

Title:	Policy for the Management of Personal Effects of Users and Residents of the CIUSSS du Centre-Ouest-de-l'Île-de-Montréal	
Codification:	0130 02 01 00F	
Entity responsible for the application of the policy:	Human Resources, Communications, Legal Affairs and Global Security Directorate (Global Security Department)	
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Policy:	New <input checked="" type="checkbox"/>	Revised <input type="checkbox"/>
Associated procedure:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
To:	<input type="checkbox"/> Intra-directorate: Please specify the division <input type="checkbox"/> Inter-directorate: Please specify the directorates or departments involved <input type="checkbox"/> Multidisciplinary: <input type="checkbox"/> Governance and senior management <input checked="" type="checkbox"/> The entire CIUSSS du Centre-Ouest-de-l'Île-de-Montréal	

1. Scope

The present policy is intended for the staff and professionals involved in the care and services provided to users and residents of the CIUSSS du Centre-Ouest-de-l'Île-de-Montréal (hereinafter the "CIUSSS"), the staff responsible for the preservation of the personal effects entrusted to them, as well as the users and residents of the CIUSSS's facilities and their relatives. This policy applies to the personal effects of users and residents, including those entrusted for safekeeping to the CIUSSS during their stay in a hospital centre, a residential and long-term care centre, or a rehabilitation centre.

2. Reference Framework (if applicable)

Users/residents sometimes bring personal effects to the CIUSSS's facilities. The users/residents are the owners of these personal effects and remain responsible for them. The CIUSSS's obligation is limited to using prudent and diligent means to reduce the risk of breakage, loss or theft of users' personal effects according to the context and more particularly with regard to incapable users/residents. When a personal effect is deposited with the Security Department in accordance with this policy or is lost and then found, the CIUSSS will return it to the appropriate person or dispose of it in accordance with the law if the personal effect remains unclaimed. The legislative references applicable to this policy are set out in the "References" section (see section 8 below).

Effective date: 2020-12-03	Revision date: Insert the revision date, if applicable	Next revision Insert the scheduled date for the next revision
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3. Purpose

- 3.1. Ensure the sound management of the personal effects and valuables of CIUSSS users and residents that are in their possession upon arrival or that come into their possession at a later date, until the end of their stay;
- 3.2. Define the responsibilities of each of the parties involved in the application of this policy, and clearly define the limits of these responsibilities in the event of loss, disappearance, theft or breakage of personal effects;
- 3.3. Inform users and residents, as well as their relatives, of their rights and responsibilities with respect to their personal effects and valuables, as defined in this policy;
- 3.4. Reduce the risk of loss, disappearance, theft and breakage of personal effects by focusing on prevention.

4. Definition of Terms

Facility: Site where short-term health or social services or long-term care are offered and which is part of the CIUSSS du Centre-Ouest-de-l'Île-de-Montréal. A facility may include a hospital centre, a rehabilitation centre, or a residential and long-term care centre.

User: Any registered or admitted person who has received, is receiving or requires health or social services from a short-term care facility.

Incapable user: Any user who has a legal representative (tutor, curator, mandatary) or whose incapacity has been ascertained, but who does not have a legal representative and for whom a person authorized by law consents to his or her care. In the context of this policy, the notion of incapacity is assessed according to the circumstances and, in particular, according to the user's ability to take care of his or her personal effects.

Resident: Any person who has been admitted to or is receiving or requires lodging from a long-term care facility.

Valuables: Watches, jewelry, money, debit or credit cards, official documents (identification papers such as health insurance cards, driver's licenses, etc.), cell phones, purses, wallets and other similar items.

Personal effects: Any movable property (items) owned by the user/resident.

Personal effects necessary for hospitalization: Only the usual items that are essential to daily living and necessary for hospitalization, such as medications, dentures, hearing aids, glasses, contact lenses, canes, walkers, orthotics and sleep apnea devices, are considered personal effects for the purposes of this policy.

Personal effects excluded from this policy in a hospital setting because not necessary for a hospitalization: Clothing, umbrellas, large items (suitcases, electronic tablets, computers, etc.), any

other items not included in the above definitions (“valuables” and “personal effects necessary for hospitalization”). It should be noted that within the scope of this policy, these personal effects are tolerated in a residential setting and may, in certain situations, be covered by this policy.

Representative: Depending on the circumstances, the following persons are presumed to be representatives of the user or resident: the holder of parental authority, the legal representative, the mandatary, the spouse or a person proving that he or she has a special interest in the user or resident. Any reference to the user or resident within this policy is a reference to his or her representative when the user or resident is incapable, with the necessary modifications.

5. Guiding Principles

Users are responsible for their belongings and must ensure their safety.

Every health care institution has an obligation of means with respect to the protection of the valuables and personal effects of users or residents who stay or reside in one of its facilities. It must therefore take prudent and diligent means to help users/residents ensure the safety of their belongings. This is not an obligation of result or warranty.

In order to meet this obligation, the CIUSSS must provide reasonable means for users or residents to protect their personal effects and/or valuables:

- An appropriate place for users or residents to store their personal effects must therefore be set up within the CIUSSS's facilities.
- The institution must also offer users the possibility of securing their valuables. Once items have been deposited with the institution, the institution becomes responsible for them and must return them in full to the user or to the user's representative or accompanying relative duly authorized to receive them.
- The user or the user's representative (if the user is incapable) remains fully responsible for the care and safety of his or her personal effects, unless they are entrusted to the CIUSSS or removed for clinical or safety reasons.

6. Conditions of Application

As a general rule, an institution cannot be held liable for the breakage, loss or disappearance of personal effects that users or residents choose to keep with them (in their room or elsewhere) instead of giving them to a relative or storing or depositing them in the places made available to them to secure their personal effects and valuables during the period they receive care from the institution or during the period they are lodged there.

The institution is responsible for developing and implementing the directives in this policy. It must also ensure that steps are taken to publicize and enforce the policy.

The institution's staff must inform users/residents of the institution's policy for the management of valuables and personal effects of users and residents.

Furthermore, it must:

- Inform users/residents of their responsibility for the management of their belongings and provide them with the brochure "Safeguard your Belongings" (**Appendix 1**).
- Encourage users/residents to hand over their personal effects or valuables to a family member or relative.

However, if users are in a physical or mental condition that does not allow them to assume responsibility for their belongings upon registration or admission, or if users lose their ability to do so during their stay or lodging, the institution must inform their representative or relative and take diligent steps to ensure the temporary safekeeping of the belongings by storing them in a safe place until the representative or relative can recover them or until the users can assume that responsibility again.

Maximum duration of safekeeping by the institution of lost belongings that are brought to the Security Department or of property in their temporary safekeeping in the cases provided for in this policy: 1 year.¹

"Unclaimed" items (lost items that are found and handed over to the CIUSSS's Security Department and whose owner does not show up to retrieve them, or personal effects of a deceased user whose legal representatives do not show up to retrieve them):

- After the expiry of the period of temporary safekeeping of a user's or resident's belongings, the CIUSSS's Security Department must return unclaimed personal effects to the Ministère du Revenu du Québec.
- Belongings that are susceptible to deterioration may be disposed of without delay by the CIUSSS's Security Department in the manner that is most appropriate in the circumstances and according to the nature of the belongings.

¹The duration of the safekeeping may be less if the belongings are susceptible to deterioration.

7. Roles and Responsibilities

7.1 Users / residents (or their representatives if the users are incapacitated)

- They must ensure the protection of their personal effects, in particular by following security instructions and by storing their personal effects and valuables in the places made available to them by the institution unless their physical or mental state prevent them from doing so and they are not accompanied by their representative or a relative. In this case, the institution is responsible for their safekeeping in accordance with the terms set out in section 7.3, as with valuables deposited with the Security Department or the Security-Reception Department.
- They must complete and sign the “Personal Belongings and Valuables Disclaimer” form **(Appendix 2)**.
- They must dispense with as many valuables and personal effects as possible that are not necessary during their hospitalization or lodging by handing them over to their family or relatives as soon as possible.
- It is strongly recommended that they do not keep any valuables at their bedside. If they decide otherwise, they are fully responsible for the belongings they keep in their possession.
- As soon as they know that a personal effect has disappeared or been lost, stolen or forgotten, they must report this to the health care staff who will direct them to the lost and found office or, if necessary, assist them in reporting it using the “Plaintiff’s Declaration” form **(Appendix 3)**.
- They can contact the lost and found office of the Security Department or Security-Reception Department in person or by telephone, as follows:
 - Jewish General Hospital: 514-340-8222 ext. 5000 / Pavilion B Security
 - Catherine Booth Hospital: 514-484-7878 ext. 64600 / Security-Reception
 - Richardson Hospital: 514-484-7878 ext. 62698 / Security-Reception
 - Mount Sinai Hospital: 514-369-2222 ext. 0
 - Donald Berman Maimonides Geriatric Centre: 514-483-2121 ext. 3285
 - Donald Berman Jewish Eldercare Centre:
 - Hope Pavilion 514-738-4500 ext. 1170
 - Kastner Pavilion 514-738-4500 ext. 8000
 - Saint-Margaret Residential Centre: 514-932-3630 ext. 67100
 - Saint-Andrew Residential Centre: 514-932-3630 ext. 65300
 - Henri-Bradet Residential Centre: 514-484-7878 ext. 62154
 - Father Dowd Residential Centre: 514-932-3630 ext. 66301

- They must promptly notify the Security Department or Security-Reception Department if the lost item has been found.

7.2 Health-care staff

- They must inform all users and residents about this policy and about their responsibilities regarding the management of their personal effects during the period they receive care from the institution (including lodging). They must inform families or relatives as to whether or not users/residents are able to care for and safeguard such personal effects (e.g. deterioration of the users'/residents' condition during their stay preventing them from looking after their personal effects).
- They must ensure that personal belongings are labelled with the first and last names of residents in long-term care.
- **When users transfer from a unit or facility**, they must ensure that all personal effects belonging to the users follow them. The unit from which a user is transferred remains responsible for the personal effects until a staff member of the unit or facility receiving the user has signed the "List of Personal Belongings/Valuables" form (**Appendix 4**), which includes a section indicating the transfer of the user's personal effects. When the transfer to another facility is only temporary, the original facility retains the user's personal effects until the user returns. If the user does not return to the original facility as planned, the facility's staff must contact the user or the user's family to recover the user's personal effects as soon as possible.

7.2.1 When users/residents are conscious

- They must recommend that users and residents keep no valuables at their bedside and keep as few personal effects as possible during the time they receive care from the institution; they must suggest that users/residents hand these over to a relative or family member and assist users/residents or the family in applying this directive.
- If users who are on a stretcher or are hospitalized or lodged decide to keep certain personal effects or valuables with them, remind them that they must ensure the supervision of these items and assume the risks for these items, and have them sign the "Personal Belongings and Valuables Disclaimer" form (**Appendix 2**) or, if applicable, document in their file their refusal to sign said form. In such a case, a count of their belongings is not required in a hospital centre.
- Hospitalized or lodged users who choose to keep personal effects with them are encouraged to store them in the place made available to them for that purpose.

7.2.2 When users/residents are unconscious or their personal effects have been removed for clinical or safety reasons

- In such a case, staff must take an inventory of the user's/resident's belongings using the "List of Personal Belongings/Valuables" form (**Appendix 4**), put the completed form in the user's/resident's file (white copy), give the pink copy to the user and staple the yellow copy to the envelope in which they place the valuables; personal effects that are not necessary for hospitalization must be placed in a bag or container provided for this purpose, taking care to write the user's/resident's contact information on the bag or container. They must turn over the envelope containing the valuables to the Security Department (at the JGH) or to the Security-Reception Department (in a rehabilitation centre or residential and long-term care centre), which will hold the valuables until they are claimed.
- Personal effects that are not valuables as defined in this policy must not be turned over to the Security Department or Security-Reception Department. Such belongings must be turned over to the family or a relative of the user/resident as soon as possible.
- Staff must remain vigilant with respect to the personal effects of users/residents in such cases; in the event of loss or breakage and if the institution's liability is established, the cost of replacement or repair will be attributed to and assumed by the department or directorate where the incident occurred.
- **In the event of death**, a member of the health care team must remove the deceased's personal effects in the presence of another staff member designated by the head nurse who will hand them over to the relatives present or to the Security Department or Security-Reception Department for safekeeping.

Staff must make an inventory of the personal effects removed from the deceased and record it in the user's file. If no relative is present or in the event of disagreement between relatives regarding the handing over of the deceased's personal effects, the belongings will be handed over to the liquidator of the estate. If there is any problem or doubt as to the identity of the liquidator or how to proceed with the handing over of the deceased's personal effects, staff members must inform their supervisor, who may then contact the CIUSSS's Legal Affairs Department.

Some facilities may have more detailed procedures that apply depending on the circumstances following the death of a user.

- See the algorithm (**Appendix 5**) describing the process for managing personal effects and valuables.
- In the event of breakage, loss, disappearance or theft of a user's/resident's personal effects, they must complete an "Incident or Accident Report" form (AH223) (**Appendix 6**).
- In the event of the disappearance, loss or theft of belongings, they must refer the user to the lost and found office of the Security Department or Security-Reception Department so the disappearance, loss or theft can be reported.

7.3 Staff from the Security Department (at the JGH), the Security-Reception Department (in rehabilitation centres or residential and long-term care centres) and/or managers of living units (in residential and long-term care centres)

- They must take charge of the envelope containing the user's valuables entrusted to them by the health care staff (section 7.2.2) and keep it under lock and key until it is claimed. The signatures of a member of the security staff and a member of the health care staff are proof of the transfer of responsibility.
- They must ensure that, when claiming the envelope containing the valuables, the user, the user's representative or a person holding a valid power of attorney presents the pink or white copy of the form provided by the health care staff when the belongings were inventoried (section 7.2.2) and signs it at the same time as the security officer. They must ensure that the person claiming the envelope containing the valuables presents photo identification to validate his or her identity. They must compare the inventory, a copy of which is stapled to the envelope, with the contents of the envelope in front of the user or the user's representative and have the user or the user's representative sign (on the same form as the inventory) to confirm the inventory count and the return of the belongings.
- When an item is unclaimed, once the maximum period of temporary safekeeping (section 6) has elapsed, they must forward the envelopes containing the unclaimed belongings to the Ministère du Revenu after ensuring that the user is no longer at the institution (including in the event of the user's death) and that reasonable efforts have been made to locate the owner.
- **Upon the death of a user**, they must compare the inventory with the contents of the envelope containing the personal effects given to them for deposit by the health care staff and turn over the personal effects to the person designated in the file as the legal representative duly authorized to take possession of these belongings. If no legal

representative has been designated or in the event of disagreement between relatives regarding the handing over of the deceased's belongings, the belongings will be handed over to the liquidator of the estate.

- When the Security Department or the Security-Reception Department is informed of a death, they must check whether valuables or personal effects belonging to the deceased user have been handed over to the Security Department or the Security-Reception Department.
- **When an item is lost, missing or found**, they must take charge of found items (which are put in storage) and ask the people bringing those items to them to fill out the "Lost and Found Report" form (see Appendix 7).
 - They must manage the inventory of found items and hand over the items to the owner of the items or the owner's duly authorized, designated or mandated representative, requesting the presentation of identification and proof of the mandate, if applicable, and they must have the person sign the "Lost and Found Report" form (see Appendix 7) at the same time as the security officer signs it.
 - They must take declarations from people who have lost items using the "Plaintiff's Declaration" form (**Appendix 3**) and fill out the "Event Report" form (**Appendix 8**). In a residential and long-term care centre, the manager of the unit concerned can also provide the required follow-up.
 - Where appropriate, they must ask the unit or department concerned to carry out an investigation in relation to the lost items.
 - At the end of the investigation by the unit or department concerned, they must inform the user of the outcome of the investigation. If the personal effect has been found, they must ask the user to come and retrieve it from the Security Department or the Security-Reception Department. If the personal effect has not been found, they must inform the user and refer the user to the Office of the Service Quality and Complaints Commissioner if the user wishes to make a complaint. In a residential and long-term care centre, the manager of the unit concerned has this responsibility. Where theft is suspected, they must inform the user or resident of the possibility of filing a police report.
 - In the event of a monetary claim or request for reimbursement from a user, a resident or his or her representative:
 - They must forward to the Department of Finance any requests for reimbursement or claims received from a user, a resident or his or her representative in connection with the breakage, disappearance or theft of a personal effect for which the unit or department concerned has established that the institution's responsibility is at stake after completing its investigation and whose value is

below the deductible of the applicable insurance plan. The Department of Finance will then process the claim or request for reimbursement in accordance with section 7.4 below (“Department of Finance Staff”).

- They must forward to the Legal Affairs Department any requests for reimbursement or claims received from a user, a resident or his or her representative in connection with the breakage, disappearance or theft of a personal effect for which the unit or department concerned has established that the institution’s responsibility is not at stake after completing its investigation if the user, resident or his or her representative maintains the claim after the investigation has been completed.
- They must also inform the manager of the unit or department concerned and forward to that manager a copy of the request for reimbursement or claim.
- In a residential and long-term care centre, the manager of the unit concerned has these responsibilities.

7.4 Department of Finance Staff

- They must process requests from users/residents for reimbursement in the event of claims with respect to their personal effects that are deemed to be well-founded by the departments or units concerned at the end of their investigation (section 7.8), when the value of the belongings claimed is below the deductible of the applicable insurance plan.
 - The Department of Finance must make a reimbursement only if the claim is deemed to be well-founded by the unit or department concerned. If the user/resident does not replace the personal effect, the Department of Finance must, based on a case-by-case analysis of each situation, make a reimbursement equal to the market value of the item on the day of the claim. If the user/resident replaces the personal effect, the Department of Finance must make a reimbursement equal to the replacement cost of the item, upon presentation of the purchase receipt for the new item, provided the replacement cost is reasonable in light of, in particular, the market value of the lost, missing or stolen item.
 - They must apply the replacement cost to the budget of the unit or department concerned according to the budget code provided by that unit or department (see section 7.8 below (“Clinical Departments and Units”)).
- They must not process claims that are under the deductible of the applicable insurance plan when those claims are not deemed to be well-founded by the units and departments concerned at the end of their investigation. In such a case, they must forward these claims

to the Legal Affairs Department, which will process them in accordance with section 7.9 below (“CIUSSS’s Legal Affairs Department”).

- They must not process claims when the value of the personal effects exceeds the deductible of the applicable insurance plan. In such a case, they must inform the manager of the unit or department concerned and forward these claims to the Legal Affairs Department, which will process them in accordance with section 7.9 below (“CIUSSS’s Legal Affairs Department”).

7.5 Support Program for the Autonomy of Seniors Directorate

In addition to the roles and responsibilities set out in the other sections of this policy, the Support Program for the Autonomy of Seniors Directorate:

- Must ensure that residential and long-term care centre residents and their families, where applicable, are informed of this policy, in particular by including a copy of it in the set of documents given to them upon admission to the residential and long-term care centre.
- Must ensure that the “Personal Belongings and Valuables Disclaimer” form (Appendix 2) is completed and signed by residents or their representative upon admission to the residential and long-term care centre.
- Must ensure that an inventory of residents’ belongings is made at the time of their admission and that a copy is placed in their file. If a family member or other relative brings a new item to a resident, this item must be added to the inventory.

7.6 Office of the Service Quality and Complaints Commissioner

- It must lend assistance to users who wish to file a complaint concerning the loss, disappearance, theft or breakage of a personal effect during their stay in a hospital centre, rehabilitation centre or residential and long-term care centre.
- It must receive complaints from users and residents concerning the loss, disappearance, theft or breakage of a personal effect during their stay in a hospital centre, rehabilitation centre or residential and long-term care centre.
- It must process these complaints in accordance with the *Act respecting health services and social services* and the CIUSSS’s complaint processing policy and then inform the directorate concerned by the complaint of its findings. In particular, it may, upon request, receive copies of forms, reports and other documents from the Security Department or the Security-Reception Department.
- It must report its recommendations to the CIUSSS’s Vigilance Committee.

- It must direct users who wish to report the loss, disappearance or theft of their belongings to the lost and found office of the Security Department or the Security-Reception Department.
- If a user wishes to make a monetary claim or a request for reimbursement, without this being a complaint, it must explain that this request does not constitute a complaint and therefore does not fall under its jurisdiction. In such a case, it must refer the user to the Security Department or Security-Reception Department, which will handle the claim in accordance with section 7.3 above (Staff from the Security Department).

7.7 Quality Assurance Directorate

- It must receive and catalogue the “Incident or Accident Report” forms (AH223) (**Appendix 6**) completed by staff in the event of breakage, disappearance or theft of a user’s or resident’s personal effects.
 - It must report any breakage, disappearance or theft of personal effects of users/residents whose value exceeds the deductible of the applicable insurance plan to the DARSSS;
 - It must forward to the Department of Finance any requests for reimbursement or claims received directly from a user, a resident or his or her representative in connection with the breakage, disappearance or theft of a personal effect for which the unit or department concerned has established that the institution’s responsibility is at stake after completing its investigation and whose value is below the deductible of the applicable insurance plan.
 - It must forward to the Legal Affairs Department any requests for reimbursement or claims received directly from a user, a resident or his or her representative in connection with the breakage, disappearance or theft of a personal effect for which the unit or department concerned has established that the institution’s responsibility is not at stake after completing its investigation and whose value is below the deductible of the applicable insurance plan if the user, resident or his or her representative maintains the claim after the investigation has been completed.

7.8 Clinical Departments and Units

- In the event of a report of breakage, disappearance or theft of a personal effect, they must inform the Security Department or Security-Reception Department and diligently carry out an investigation in order to recover the personal effect in question, and they must then

inform the Security Department or the Security-Reception Department of the outcome of the investigation (whether or not the personal effect has been found). If the personal effect has been found, they must hand it over to the Security Department or the Security-Reception Department. In a residential and long-term care centre, the manager of the unit concerned must inform the resident or his or her representative of the outcome of the investigation and must give him or her the personal effect if it has been found.

- In the event of breakage, disappearance or theft of a personal effect and if the responsibility of the institution is established following its investigation, they must forward any request for a claim made by a user, resident or his or her representative to the CIUSSS's Finance Department, together with their budget code. In the event of reimbursement by the Finance Department, the amount will then be charged to the budget of the clinical department or unit concerned.
- In the event of breakage, disappearance or theft of a personal effect and if the responsibility of the institution is not established following its investigation, they must forward any request for a claim made by a user, resident or his or her representative to the CIUSSS's Legal Affairs Department if the user, resident or his or her representative maintains the claim after the investigation has been completed.

7.9 CIUSSS's Legal Affairs Department

- It must receive and process claims and formal notices from users/residents concerning the breakage, disappearance or theft of their personal effects when the value of the personal effects in question is **under** the deductible of the applicable insurance plan and the unit or department concerned concludes at the end of its investigation that the institution is not responsible for the breakage, disappearance or theft in question. In such cases, it must inform the user or resident or his or her representative, as well as the manager of the unit or department concerned, of the denial of responsibility.
- It must report to the DARSSS any breakage, disappearance or theft of personal effects whose value **exceeds** the deductible of the applicable insurance plan and of which the Legal Affairs Department has been informed, including following receipt of the reports from the Security Department or the Security-Reception Department.
- It must not report to the DARSSS cases of breakage, disappearance or theft of personal effects whose value exceeds the deductible of the applicable insurance plan when these cases are reported via the "Incident or Accident Report" forms (AH223) (**Appendix 6**)

since the report to the DARSSS will then be made by the Quality Assurance Directorate (section 7.7).

8. References

CHUM policy

Summary of DARSSS insurance coverage

Legislative references:

Civil Code of Québec, CQLR, c. CCQ-1991;

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, CQLR, c. O-7.2;

Unclaimed Property Act, CQLR, c. B-5.1;

An Act respecting health services and social services, CQLR, c. S-4.2.

This policy was developed by the CIUSSS's Global Security Department in collaboration with:

- The Legal Affairs Department (part of the Human Resources, Communications, Legal Affairs and Global Security Directorate (HRCLAD))
- The Quality, Innovation, Evaluation, Performance and Ethics Directorate (QIEPED)
- The Support Program for the Autonomy of Seniors Directorate (SAPA)
- The Rehabilitation and Multidisciplinary Services Directorate
- The Financial Resources Directorate
- The Office of the Service Quality and Complaints Commissioner

9. Appendices

Appendix 1: "Safeguard your Belongings" brochure

Appendix 2: "Personal Belongings and Valuables Disclaimer" form

Appendix 3: "Plaintiff's Declaration" form

Appendix 4: "List of Personal Belongings/Valuables" form

Appendix 5: Algorithm

Appendix 6: "Incident or Accident Report" form (AH223)

Appendix 7: "Lost and Found Declaration"

Appendix 8: "Event Report"