	[signature of surety]
and for the Province of Manitoba.)	[Name of surety]