



Public  Trustee
Every moment counts

Activating an Enduring Power of Attorney

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An enduring power of attorney is a legal document which allows you to appoint an individual(s) or an organisation such as the Public Trustee to take care of your financial affairs if you lose capacity in the future to make independent and informed financial decisions.



We have an established track record in the management of financial assets.

WHEN YOU APPOINT THE PUBLIC TRUSTEE AS YOUR ATTORNEY

If you can no longer manage your financial affairs (due to accident or illness) you will not be able to operate a bank account, pay bills, complete your tax return, manage your investments or do anything associated with your financial wellbeing.

When you appoint the Public Trustee as your attorney this is what you can expect:

- protection of your financial interests;
- professional management of your financial affairs;
- a dedicated client account manager; and
- personally delivered services individually tailored to your needs. These may include tax issues, investment portfolios, management of real estate and dealings with Government, community and private agencies on your behalf.

WHAT HAPPENS WHEN I LOSE CAPACITY AND THE PUBLIC TRUSTEE IS MY ATTORNEY?

If you have appointed the Public Trustee as your attorney, we rely on notification from someone who knows you (eg. relatives or friends) to say you no longer have capacity to manage your financial affairs. Once this is received we will request written evidence from your treating doctor to confirm this. The enduring power of attorney document will then be registered with the Land Titles Office and we will begin to act.

WHEN YOU APPOINT THE PUBLIC TRUSTEE AS YOUR SUBSTITUTE ATTORNEY

You may also decide to appoint the Public Trustee as your substitute attorney. This is a wise option if an individual is chosen as first preference.

WHAT HAPPENS WHEN I LOSE CAPACITY AND THE PUBLIC TRUSTEE IS MY SUBSTITUTE ATTORNEY?

If you have appointed the Public Trustee as your substitute attorney, your attorney will need to arrange written confirmation from your treating doctor to say you no longer have mental capacity to manage your financial affairs. They will need to bring this with them when they come to collect the enduring power of attorney document, along with some photo identification (eg. drivers licence). Appointment is necessary please call 1800 068 784.



As your attorney
our paramount
concern will be
protecting your
financial
interests

WHAT HAPPENS IF I STILL HAVE CAPACITY BUT NO LONGER WISH TO MANAGE SOME OR ALL OF MY FINANCIAL AFFAIRS?

Often people activate their enduring power of attorney to free up time permanently or assist them for certain periods while they are unwell or overseas.

This can include the collection of income; payment of bills; maintenance and management of property and processing of health fund accounts.

If you have appointed the Public Trustee as your attorney, simply contact us and advise you no longer wish to handle your financial affairs. We will then arrange for your enduring power of attorney document to be registered with the Land Titles Office and begin to act.

If you have appointed the Public Trustee as your substitute attorney, you will need to collect your enduring power of attorney document from our office. If you are unable to personally collect the power of attorney document, please contact our office.

YOUR ATTORNEY MUST:

- act in your best interests;
- not act outside your directions under the power of attorney;
- not do anything which might adversely affect others unless there is no alternative (eg. dispose of property which has been the subject of a provision in your Will); and
- keep a financial record of your incoming and outgoing expenses.

YOUR ENDURING POWER OF ATTORNEY DOCUMENT WILL CEASE IF:

- you revoke it by giving notice of the revocation to your attorney;
- you die;
- you become bankrupt or insolvent; or
- it is revoked by the Guardianship and Administration Board.

This flyer contains general information. The Public Trustee strongly advises that you contact them for further advice in relation to your particular circumstances.

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