Power of Attorney

Managing the financial and property affairs of another

Protected

LEEK Building Society

What is a Power of Attorney?

A Power of Attorney enables someone else to legally manage your affairs on your behalf when you are no longer able to or no longer want to. There are three different types of Power of Attorney:-

1. **Lasting Power of Attorney (LPA)** – replaced Enduring Power of Attorney on 1 October 2007
2. **Enduring Power of Attorney (EPA)** – only valid if granted prior to 1 October 2007
3. **Ordinary Power of Attorney (OPA)** - Only valid while you still have mental capacity to make your own decisions

1. Lasting Power of Attorney (LPA)

is a way of giving someone you trust the legal authority to make decisions on your behalf if you lack mental capacity at some time in the future or no longer wish to make decisions for yourself.

2. Enduring Power of Attorney (EPA)

has been replaced by Lasting Power of Attorney (LPA). However, if you set up and signed an Enduring Power Attorney before 1 October 2007, it is still valid.

You may already be using it without having registered it, so that someone can act on your behalf (unlike a Lasting Power of Attorney, which must be registered before use). This is fine, until you become unable to make your own decisions relating to your financial and property matters.

Once this happens, the Enduring Power of Attorney must be registered before your attorney can take any further action on your behalf. At this point it is the responsibility of your Attorney to register the Enduring Power of Attorney with the Office of the Public Guardian.

3. Ordinary Power of Attorney

is a legal document authorising one or more people to handle your financial affairs. It is only valid while you still have mental capacity to make your own decisions. You may want to set one up if, for example:

- you need someone to act for you for a temporary period, such as working abroad
- you want someone to act for you during a period of illness

Ways to register your Power of Attorney document with us

1. Make an appointment at your local branch and ensure that you bring the original registered Power of Attorney document completed by the owner and beneficiary (donor) and Attorney(s) in order for us to take a copy for our records

   You should bring along original documents for proof of identification to your appointment; a list of acceptable identification is detailed in our Proving Your Identity leaflet. A Power of Attorney registration form will be completed during the appointment. Please ensure that all current passbooks are brought to the appointment in order for the accounts to be updated.

2. If you have no access to a local branch contact a member of Savings department on 0808 281 9308.

   If you are an existing or new customer we will carry out relevant identification checks on yourself and the nominated Attorney(s).

   The completed documents will be forwarded to our Head Office and our records updated within 14 days. You will receive confirmation in writing that the registration process is complete.

Important Information

Where the owner and beneficiary (donor) still has mental capacity to operate their account they will still be able to do so along with the registered Attorney(s). If however, the owner and beneficiary (donor) has been deemed as not mentally capable and the Declaration of Capacity Status form has been completed/amended, then only the approved Attorney(s) can manage the account.

Where there is more than one Attorney registered and the Power of Attorney document states that the Attorney's can act 'Jointly and severally' Attorney's can act either together or individually. This means that you may nominate a single Attorney who can act on your behalf in a sole capacity. It is important to note that if all the registered Attorney's are not nominated and setup on our systems, there will be a time delay in approving the additional Attorney's for any future management of the account.

Further Information can be found at the Office of the Public Guardian.

https://www.gov.uk/government/organisations/office-of-the-public-guardian

If you require this information in a different format, please ask a member of staff.

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t: 0808 281 9308