

INDIVIDUAL BANKING

# Power of attorney

Handelsbanken

# Power of attorney

A power of attorney is a legal document. It enables a trusted person to access or manage your accounts, and make decisions about finances on your behalf.

Here's some practical support and guidance on what you need to do to put a power of attorney in place, or if you've been asked to be an attorney.

It's split into two sections:

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Please note: the information included in this document only relates to financial matters.

Anything in **bold** is explained in our glossary at the end.

# Planning for the future



You may find it useful to plan who makes financial decisions for you if you become ill or incapacitated, either for the short- or long-term. This is where a power of attorney (POA) can be useful. It's a legal document that sets out your wishes.

The **attorney** can pay your bills and handle your accounts on your behalf and in line with your wishes. It's worthwhile to discuss these with the person(s) you'd like to act on your behalf, so that they have a full understanding of their role before they agree to act.

Some points to note when you're thinking about appointing a POA:

- An attorney must be at least 18 years old.
- You can appoint more than one attorney
- You can only set up a POA if you have the **mental capacity** to do so.
- You can specify what types of decisions your attorney can make on your behalf.
- A POA doesn't need to be permanent, and it may be cancelled later if needed (provided you still have mental capacity).

## Why is it important to plan ahead?

When you appoint someone as your attorney, you decide when they'll begin, and you'll be able to continue managing your affairs until that point. So setting up a POA, even though you may not need it now, can help make your financial affairs easier to manage for you and your family in the future.

Unfortunately, if you wait until after you've fallen ill or become incapacitated, a POA may not be an option for you. Instead, if someone else is to be responsible for looking after your wellbeing and your assets, a deputy will need to be appointed by the Court of Protection. A deputy has similar powers to an attorney but it can take longer to set up.

In the meantime, your illness or incapacitation may mean that you're unable to manage your finances in line with your wishes.

**There are several types power of attorney to consider; these are detailed on the next page.**

# What is a power of attorney

If you grant a power of attorney, this lets someone you trust make certain decisions and manage your finances on your behalf.

There are many reasons why you may choose to do this, including in case your health deteriorates or you want support in managing your finances.

It may also simply be convenient for you to appoint someone as your attorney to deal with specific matters, for example, if you're travelling overseas.

## A summary of the main types of powers of attorney and court orders

### ORDINARY POWER OF ATTORNEY

- This is used when the **donor** still has mental capacity to make their own decisions.
- This can be used on a temporary or permanent basis. It could be used by someone who is on holiday, has a hospital stay, or a person who is unable to visit a branch.

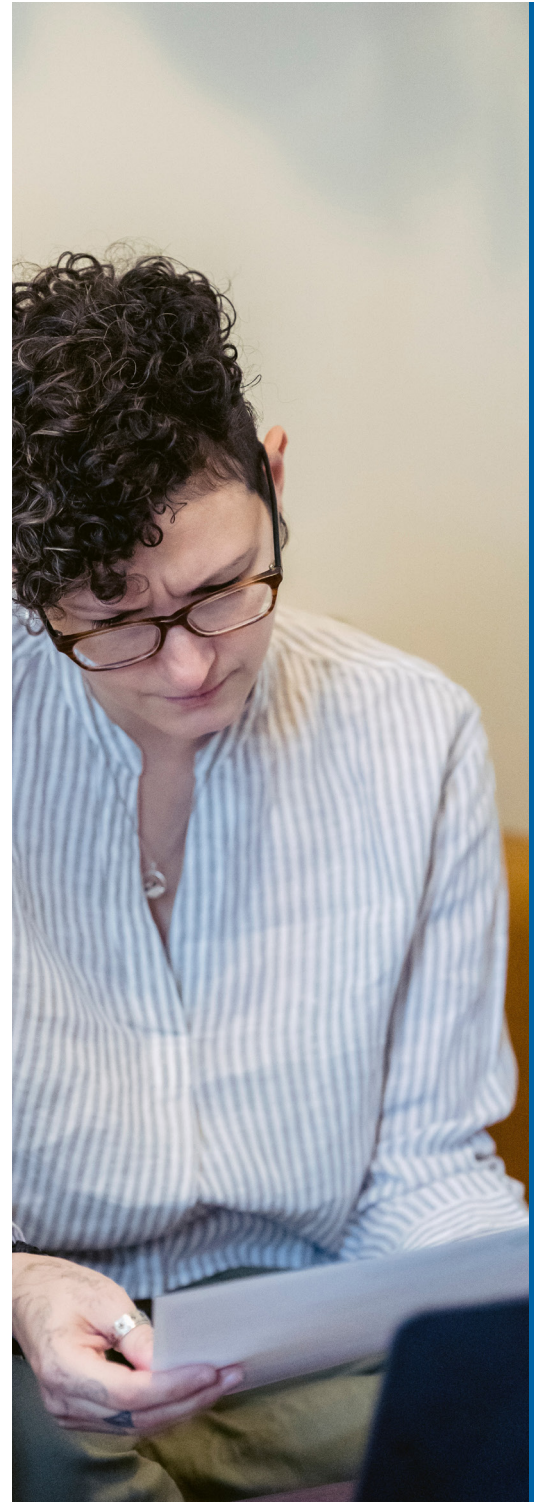
### LASTING POWER OF ATTORNEY

- This is typically used to give a person the legal authority over a person's finances if they lose mental capacity. It can also be used before mental capacity is lost.
- It must be registered with the Office of Public Guardianship before it can be used.
- The document can be set up with specific rules, for example, a rule that an **attorney** can act only if **mental capacity** is lost by the person.
- gov.uk provides further guidance: [gov.uk/power-of-attorney](https://www.gov.uk/power-of-attorney)

### DEPUTYSHIP COURT ORDER

*(known as a Guardianship in Scotland)*

- When a person loses mental capacity, if someone else is to make decisions about their wellbeing or assets on their behalf, then the Court of Protection may appoint that person as a deputy to make those decisions.
- gov.uk provide further guidance: [gov.uk/become-deputy](https://www.gov.uk/become-deputy)



# Let us know

The next step is to tell us that you have granted a power of attorney.

To do this, you'll need to provide us with the following:

- The full power of attorney document (this can be an original copy or a **certified copy**).
- Your proof of identity
- Attorney(s) to provide their own proof of identity
- Your proof of address
- Attorney(s) to provide their proof of address

## Contact the branch

Contact the branch where the accounts are held. You can also visit the branch if you'd prefer to speak to someone in person. The team there will talk you through the next steps.

If you're unsure which branch to contact, please contact the branch closest to the customer's home.



To find your local branch: [handelsbanken.co.uk/findmybranch](https://handelsbanken.co.uk/findmybranch)

## Call our Customer Connect team

If you're still unsure which branch to contact, or if you want to contact us outside opening hours, call our Customer Connect team.

They'll collect a few details from you, find out which branch you need to speak to and transfer your call.

If you call the team outside of branch opening hours, they'll ask the branch to call you the next working day.



From the UK: 0800 470 8000    Outside the UK: +44 20 7578 8247

If you're unable to visit the branch, please ensure you make our colleagues in the branch aware, and they'll discuss how they can complete the registration process with you.

# Things to know

## What happens next?

Once we've successfully completed our checks, we'll make a note of the appointment of an attorney and provide you and the attorney with the following (as appropriate):

- Email or letter confirming the authority has been successfully actioned
- Confirmation of what products or services are held by our customer
- Online banking access (if required)
- Card facility or facilities (if required)

**We'll be supportive and understanding throughout.**





# Getting additional help and support

Here are some resources which can help you understand your power of attorney options.


## Age UK

Offer practical guidance on how to set up and manage the different types of power of attorneys.

 0300 200 3300  visit: [ageuk.org.uk](https://ageuk.org.uk) and search 'power of attorney'


## Gov.uk

Information about how you can make, register or end a power of attorney.

 [gov.uk/power-of-attorney/make-lasting-power](https://gov.uk/power-of-attorney/make-lasting-power)

## Citizens Advice (England only)

Offer information and practical guidance on how to set up and manage and end a power of attorney.

 [citizensadvice.org.uk/family/looking-after-people/managing-affairs-for-someone-else/](https://citizensadvice.org.uk/family/looking-after-people/managing-affairs-for-someone-else/)


## Citizens Advice (Wales Only)

Offer information and practical guidance on how to set up and manage and end a power of attorney.

 [citizensadvice.org.uk/wales/family/looking-after-people/managing-affairs-for-someone-else/](https://citizensadvice.org.uk/wales/family/looking-after-people/managing-affairs-for-someone-else/)

## Citizens Advice (Scotland Only)

Offer information and practical guidance on how to set up and manage and end a power of attorney.

 [citizensadvice.org.uk/scotland/family/help-for-adults-in-the-community-s/managing-affairs-for-someone-else-s/#powers\\_of\\_attorney](https://citizensadvice.org.uk/scotland/family/help-for-adults-in-the-community-s/managing-affairs-for-someone-else-s/#powers_of_attorney)

# Glossary

**Attorney**

An individual who is legally appointed or empowered to act and make decisions on behalf of a donor.

**Donor**

An individual who makes the power of attorney or is the person who is being supported by their attorney.

**Mental capacity**

This refers to a person's capability to understand and assess information in order to make a decision.

**Certified copy**

A copy of the original document that has been signed and verified by a solicitor or branch colleague.



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