CQTS-Blais Tobacco Class Action

Explanatory Guide Regarding Missing Information and Documents



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Instructions

Proactio's main role is to help members of the CQTS-Blais Tobacco Class Action prepare their claim file and submit it to the administrator.

We therefore analyze your file to ensure that it meets the requirements before submitting it to the Claims Administrator.

You may have already received, or will receive, an email detailing the issues we have identified in your file. The issues may be listed as keywords.

The present document explains the various issues and what we expect from you once we have brought them to your attention.

IMPORTANT: If we request that you send us an email to provide information, please include the Proactio file number, beginning with CAS, in your email so that we can process your message.

If you don't want to read the entire document, you can scroll down to the sections that apply to you. Each section of the document covers a specific issue.

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List of Issues

Issues regarding the contact person

The contact person is the individual listed as the point of contact in the tobacco-victim's file.

This may be the victim themself or a representative of the tobacco-victim.

Where the file relates to an estate, the contact person is either a liquidator of the tobacco-victim's estate, an heir or the representative of an heir.

1. Incorrect or incomplete mailing address

Explanation:

This means that the contact person's apartment number is missing or that there is an error in the address.

What we require:

Please email us to confirm the contact person's full address, including the apartment number where applicable.

2. Contact details to be verified

Explanation:

This means that the contact person's details are missing, incomplete or contain an error.

The issue could pertain to:

- The cellphone number;
- The home or office telephone number;
- The victim's date of birth;
- The contact person's date of birth (if the contact person is not the victim);
- The health insurance number (NAM) of the tobacco-victim.

What we require:

Please confirm the requested personal information by email.

If it is not specified which personal information is covered by the request, please confirm each of the points listed in the box above.

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3. Invalid email address

Explanation:

This means that we tried to send you an email at some point, but the email was undeliverable.

What we require:

If you have received an email regarding this issue, it is likely that the problem has now been resolved. Please confirm the email address that the contact person is currently using.

Issues regarding eligibility criteria

4. Proof of diagnosis needed

Explanation:

This means that our team has found no confirmation of a diagnosis received **before March 12, 2012,** in the MSSS or RAMQ records. A proof of diagnosis is therefore required.

As a reminder, the victim must have been diagnosed before March 12, 2012, with one of the following compensable diseases:

- Primary lung cancer;
- Primary squamous cell cancer of the throat (larynx, oropharynx or hypopharynx);
- Emphysema or COPD GOLD Grade III (severe) or GOLD Grade IV (very severe).

What we require:

Please provide a proof of diagnosis.

Use one of the forms developed in collaboration with Santé Québec to facilitate requests for proof of diagnosis from healthcare institutions:

- *Request for medical records – Tobacco-Victim*
- *Request for medical records – Estate*

If you are a tobacco-victim, you may also complete the following form with your physician: *Physician Form*.

If you have already submitted a request to the Archives Department, you may ignore this reminder. No follow-up is needed on your part, and our team will contact you as soon as we receive your medical records.

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5. Alternative proof to be verified

Explanation:

This means that one of our agents needs to verify a proof of diagnosis that was provided in your file.

What we require:

No action is required on your part regarding this matter.

6. No diagnosis declared

Explanation:

This means that you have not specified which disease the tobacco-victim was diagnosed with nor the approximate diagnosis date.

As a reminder, the victim must have been diagnosed before March 12, 2012, with one of the following compensable diseases:

- Primary lung cancer;
- Primary squamous cell cancer of the throat (larynx, oropharynx or hypopharynx);
- Emphysema or COPD GOLD Grade III (severe) or GOLD Grade IV (very severe).

What we require:

Please email us to confirm which disease the tobacco-victim was diagnosed with and the diagnosis date. The date may be approximate.

7. Inconsistency between smoking start date and period 1 start date

Explanation:

This means that there is a discrepancy in your statements regarding when the tobacco-victim first started smoking Canadian cigarettes.

During registration, there was a choice between:

- The victim started smoking before January 1, 1976, or;
- The victim started smoking on or after January 1, 1976.

You were also required to describe the smoking history by periods. This is an example of smoking history:

- Period 1: from 1970 to 1974 = 20 cigarettes per day;
- Period 2: from 1975 to 1998 = 25 cigarettes per day.

If we raised the issue of "Inconsistency between smoking start date and period 1 start date," this is because the year indicated as the start of the first period does not match the statement regarding when the victim started smoking Canadian cigarettes.

The following is an example of inconsistency:

- The victim started smoking before January 1, 1976; and
- Period 1: from 1977 to 1998 = 20 cigarettes per day.

Indeed, it is not possible to state that tobacco consumption began before 1976 when the first year stated is later, in this case 1977.

What we require:

Please confirm the tobacco-victim's smoking history, following the instructions below:

- **Describe tobacco consumption by calendar year period(s), for example, "from 1960 to 1978."**
- **Indicate up to five different periods of consumption and omit any years in which no cigarettes were smoked.**
- **Do not count cigarettes smoked before January 1, 1950, or after November 20, 1998.**
- **Indicate the average number of cigarettes smoked per day, to the best of your knowledge.**

In summary, please complete the following table and send us the results by email:

- Period 1: from ___ to ___ = ___ cigarettes per day;
- Period 2: from ___ to ___ = ___ cigarettes per day;
- Period 3: from ___ to ___ = ___ cigarettes per day;
- Period 4: from ___ to ___ = ___ cigarettes per day;
- Period 5: from ___ to ___ = ___ cigarettes per day.

We will then be able to determine in which year the tobacco-victim began smoking Canadian cigarettes.

8. Smoking history clarification

Explanation:

This means that we are unable to calculate the number of cigarettes that the tobacco-victim smoked between January 1, 1950, and November 20, 1988.

What we require:

Please confirm the tobacco-victim's smoking history, following the instructions below:

- Describe tobacco consumption by calendar year period(s), for example, "from 1960 to 1978."
- Indicate up to five different periods of consumption and omit any years in which no cigarettes were smoked.
- Do not count cigarettes smoked before January 1, 1950, or after November 20, 1998.
- Indicate the average number of cigarettes smoked per day, to the best of your knowledge.

In summary, please complete the following table and send us the results by email:

- Period 1: from ___ to ___ = ___ cigarettes per day;
- Period 2: from ___ to ___ = ___ cigarettes per day;
- Period 3: from ___ to ___ = ___ cigarettes per day;
- Period 4: from ___ to ___ = ___ cigarettes per day;
- Period 5: from ___ to ___ = ___ cigarettes per day.

We will then be able to update the smoking history in your file.

9. Threshold not met

Explanation:

This means that, when we calculate the number of Canadian cigarettes smoked by the tobacco-victim between January 1, 1950, and November 20, 1998, the total does not reach the threshold of 87,600 cigarettes.

What we require:

Please confirm the tobacco-victim's smoking history, by email, following the instructions below:

- Describe tobacco consumption by calendar year period(s), for example, "from 1960 to 1978."
- Indicate up to five different periods of consumption and omit any years in which no cigarettes were smoked.
- Do not count cigarettes smoked before January 1, 1950, or after November 20, 1998.
- Indicate the average number of cigarettes smoked per day, to the best of your knowledge.

In summary, please complete the following table and send us the results by email:

- Period 1: from ___ to ___ = ___ cigarettes per day;
- Period 2: from ___ to ___ = ___ cigarettes per day;
- Period 3: from ___ to ___ = ___ cigarettes per day;
- Period 4: from ___ to ___ = ___ cigarettes per day;
- Period 5: from ___ to ___ = ___ cigarettes per day.

We will then be able to recalculate the number of Canadian cigarettes smoked between January 1, 1950, and November 20, 1998.

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10. All brands selected

Explanation:

This means that you have selected all cigarette brands available in Canada between January 1, 1950, and November 20, 1998.

What we require:

Please confirm by email, to the best of your knowledge, the names of the Canadian cigarette brands smoked by the tobacco-victim.

The cigarette brands sold by Imperial Tobacco, RBH or JTI-MacDonald between January 1, 1950, and November 20, 1998, were the following:

- Accord;
- B&H;
- Belmont;
- Belvedere;
- Camel;
- Cameo;
- Craven "A";
- Craven "M";
- Du Maurier;
- Dunhill;
- Export;
- LD;
- Macdonald;
- Mark Ten;
- Matinée;
- Medallion;
- More;
- North American Spirit;
- Number 7;
- Peter Jackson;
- Player's;
- Rothmans;
- Vantage;
- Viscount;
- Winston.

These brands include all their sub-brands, such as John Player's Special or Rothmans Special.

11. Other brands selected

Explanation:

This means that you have indicated that the tobacco-victim smoked a brand of cigarettes that was not sold in Canada between January 1, 1950, and November 20, 1998.

What we require:

Please confirm by email, to the best of your knowledge, the names of the Canadian cigarette brands smoked by the tobacco-victim.

The cigarette brands sold by Imperial Tobacco, RBH or JTI-MacDonald between January 1, 1950, and November 20, 1998, were the following:

- Accord;
- B&H;
- Belmont;
- Belvedere;
- Camel;
- Cameo;
- Craven "A";
- Craven "M";
- Du Maurier;
- Dunhill;
- Export;
- LD;
- Macdonald;
- Mark Ten;
- Matinée;
- Medallion;
- More;
- North American Spirit;
- Number 7;
- Peter Jackson;
- Player's;
- Rothmans;
- Vantage;
- Viscount;
- Winston.

These brands include all their sub-brands, such as John Player's Special or Rothmans Special.

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12. Change of residence

Explanation:

This means that you have indicated that the tobacco-victim did not reside continuously in Quebec between 1950 and 1998.

What we require:

Please provide us with details of the tobacco-victim's changes of residence, to the best of your knowledge. Please specify the years as well as the countries or provinces concerned.

Example of a valid response: the tobacco-victim resided in France from 1947 (year of birth) to 1956, then resided in Canada (Ontario) from 1957 to 1976, and has resided in Canada (Quebec) from 1977 to the present day.

13. Residence in Quebec to be verified

Explanation:

This means that, if the tobacco-victim is still alive, you have indicated that they do not currently reside in Quebec.

Or this could mean that, if the tobacco-victim is deceased, you have indicated they were not residing in Quebec at the time of their death.

What we require:

If the tobacco-victim is still alive, please confirm by email their full residential address, including the apartment number where applicable.

If the tobacco-victim is deceased, please confirm by email the country and province of residence at the time of their death. Example of a valid response: the tobacco-victim was a resident of Quebec (Canada) at the time of their death.

Issues regarding the form of a document (illegible, incomplete or non-compliant)

Before submitting your claim to the Claims Administrator, we will review the documents you have sent us to ensure they are legible, complete and compliant.

14. Illegible document

Explanation:

This means that our team is unable to view or read the document in its entirety. A document may be considered illegible for several reasons:

- The document is blurred;
- A section of the document is missing;
- Parts of the page(s) are cut off;

- One or several pages are missing;
- The document must be enlarged excessively on screen to be read properly.

In order for us to prepare a file that complies with the requirements, we need documents that are "legible" and "complete."

What we require:

Please scan the document again or take new photos. The same document must not be resubmitted to us if it has been deemed illegible.

Please read the following instructions before submitting any documents to us:

- You may scan your document or take a photograph. If you take a photograph, place the document flat on a table and ensure that your device is positioned at an appropriate angle so that all the text is clearly visible.
- Please ensure that the scan or image quality is sufficient for the entire document to be read clearly;
- Please ensure that each page is fully visible. If any pages are missing, or if the top, bottom or side of a page is cut off, the document will be considered incomplete.

15. Incomplete document

Explanation:

This means that we have received the correct document, but that some pages are missing.

What we require:

Please scan the entire document again or take new photos of each page of the document.

Please read the following instructions before submitting any documents to us:

- You may scan your document or take a photograph. If you take a photograph, place the document flat on a table and ensure that your device is positioned at an appropriate angle so that all the text is clearly visible.
- Please ensure that the scan or image quality is sufficient for the entire document to be read clearly;
- Please ensure that each page is fully visible. If any pages are missing, or if the top, bottom or side of a page is cut off, the document will be considered incomplete.

16. Non-compliant document

Explanation:

This means that the document does not meet the applicable requirements.

The criteria for compliance vary depending on the type of document provided.

For a **proof of death**, the document does not meet the requirements if it is:

- a photograph of a tombstone;
- an obituary published in a newspaper or online;
- a memorial bookmark.

For a **will search certificate**, the document does not meet the requirements if it:

- states that the official certificate will be sent by mail;
- states that the search is "provisional" rather than "final";
- specifies a search or classification date that does not extend at least up to the date of death;
- has not been officially issued by the Chambre des notaires du Québec or the Barreau du Québec.

For a **notarized document (for example, a will)**, the document does not meet the requirements if it:

- does not bear a seal;
- does not include the words "certified true copy" accompanied by the notary's signature beneath the words "certified true copy."

If the notarized document was obtained from the courthouse, the "certified true copy" stamp and the court clerk's signature must appear on the document.

For a **document originating from outside of Canada and written in a language other than French or English**, the document does not meet the requirements unless there is an accompanying translation into French or English carried out by a professional translator who is a member of the *Ordre des traducteurs, terminologues et interprètes agréés du Québec (OTTIAQ)*. The translation must be complete and faithful to the original document.

Furthermore, when we request a document for a specific individual, you must provide a document relating to that person. A document relating to another person will not be accepted.

What we require:

Please send us a certified document that meets the requirements set out above.

To request an official Death Certificate: Certificates and copies of acts.

To request a Will Search Certificate: Search in the Quebec registers of wills and mandates.

To request a copy of a notarial will, contact the notary who signed the notarial deed so that they can issue a new copy to you. If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page. If you don't know the notary's name, recent will searches will indicate the document holder.

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Issues regarding proof of representation

A representative can act on behalf of a person when the person who is required to sign the claim form is unable to do so themselves and therefore requires another person to act on their behalf.

If you are simply helping someone (for example, because they have difficulty with a computer or technology), but they will sign the form themselves, you are not acting as a representative, nor should you be designated as the contact person on file.

17. Proof of representation needed

Explanation:

This means that you are listed in the file as the representative of the tobacco-victim or of an heir and, therefore, as the signatory of the claim form.

What we require:

If you are simply helping the person and you will not sign the claim form on their behalf, please let us know by email so that we can update the file accordingly.

If a **person who is capable** wishes you to act on their behalf, please send us a **power of attorney**.

If you already have a notarized general power of attorney, please send it to us. Otherwise, you may draw up a power of attorney without consulting a notary, but it must include all the following elements:

- The date of signature;
- The name and address of the principal (the person granting power of attorney to another);
- The name and address of the attorney (the person authorized to act);
- A description of the attorney's powers (for example, "I authorize my attorney to share information and respond to any enquiries on my behalf in relation to the class action against the tobacco companies, and to sign, on my behalf, any document relating to the class action. In particular, they may sign, on my behalf, the affidavit in connection with my claim.");
- The principal's signature.

To represent a **person who is incapacitated**, we need:

- a court order establishing tutorship; or
- a court order homologating the protection mandate accompanied by the protection mandate in anticipation of incapacity.

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18. Protection mandate is missing

Explanation:

This means that a court order homologating the protection mandate in anticipation of incapacity was provided, but we have not received a copy of the mandate.

What we require:

Please send us a copy of the protection mandate in anticipation of incapacity.

19. Court order homologating the protection mandate is missing

Explanation:

This means that a protection mandate in anticipation of incapacity was provided, but we have not received the proof of homologation allowing us to use it.

What we require:

Please send us the court order homologating the protection mandate in anticipation of incapacity. This is a mandatory document required in order to use the protection mandate.

Issues regarding an estate or heirs

Our questions may be related to the estate liquidation, the liquidator, an heir or an heir of an heir.

20. Estate classified as a victim

Explanation:

This means that we have very little information regarding the estate of the tobacco-victim and that we are unable to assess your file without further details.

What we require:

Please request a telephone appointment by sending us an email. One of our agents will contact you and ask you questions about the estate during the call.

21. Confirm that the estate is open

Explanation:

This means that we wish to confirm whether the estate is open or closed:

- The estate is **open** if the liquidator has not completed their duties, the estate's bank account is active, and the funds or assets have not yet been distributed to the heirs;
- The estate is **closed** if the liquidator has completed their duties, the estate's bank account has been closed, and the funds or assets have been distributed to the heirs.

What we require:

Please let us know by email whether the estate is open or closed.

22. Estate liquidator is not the contact person

Explanation:

This means that you have informed us that the estate is open, but that you are not the liquidator according to the documents in our possession.

When the estate is open, the contact person must be the liquidator.

An estate is open if the liquidator has not completed their duties, the estate's bank account is active, and the funds or assets have not yet been distributed to the heirs.

What we require:

If you are the liquidator of the estate, please send us a document confirming your appointment to this role.

If you are not the liquidator of the estate, please confirm by email that you agree with the change of contact person on file to the liquidator.

Please then provide us with the liquidator's full contact details in the email:

- First and last name(s);
- Profession or occupation;
- Language of communication;
- Date of birth;
- Relationship to the victim (e.g., spouse);
- Email address;
- Telephone number;
- Full mailing address including the postal code and, if applicable, the apartment number.

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23. Type of estate to be confirmed

Explanation:

This means we need to know how the estate is being settled. The following options are possibilities:

- by a notarial will;
- by a probated holographic or witnessed will;
- without a will, but with a marriage contract containing a testamentary clause;
- without a will or marriage contract, but with a declaration of heredity naming the heirs;
- without a will, marriage contract or declaration of heredity, in which case the heirs are determined by law.

What we require:

Please let us know by email which type of estate applies, from the options above.

24. Information regarding modification of shares is missing

Explanation:

This means that you indicated "yes" or "I don't know" on your registration form regarding whether there has been a modification of the estate shares.

An agreement or judgment modifying the inheritance shares results from an exceptional situation. This occurs when an heir challenges the will or the liquidation of the estate in court, and a judgment is handed down modifying the share distribution among the heirs.

What we require:

Please email us to confirm one of the following situations:

- "There has been no court judgment modifying the inheritance shares;"
- "A court has ordered a modification of the inheritance shares."

In the second case, please send us the court order modifying the inheritance shares.

If an agreement concerning the share distribution among heirs was signed at the time of death, please provide us with that agreement.

25. Proof of death is missing

Explanation:

This means that we have not received proof of a person's death.

What we require:

Please send us the requested official proof of death.

You can obtain it from the Directeur de l'état civil on the Certificates and copies of acts page.

26. Will search from the Chambre des notaires is missing

Explanation:

This means that we have not received the Will Search Certificate issued by the Chambre des notaires du Québec for a person.

What we require:

Please send us the requested Will Search Certificate issued by the Chambre des notaires du Québec.

You can request it via the centralized portal of the Chambre des notaires du Québec and the Barreau du Québec on the Search in the Quebec registers of wills and mandates page.

27. Will search from the Barreau du Québec is missing

Explanation:

This means that we have not received the Will Search Certificate issued by the Barreau du Québec for a person.

What we require:

Please send us the requested Will Search Certificate issued by the Barreau du Québec.

You can request it via the centralized portal of the Chambre des notaires du Québec and the Barreau du Québec on the Search in the Quebec registers of wills and mandates page.

28. Will declared is missing

Explanation:

This means that you have indicated to us that the deceased had a will, but we do not have a Will Search Certificate mentioning a will.

A will that does not appear on Will Search Certificates is generally a holographic or witnessed will.

What we require:

If there is a will:

- For a **notarial will**, please send us a certified true copy.

  It can be obtained from the notary who signed the notarial deed.

  If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.

  If you don't know the notary's name, recent will searches will indicate the document holder.

- For a **holographic or witnessed will**, please send it to us together with its **proof of probate**.

  When a will is holographic or drafted in the presence of witnesses, the law requires that it be probated before it can be used.

  This is a mandatory legal procedure. Even if, for any reason, the will was not probated at the time of death, we still need you to complete this step so that we can prepare your claim.

  Proof of probate is either the judgment granting probate or the notarial minutes of probate.

If there is no will:

- Please notify us by email so that we can update the file accordingly.
- If a **declaration of heredity** has been signed, please send us a certified true copy.

29. Will is missing

Explanation:

This means that we have not received the will of a person.

What we require:

For a **notarial will**, please send us a certified true copy.

- It can be obtained from the notary who signed the notarial deed.
- If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.
- If you don't know the notary's name, recent will searches will indicate the document holder.

For a **holographic or witnessed will**, please send it to us together with its **proof of probate.**

- When a will is holographic or drafted in the presence of witnesses, the law requires that it be probated before it can be used.
- This is a mandatory legal procedure. Even if, for any reason, the will was not probated at the time of death, we still need you to complete this step so that we can prepare your claim.
- Proof of probate is either the judgment granting probate or the notarial minutes of probate.

30. Codicil is missing

Explanation:

This means that we have not received the codicil of a person.

A codicil is a document that amends or revokes a will.

What we require:

For a **notarial codicil**, please send us a certified true copy.

- It can be obtained from the notary who signed the notarial deed.
- If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.
- If you don't know the notary's name, recent will searches will indicate the document holder.

For a **holographic or witnessed codicil**, please send it to us together with its **proof of probate.**

- When a codicil is holographic or drafted in the presence of witnesses, the law requires that it be probated before it can be used.
- This is a mandatory legal procedure. Even if, for any reason, the codicil was not probated at the time of death, we still need you to complete this step so that we can prepare your claim.
- Proof of probate is either the judgment granting probate or the notarial minutes of probate.

31. Proof of probate of will or codicil is missing

Explanation:

This means that we have not received proof of probate for a person's **holographic or witnessed** will or codicil.

When a will or codicil is holographic or drafted in the presence of witnesses, the law requires that it be **probated** before it can be used.

This is a mandatory legal procedure. Even if, for any reason, the will or codicil was not probated at the time of death, we still need you to complete this step so that we can prepare your claim.

What we require:

Please send us the proof of probate, which is either:

- the judgment granting probate; or
- the notarial minutes of probate.

32. Marriage contract is missing

Explanation:

This means that you have indicated to us that the deceased had a marriage contract containing a testamentary clause, but that we have not received the marriage contract.

What we require:

Please send us a certified true copy of the marriage contract.

It can be obtained from the notary who signed the notarial deed.

If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.

If you don't know the notary's name, recent will searches will indicate the document holder.

33. Declaration of heredity is missing

Explanation:

This means that you have indicated to us that a notarial declaration of heredity was signed following the death, but that we have not received the notarial declaration of heredity.

What we require:

Please send us a certified true copy of the declaration of heredity.

It can be obtained from the notary who signed the notarial deed.

If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.

If you don't know the notary's name, recent will searches will indicate the document holder.

34. Document appointing the liquidator is missing

Explanation:

This means that you have indicated to us that the estate is open, but that we have not received a document appointing you as the liquidator.

When the estate is open, the contact person must be the liquidator.

An estate is open if the liquidator has not completed their duties, the estate's bank account is active, and the funds or assets have not yet been distributed to the heirs.

What we require:

Please send us the deed appointing the liquidator of the estate.

If this deed has been notarized, a certified true copy can be obtained from the notary who recorded it.

If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.

If you don't know the notary's name, recent will searches will indicate the document holder.

35. Proof of renunciation from [...] is missing

Explanation:

This means that you have indicated that an heir has **renounced** their rights to the estate.

The deed of renunciation is the document by which an heir officially renounces their share of the estate. This renunciation is registered in the Register of personal and movable real rights (RDPRM) by the notary.

What we require:

Please send us a certified true copy of the notarial deed of renunciation or the results of a search in the RDPRM.

For a certified true copy of the **deed of renunciation**:

- It can be obtained from the notary who signed the notarial deed.
- If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.
- If you don't know the notary's name, recent will searches will indicate the document holder.

For the **results of a search in the RDPRM**:

1. Browse the website: RDPRM assisted search (in French only);
2. Scroll down to the "*Personne physique*" section located in the centre of the page;
3. Enter the last name, first name and date of birth of the deceased;
4. Click "*Soumettre*";
5. Pay the $13 fee by credit card;
6. Click on the entries you wish to view;
7. Save the search results and all documents (entry records) displayed onscreen, as you will have to start the process over again if you do not do so.

If you wish to search the registry, please note that it can only be done in French. For assistance from the RDPRM team in English, please go to this page: English.

We need both the search results and the entry form for the renunciation.

If the person has retracted their renunciation to the estate, please send us a certified true copy of the **notarial deed of retraction** to cancel it.

36. Deed of transfer of rights from [...] is missing

Explanation:

This means that you have indicated that an heir has **transferred** their rights to the estate to another person.

A deed of transfer of rights is a notarial document by which an heir transfers their share of the estate to another person.

What we require:

Please send us a certified true copy of the notarial deed of transfer of rights.

It can be obtained from the notary who signed the notarial deed.

If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.

If you don't know the notary's name, recent will searches will indicate the document holder.

37. Inconsistent information regarding the contact person and the heir

Explanation:

This means that your contact details as a contact person and those as an heir are not the same.

What we require:

Please confirm by email your contact information:

- Date of birth;
- Relationship to the victim (e.g., spouse);
- Email address;
- Telephone number;
- Full mailing address including the postal code and, if applicable, the apartment number.

38. Information regarding [...] to be confirmed

Explanation:

This means that information regarding an heir is missing, incomplete or appears to be incorrect.

What we require:

Please send us by email the requested information regarding this heir.

39. Information regarding the renunciation by [...] is missing

Explanation:

This means that we don't know whether the heir has renounced their rights to the estate.

A renunciation of rights to an estate is executed by signing a deed before a notary. This renunciation is registered in the Register of personal and movable real rights (RDPRM) by the notary.

This may occur, for example, where an estate is insolvent and the heirs do not wish to be liable for the debts.

What we require:

Please let us know by email if the heir has renounced their rights to the estate.

If there has been no renunciation, you don't need to provide any documents on this matter.

If there has been a renunciation, please send us a certified true copy of the notarial deed of renunciation or the results of a search in the RDPRM.

For a certified true copy of the **deed of renunciation**:

- It can be obtained from the notary who signed the notarial deed.
- If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.
- If you don't know the notary's name, recent will searches will indicate the document holder.

For the **results of a search in the RDPRM**:

1. Browse the website: RDPRM assisted search (in French only);
2. Scroll down to the "*Personne physique*" section located in the centre of the page;
3. Enter the last name, first name and date of birth of the deceased;
4. Click "*Soumettre*";
5. Pay the $13 fee by credit card;
6. Click on the entries you wish to view;
7. Save the search results and all documents (entry records) displayed onscreen, as you will have to start the process over again if you do not do so.

If you wish to search the registry, please note that it can only be done in French. For assistance from the RDPRM team in English, please go to this page: English.

We need both the search results and the entry form for the renunciation.

If the person has retracted their renunciation to the estate, please send us a certified true copy of the **notarial deed of retraction** to cancel it.

40. Information regarding the transfer of rights by [...] is missing

Explanation:

This means that we don't know whether the heir has transferred their rights to the estate.

A transfer of rights is where an heir transfers their share of the estate to another person.

This may occur, for example, when children transfer their rights to their father's estate to their mother.

What we require:

Please let us know by email if the heir has transferred their rights to the estate.

If there has been no transfer of rights, you don't need to provide any documents on this matter.

If there has been a transfer of rights, please send us a certified true copy of the notarial deed of transfer of rights.

It can be obtained from the notary who signed the notarial deed.

If the notary is no longer practising, you can find the person who holds their notarial deeds on the Chambre des notaires du Québec website under the heading "Find a notary," by entering their name on the Find a notary in private practice page.

If you don't know the notary's name, recent will searches will indicate the document holder.

41. Relationship between [...] and the tobacco-victim to be confirmed

Explanation:

This means that we don't know what the relationship was between this heir and the tobacco-victim.

What we require:

Please notify us by email regarding the relationship between the specified heir and the tobacco-victim.

Examples of valid responses include: “The heir is the child of the tobacco-victim.” or “The heir is the spouse of the tobacco-victim.”; etc.

42. Proof of a family relationship between [...] and the tobacco-victim is missing

Explanation:

This means that we have no evidence of a family relationship between the tobacco-victim and an heir.

Where heirs are not named in the will, proof of a family relationship is required for each heir. This is the case, for example, if the will states “I bequeath all my assets to my children” without identifying them by name.

What we require:

Please send us a document providing the required proof of family relationship.

A **child** can prove their family relationship with their birth certificate. If they are deceased, their death certificate is accepted as proof of a family relationship, as it states the names of their parents.

A **spouse** can prove their family relationship with a marriage contract, a marriage certificate or the death certificate of the deceased spouse.

A **brother** or **sister** can prove their family relationship with their own birth certificate, together with that of the deceased. A copy of their death certificate is also accepted as proof of a family relationship, as it states the names of their parents.

43. No heirs declared

Explanation:

This means that you have not provided us with the names of the heirs and that we are unable to identify them based on the information we have on file.

What we require:

Please email us the full contact details of each heir:

- First and last name(s);
- Date of birth;
- Date of death (if applicable);
- Relationship to the victim (e.g., spouse);
- Email address;
- Telephone number;
- Has this person renounced their rights to the estate? (“yes” or “no”);

- Has this person transferred their rights to the estate? (“yes” or “no”).

A **renunciation** of rights to an estate is executed by signing a deed before a notary. This renunciation is registered in the Register of personal and movable real rights (RDPRM) by the notary. This may occur, for example, where an estate is insolvent and the heirs do not wish to be liable for the debts.

A **transfer of rights** is where an heir transfers their share of the estate to another person. This may occur, for example, when children transfer their rights to their father’s estate to their mother.



Contact Information

If this document does not answer your questions regarding the issue identified in your case, please contact our team using the following contact information.

- Email address: *tabac@proactio.ca*

  We recommend that you contact us by email due to the high volume of calls we receive.
- Telephone number: *1-888-880-1844*
- Our agents are available to take your calls Monday to Friday, from 8 a.m. to 12 p.m. and from 1 p.m. to 4:30 p.m.
- To submit documents, please use our *Secure Filing of Your Documents* platform.