C U P A R U C

newsletter of the concordia university pensioners association

bulletin de nouvelles de l'association des retraité(e)s de l'université concordia

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PRESIDENT'S MESSAGE

The University, as well as outside organizations, often asks CUPA to find seniors to volunteer in community projects (such as the Senior VIP of the Concordia Psychology Department, or the Coalition of Quebec Seniors, etc.). At our meetings and through CUPARUC we announce these opportunities to our members. CUPA seems to be filling in a rôle of becoming a centre for the dissemination of these offers, which is well in keeping with its objectives.

Many University employees retired during 1995, and to find out whether CUPA provides interesting programmes to all its members and to know more about the retirement experience, your Executive has decided to launch a second survey in 1996.

Our speaker at the Annual General Meeting in April will be the Rector, Dr. Frederick Lowy, who has graciously accepted our invitation. He is interested in meeting University employees who were here during the years of great expansion and growth.

I hope that you had a very pleasant holiday and I sincerely wish you good health and happiness for the New Year.

Jean-Pierre Pétolas

MOT DU PRÉSIDENT

L'Université, ainsi que certains organismes de l'extérieur nous demande souvent de trouver des volontaires pour des projets communautaires (tel le projet de recherche *Senior VIP* du département de psychologie de l'Université, la Coalition des Aînés du Québec, etc.) Nous annonçons ces offres durant nos réunions et aussi dans notre bulletin CUPARUC. Il semble que l'ARUC devient un centre de dissémination de ces occasions pour nos membres, ce qui est bien en conformité avec ses objectifs.

Bon nombre d'employés de l'Université ont pris leur retraite en 1995 et le Comité exécutif a décidé de lancer een 1996 un second sondage pour en savoir davantage sur l'expérience de la retraite de notre groupe et aussi s'il est nécessaire d'effectuer des changements dans nos programmes pour qu'ils demeurent intéressants.

Notre invité lors de l'assemblée générale annuelle au mois d'avril sera le recteur, le docteur Frederick Lowy, qui a cordialement accepté notre invitation et qui s'intéresse à rencontrer les anciens employés de l'Université qui y travaillaient pendant les années de grande expansion.

J'espère que vous avez passé de bonnes vacances de Noël et je vous souhaite une nouvelle année remplie de bonne santé et de joie.

Jean-Pierre Pétolas

WILLS AND ESTATE-PLANNING

by Emanuela Barbato and Caroline Simard

(Transcription in summary form of a presentation by Emanuela Barbato, Senior Trust Officer, and Caroline Simard, Manager, Business Development, both of the CIBC Trust, at the October 24, 1995 meeting of the Association. Both guests are Concordia graduates. Their presentation dealt specifically with the Will, the Liquidator - the new Quebec term for Executor - Estate Distribution and some of the legal and tax issues involved in the Estate-planning process. Understandably, the presentation is related specifically to the situation in Quebec, but members residing in other provinces will find the general thrust of the presentation useful and are encouraged, if they have not already done so, to pursue the matter in their respective jurisdictions. About 50% of Canadians do not have a Will and, of those that do have a Will, over 50% of their Wills are not properly done or result in the individual being partially intestate).

The Will is a written document which states the deceased's intentions for the distribution of assets in a timely and efficient manner. A Will provides control over asset distribution, minimizes taxes, provides for an efficient settlement of the Estate, and names Guardians in the event younger children are left behind. A Will should be updated any time there is a change in personal circumstances, such as getting married or remarried, separated or divorced, acquiring new dependents, a major change in assets, changes in business arrangements, or when there is a change in legislation (such as the recent change to the Quebec Civil Code). An individual who dies without a Will is deemed to be "intestate"; the Provincial law determines how the Estate is to be distributed and the beneficiaries become the Administrators of the Estate. The law also states how and in what proportion the Estate is to be distributed under these circumstances.

There are three different types of Will in Quebec: the Holograph Will, a hand-written document which does not have to be witnessed, the English Form Will, typewritten, signed by the originator and two witnesses (the type usually drawn up by lawyers) and the Notarial Will (specific to Quebec) drawn up in front of a Notary, and registered with the Chamber of Notaries. This last is the most advantageous form of Will under the new Civil Code. The advantage of a Notarial Will under the new Civil Code is that, while the other forms of Wills have to be probated, the Notarial Will does not. Under the new Civil Code the probate process, designed to ensure that the document presented is in fact the Last Will and Testament of the deceased, and that all potential beneficiaries are advised of the fact that the Will is being read, can be a long and costly process, during which all assets and transactions of the Estate are frozen. This is the reason why one should consider getting a Notarial Will.

The Liquidator (formerly called the Executor) is the person or corporation designated to put the Estate plan (Will) into action. The duties of the Liquidator have become more cumbersome under the new Civil Code. These duties include: interpreting the Will; assuming responsibility for the management and administration of the assets; dealing with financial and tax issues; distributing the Estate according to the requirements of the Will; if required, maintaining on-going management of the Estate (e.g. in the case of a testamentary trust); preparing Federal and Provincial tax returns. The Liquidator must be available; must be experienced (i.e. have some idea of the laws involved and of investments, etc.); be financially responsible; and be impartial. A trust company is the only corporate body that can be named as a Liquidator. It can be named as the "Sole Liquidator" (as the agent for the Liquidator); or as a "Co-liquidator" (with a member of the family); or as a "Contingent Liquidator" (in the event that both spouses, named as executors, die at the same time).

Estate distribution can be done in two ways: outright distribution (where the assets are transferred directly to those named in the Will; or through a Testamentary Trust (where a trust fund is set up with the assets which are transferred after certain conditions have been met, - e.g. when a minor reaches a certain age). Testamentary Trusts are usually established to protect children (providing for their care and

guardianship), adults, (spousal trusts), spendthrift, incapacitated or dependent individuals. The on-going management of a Testamentary Trust involves investment management, asset administration and tax return preparation. Trustees can also be given discretion to deal with asset income and the power to encroach upon the capital. Trusts may last for two generations before they have to be liquidated (and become taxable). Liquidators and Trustees can be the same persons.

Regarding other legal and tax implications, there is no estate or succession tax in Canada or the Provinces (as yet). However, capital gains taxes apply since the assets are deemed to be disposed of at fair market value at death. Spousal trusts can defer capital gains taxes in certain circumstances. US Estate Tax will apply to US-held assets and will be based upon total US assets held. No tax is payable in the US by a non-resident on the first $60,000 of assets, but an increasing amount will be charge on the excess, up to a 26% tax rate.

The Mandate is a separate document from the Will and provides an individual with the opportunity to designate someone to take over decision-making responsibilities in the event of mental incapacity. If a Mandate does not exist, the Public Curator's Office will take over the administration of the assets of that individual. One person or a group (e.g. Family Council) or even a Trust Company can be designated as a Mandatary. Mandates can be changed at any time should circumstances change. The Mandate has to be probated (i.e. to "prove" the mental incapacity) in order to come into effect.

The Power of Attorney is another document which the individual draws up to designate someone, deemed trustworthy, to take over certain asset and fiscal responsibilities in the event of physical incapacity. These powers can be granted or taken away as the individual wishes, since mental incapacity is not involved. A Notary can draw up both a Mandate and a Power of Attorney in one document.

The fees charged by the Trust Company to act as a Liquidator can be from 2 to 4% of the Estate (a one-time fee). However, under the new Civil Code, anyone designated as a Liquidator has the right to charge the normal professional fee unless a fee is specifically stated or forbidden in the Will.

The naming of individuals as Liquidators, Mandataries, or as having Powers of Attorney should be reviewed frequently, in order to ensure that those so designated still have the competence, capability and facility to carry out their duties. This is one of the factors favouring designating a trust company in these circumstances, since they offer continuity, professional asset management, flexibility, financial protection (ordinarily being backed-up by a bank) and have the necessary resources to carry out these duties in an impartial manner.

SENIOR VIP

by Ashley McGain

The Senior Volunteer Involvement Project is a three-year study, conducted by Concordia University and funded by Health Canada. It is actively seeking retired seniors, fifty-five and over, who are not currently involved in volunteering, to participate in this exciting project.

New volunteers will be interviewed to determine their skills, interests and goals so that they can be linked to the volunteer positions most suitable for them. Volunteers will be able to choose from a wide range of job opportunities which are listed in a Job Bank Register. This Register now contains over 200 job opportunities, with more being added each week. The number of these volunteer positions, provided by various hospitals, rehab. centres, social agencies, schools and non-profit community-service

organizations is expected to approach 300. Individual positions include: pre-school assistant, volunteer listener with a crisis line, visiting patients in a palliative care unit and office assistant, to name but a few.

Volunteers are required to devote a minimum of three hours per week for six months to the agency or organization to which they will be assigned. During this period volunteer counsellors will be available to provide on-going support. As the Senior VIP is a research study, all participants must agree to complete several questionnaires at designated times.

With the much-appreciated co-operation of the media, press and radio, and word of mouth, over 70 of the goal of 100 prospective volunteers have been recruited. Interviews and questionnaires are on-going and actual placement of volunteers after a three-month waiting period began in mid-October.

In addition to providing invaluable research data, this study will benefit the volunteers by providing them with challenging positions in which their skills may be fully realized. It will also benefit the community at large by providing a carefully-screened source of willing and capable volunteers.

(for more information, call 848-2258)

POETS' CORNER

Paul Widdows, retired Professor of Classics, has just had re-printed in the Essential Poets Series (Guernica, Toronto/New York) his translation of selected poems by the Quebec poet Emile Nelligan, who dazzled the Montreal literary scene for only two years (1897-99) before losing his reason. The following is Paul's translation of "Devant deux portraits de ma mère":

Before two portraits of my mother

I love my mother's portrait as she once
Was painted in her girlhood's glorious prime;
The forehead lily-white, the eyes that shine
With a Venetian mirror's brilliance!

Her other picture is a world away;
Wrinkles have ploughed the marble of her brow;
Lost is romance's rapture, distant now
The Rose-red poem of her wedding-day.

It saddens me today as I compare;
This brow haloed with joy, and that with care;
Gold sun, and thick mist at the year's eclipse.

But O unfathomed mystery of the heart!
How can I smile at those poor faded lips?
How for the smiling face can teardrops start?

COMINGS AND GOINGS / VA-ET-VIENT

Welcome to the following new members, who have joined us since the last number of CUPARUC / *Bienvenue à ceux et celles qui sont devenus membres depuis la dernière livraison de CUPARUC*:

Joyce Barclay, Paulette Bird, Nicki Bulzan, Pierre Chevrier, Benito Citton, Athanasios Christodopoulos, Fausta DeSouza, June Duncan, John Johnstone, Muriel McCullough, Gaétan Montplaisir, Arthur Noseworthy, Pat Oelmann, Lloyd Parsons, Yvon Perret, Philomène Prince, Sharon Lee Reynolds, John Rossner, Wayne Spears, Henri Thériault, Louise Wing, John Yelle.

We regret to anounce the deaths of / *Nous regrettons d'annoncer le décès de*:

Harvey Mann, Rollande Paquette.

Michael Sheldon, a founding and active member of the Association, has moved to be with his daughter in Victoria, B.C.

WE GET LETTERS .....AT LAST !

(After repeated appeals for voluntary contributions, we actually got three this time - let's hear from more of you! - Ed.)

From **Peg MacMurray**, who lives in Toronto, but regularly travels to Montreal to attend CUPA meetings:

"I am so sorry not to be at the meeting this month - I just dropped at Belmont House 6 months ago and broke my hip and fractured my femur (top of my leg). So sudden and so severe. Do hope I recover in a few months."

From **Alexa Parkin**, who carries the torch for CUPA in Nova Scotia:

"We are still renovating, gardening and keeping busy in this peaceful corner of the world. Nova Scotia is struggling with its debt, as are most of the other provinces, and health care us certainly undergoing changes. For the last three years the seniors have had to pay 20% of every prescription up to a $400 maximum. Now we will have to take out Pharmacare Insurance, which will cost each senior $215 per year plus pay 20% of every prescription charge up to a $200 yearly maximum. One can opt out if one has a private insurance plan, but there seems to be a possible plan of cutting one off the government plan altogether if that choice is made. If you get the supplement, etc. you are exempt from this charge. Slowly, slowly the value of one's pension is being eroded with all these extra little charges. Still, Quebec has its own problems and we wish you well in the referendum - it affects us all.

"Please give my regards to one and all. There soon will not be too many old friends still on the workforce there, as the early retirement packages keep being offered."

From **George Snowball** (Gloucester, England):

"I enjoyed Libby's contribution on lawn bowls in the last bulletin. I am still playing, and won the club's "Geriatric" Pairs. Also was in the club's North Gloucester League championship team."

NEXT MEETING

THE ANNUAL GENERAL MEETING WILL TAKE PLACE ON **WEDNESDAY APRIL 24, 1996** AT 10.00 A.M. IN THE SGW FACULTY CLUB LOUNGE.

THE GUEST SPEAKER WILL BE THE NEW RECTOR, **DR. FREDERICK LOWY**.

PROCHAINE RÉUNION

L'ASSEMBLÉE GÉNÉRALE ANNUELLE AURA LIEU LE **MERCREDI 24 AVRIL, 1996** À 10H00 DANS LA GRANDE SALLE DU SGW FACULTY CLUB.

L'INVITÉ SERA LE NOUVEAU RECTEUR, **LE DR. FREDERICK. LOWY**

SUMMARY OF THE MEETING OF OCTOBER 24, 1995

1. A summary of the excellent presentation on Wills and Estate-planning by the guest speakers, Ms. Emanuela Barbato and Ms. Caroline Simard, will be found elsewhere in this newsletter.

2. Muriel Armstrong, the retirees' representative on the Pensions and Benefits Committees of the University, reported on the decision to implement annual indexing of pensions and on the minor increase in the health insurance premiums. *(Details have since been sent by the University to all retirees involved - Ed.).* She also warned that the recent influx of early retirements might be expected to cause a greater demand for reimbursement of prescriptions by the retired group, since these are not covered by Medicare until age 65. There had been no further movement on the Dental/Vision Care plan, on the production of an updated health benefits booklet or on access to the Internet.

3. Geoff Adams reported for the Programmes Committee on a successful visit to the IMAX theatre and a forthcoming visit to the Centaur Theatre, with plans for a bowling party, a visit to the Casino and a sugaring-off party.

4. The Secretary-Treasurer, John Hall, presented a Statement of Income and Expenses for the fiscal year June 1, 1994 to May 31, 1995. It indiucated an opening balance of $1568.84, with total expenditures during the year of $2287.09 and total revenues of $3058.00, leaving a total closing balance of

RÉSUMÉ DE LA RÉUNION DU 24 OCTOBRE, 1995

1. Un résumé de l'excellente présentation sur les testaments et la planification successorale faite par les invitées, Mmes Emanuela Barbato et Caroline Simard, se trouve ailleurs dans ce bulletin.

2. Muriel Armstrong, représentante des retraité(e)s auprès du comité de retraite et du comité des avantages sociaux de l'Université parla de la décision d'instituer une indexation annuelle des prestations de retraite, et de l'augmentation marginale des primes de l'assurance maladie. *(Les détails ont été communiqués depuis à tous les intéressés par l'Université - NDLR).* Elle a aussi averti les membres que le nombre croissant des retraites anticipées pourrait augmenter la demande de remboursement du coût des ordonnances de la part des retraité(e)s comme groupe, puisque celles-ci ne sont couvertes par le régime d'état qu'à partir de l'âge de 65 ans. Il n'y avait rien à signaler quant au dossier Soins visuels et dentaires, quant à la révision de la brochure portant sur le Régime d'assurance-santé, ni quant à l'accès à l'Internet.

3. Geoff Adams, au nom du Comité des activités parla d'une visite très réussie au théâtre IMAX et d'une visite prochaine au théâtre Centaur, ainsi que de projets d'un parti de quilles, d'une visite au Casino et d'un parti de sucre.

4. Le Secrétaire-Trésorier, John Hall, présenta les états financiers de l'exercice 1er juin 1994 au 31 mai 1995. L'avoir au début de l'exercice était de 1568,84$, les dépenses de l'exercice étant de 2287,09$, le revenu étant de 3058,00$ et le bilan de fin d'exercice étant de 2364,33$. Depuis la réunion d'avril, il y avait eu 28

$2364.33. Since the April meeting there had been 28 new members and 2 deaths. Membership now stood at 256 - the first time that it has exceeded 250.

5. Geoff Adams reported on behalf of the Coalition of Quebec Seniors that he had, over the summer, presided over a committee whose mandate it was to develop a comprehensive report on such things as pensions, health and housing, as they affect seniors. When the Coalition is faced with pressures from one government or another, they will thus have a set of principles or a position from which to take a stand in order to defend the rights of seniors in these three vital areas. He also noted that the "Informaction" project, to develop and provide a data-base of information for and about seniors, to which seniors would have access, has now used up its start-up grant of $100,000 from the Federal Government, and is in need of funding to continue its work. Its next step is to provide training-sessions for seniors on the Internet in order to obtain and share information. It was decided that the Association should make a one-shot donation of $100 to the "Informaction" project.

6. The Chair drew attention to a request from the "Senior VIP (Volunteer Involvement Project)". *(Content of this request will be found in a report from Ashley McGain elsewhere in this newsletter - Ed.)* He also suggested that it might be time to launch a new survey of our members to determine what changes, if any, have occurred in their interests and expectations, and how CUPA can best serve them, and vice-versa.

7. John Hall announced that the Annual Luncheon would take place in the Loyola Faculty Club Dining Room on Thursday, December 14.

8. Geoff Adams was appointed to chair a nominating committee to fill the vacancies on the Executive resulting from the completion of the terms of Dagmar Brodie-McDougall and Stan Kubina in May 1996.

9. Muriel Armstrong was nominated as representative of the non-active members on

nouvelles adhésions et deux décès. Le nombre des membres se chiffre maintenant à 256 - la première fois qu'il a dépassé 250.

5. Au sujet de la Coalition des Aînés du Québec, Geoff Adams rapporta que pendant l'été il avait présidé un comité dont le mandat était de préparer une vue d'ensemble sur des questions qui concernent particulièrement les aînés - les fonds de retraite, la santé, le logement. La Coalition disposera donc, devant des pressions gouvernementales, de certains principes permettant de prendre position afin de défendre les droits des aînés dans ces trois domaines essentiels. Il annonça également que le projet "Informaction", dont le but était de développer et de rendre disponible une base de données portant sur les aînés, à laquelle ceux-ci auraient accès, avait épuisé la subvention de démarrage de 100.000$, non-renouvelable, que le gouvernement fédéral lui avait accordée, de sorte qu'il lui fallait trouver de l'argent afin de poursuivre ses travaux. Comme prochaine étape, des cours d'entrainement à l'usage de l'Internet seraient offerts aux aînés afin qu'ils obtiennent des renseignements et les mettent en commun. Il fut décidé que l'Association fasse un don unique de $100 au projet "Informaction".

6. Le Président attira l'attention des membres sur une demande en provenance du "Senior VIP (Volunteer Involvement Project)". *(Les détails se trouvent dans un rapport soumis par Ashley McGain, qui figure ailleurs dans ce bulletin - NDLR).* Il proposa ensuite que le moment était peut-être venu de lancer une nouvelle enquête, afin d'établir à quel point les intérêts et les attentes de nos membres ont évolué, et de quelle façon l'ARUC pourrait mieux les servir, et réciproquement.

7. John Hall annonça que le dîner annuel aurait lieu dans la salle à manger du Loyola Faculty Club le jeudi 14 décembre.

8. Geoff Adams fut nommé président d'un comité des candidatures, chargé de combler les vacances résultant de l'expiration, en mai 1996, des mandats de Dagmar Brodie-McDougall et de Stan Kubina.

9. Muriel Armstrong fut nommée au poste de représentante auprès du comité de retraite et du

the Pension and Benefits Committees of the University and John Hall was nominated as alternate. *(In the absence of other nominations, the University has since confirmed these two appointments - Ed.)*

10. The Executive was asked to look into the possibility of providing a list of organizations offering senior discounts. Geoff Adams read a letter concerning special food services for seniors in the NDG-Montreal West area; details may be obtained from Libby Gardham.

comité des avantages sociaux de l'Université et John Hall fut nommé suppléant. *(En l'absence d'autres nominations, l'Université a, depuis, approuvé ces deux nominations - NDLR).*

10. L'Exécutif fut chargé d'explorer la possibilité de fournir une liste d' organismes offrant des escomptes aux personnes du troisième âge. Geoff Adams lut une lettre au sujet de services alimentaires destinés aux aînés dans la région NDG-Montréal Ouest; s'adresser à Libby Gardham pour de plus amples renseignements.

CUPA / ARUC 1995-1996

President / *Président*	**Jean-Pierre Pétolas**
Past President / *Président sortant*	**Jim Whitelaw**
Vice-president / *Vice-président*	**Geoff Adams**
Secretary-Treasurer / *Secrétaire-trésorier*	**John Hall**
Members-at-large / *Membres généraux*	**Bill Cozens**
	Bruce English
	Stan Kubina
	Dagmar McDougall
Representative of non-active members on the Pension and Benefits Committees / *Représentante des membres non-actifs auprès du Comité de retraite et du Comité des avantages sociaux*	**Muriel Armstrong**
Alternate / *suppléant*	**John Hall**

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