

Power of attorney

Registering a representative to act for you

a little extra help



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What is a power of attorney?

A power of attorney is a legal authority that lets one person (called 'the donor') choose another person ('the attorney' or 'representative') to act on their behalf.

Someone appointed this way in England, Wales and Northern Ireland is called an 'attorney', but we call them a 'representative' in some of our literature, such as our registration form. This is to include people appointed in other ways, for example, a Court of Protection (Office of Care and Protection in Northern Ireland) receiver.

The representative can be given authority to do everything you do now, for example, signing cheques and paying bills. Or, they can be given powers that only let them do certain things, such as look after a property.

Why might you need a representative?

You might need a representative appointed by power of attorney for lots of reasons, such as:

- You're living abroad
- Incapacity following an accident
- Ill health
- The onset of mental illness.

Any of these could make important everyday things such as paying bills and making financial decisions difficult or even impossible.

This brochure sets out the legal position for England and Wales but doesn't cover the legal position in Northern Ireland and Scotland. However, the procedure for registering a representative with us is the same. It explains the steps you need to take before registering a representative with us and gives you an overview of the services available.

You can find out where to get more information on the legal position in Northern Ireland and Scotland on page 8.

Types of power of attorney

There are a number of different powers of attorney in England, Wales and Northern Ireland. It's important to choose the right one to fit your circumstances.

This table shows some typical situations and the type of representative that could be best for you.

	What?	Why?	Other considerations
Ordinary Power	Allows a representative to look after your financial matters for a temporary period.	May be suitable if, for example, you are: <ul style="list-style-type: none"> • Going abroad • Going into hospital • Going into prison. 	The power will cease if the donor loses (or begins to lose) his or her mental capacity.
Enduring Power (These are no longer available but may already be in place)	Allows a representative to look after your property and financial affairs.	May be suitable if you want someone to look after your affairs or if you lose your mental capacity.	If the donor loses (or begins to lose) his or her mental capacity, the representative must, at that point, register the power with the Court of Protection (Office of Care and Protection in Northern Ireland). Any enduring power made before 1st October 2007 can continue. However, from this date you must use 'lasting power'.
Lasting Power	Allows a representative to look after your property, financial matters, and health and welfare, regardless of your mental capacity.	May be suitable if you want someone to look after your affairs if you lose your mental capacity (although a lasting power covering financial matters can be used before that point too).	The power must be registered with the Office of the Public Guardian (Office of Care and Protection in Northern Ireland) before it can be used, regardless of the donor's mental capacity.

To set up a power of attorney get in touch with your solicitor or call Halifax Legal Solutions on **0845 226 1111*** for more information.

How to register a power of attorney with us

To make it easy for you we offer a choice of ways to register. You can either:

- Make an appointment or call into one of our branches
- Go online at www.halifax.co.uk/helpcentre
- Call us on **0845 602 1997*** (8am to 8pm, seven days a week)
- Send the completed registration form (at the back of this brochure) and documents by post to Power of Attorney, PO Box 692, Leeds LS1 9EJ. We'll return your original documents to you.

Bear in mind

If you want to register a lasting power with us, it must have been registered first with the Office of the Public Guardian (or in Northern Ireland, with the Office of Care and Protection).

Whilst this leaflet does not include any detail on the legal position in Northern Ireland, you can register a representative with us in the same way.

What you'll need to show us

If you want to register a representative with us we'll need to see:

- Details of what you want your representative to manage for you. For example, card and cheque book, standing order or Direct Debit facilities.
- A completed copy of our registration form (see the back of this brochure).
- The original legal document. For example, power of attorney, court order or a copy certified by a solicitor.
- Copies of documents to prove your identity and the identity of the representative. For example, a current full-signed passport. (See the leaflet 'About you. Personal Information and Your identity' for examples of the documents needed).

We have a specialist team who'll set up everything for you. They'll send you a letter of confirmation once the registration is complete.

Customer accounts

You may find it handy to jot down the accounts you'd like us to register for you using the table below. You can then bring this to your appointment in the branch.

Type of account	Account/ roll number	Notes
Saving(s)		
Saving(s)		
Saving(s)		
Saving(s)		
Bank Account(s)		
Credit Card(s)		
Personal Loan(s)		
Investments		
Shares		
Life Assurance Plan		
Mortgage		
Insurance		
Other		

Using and managing your account

Your representative can use your cards and cheques as normal once the power of attorney has been set up. They'll also be able to run the account(s) using:

- Telephone Banking
- Our Online Banking service at www.halifax-online.co.uk[†]
- In branch facilities.

Here's a list of our Telephone Banking numbers

Savings		08457 26 36 46
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Banking

Bank account	08457 20 30 40
Credit cards	08457 28 38 48
Lost or stolen cards	08457 20 30 99
Personal loans	08457 24 34 44

Mortgages

Mortgages	08457 27 37 47
Secured lending	08457 27 37 47

Insurance

08457 23 33 43

Investments

08456 00 08 45

Share dealing

08457 22 55 25

If you've any questions about setting up a representative, simply call our power of attorney helpline on **0845 602 1997***.

[†]The Online Banking service is not available for Court of Protection registered customers or those acting on their behalf e.g. a loss of mental capacity.

For more information

You may find these contact details useful.

Halifax power of attorney helpline

0845 602 1997*

Halifax Legal Solutions

This service in England and Wales gives you access to legal experts, advice, documents and preparation of legal documents, including drawing up a power of attorney.

Call **0845 226 1111*** for more information.

For England and Wales

Office of the Public Guardian, Archway Tower, London N19 5SZ.

Telephone: **0845 330 2900***

www.publicguardian.gov.uk

For Northern Ireland

Office of Care and Protection, The Royal Courts of Justice, PO Box 410, Chichester Street, Belfast BT1 3JF.

For Scotland

Office of the Public Guardian, Hadrian House, Callendar Business Park, Callendar Road, Falkirk FK1 1XR.

Telephone: **01324 678300**

www.publicguardian-scotland.gov.uk

You can also get specific advice from your local solicitor or Citizens Advice Bureau

www.citizensadvice.org.uk. General information can be found from other organisations such as:

Age Concern

Telephone: **0800 00 99 66**

www.ageconcern.org.uk

The Alzheimer's Society

Devon House, 58 St Katherine's Way, London E1W 1JX

Telephone: **0845 300 0336***

www.alzheimers.org.uk

MIND

15-19 Broadway, London E15 4BQ

Telephone: **0845 766 0163***

www.mind.org.uk

Looking after our customers

Do you need extra help?

We want to help our customers in any way we can. If you have a hearing or speech impairment you can use Tynetalk whenever you contact us, or can use Textphone on **08457 32 34 36*** (lines open 9am-5.30pm, 7 days a week). For visually impaired customers, we can provide documents in large print, Braille or on audio-cassette. Please ask a member of staff if you'd like to know more.

Customer service

We do all we can to provide you with the service you want and expect. But we know sometimes things can go wrong. Most cases can be dealt with by popping into or phoning your local branch.

If you feel that we haven't done enough to resolve your complaint, please call our Customer Complaints Helpline on **08457 25 35 19***. And if that still leaves things unresolved you may then want to contact the Financial Ombudsman Service or Ombudsman for Estate Agents. If you'd like a copy of our complaints procedure, please ask at any branch.

* Calls from BT landlines to 0845 numbers will cost no more than 2p a minute plus an 8p connection fee. The price of calls through other phone companies and from mobile phones will be different. The call price we have quoted was correct in January 2009.

Free booklets and information

We hope this leaflet has been helpful. Our staff can give you more detailed information and answer your questions about our products and services. If you'd like more general financial information the Financial Services Authority provides a range of free consumer booklets and factsheets, as well as a Consumer Helpline. To find out more, visit their website at **www.moneymadeclear.fsa.gov.uk** or call **0845 606 1234***.

The Financial Services Authority can only provide general information and cannot give specific advice or recommend any company's products, investigate individual complaints or contact firms on behalf of individuals.

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