

creating CERTAINTY



WHY EVERYONE SHOULD HAVE AN
ENDURING POWER OF ATTORNEY



You never know
what to expect in life.

*An Enduring Power
of Attorney can ensure
that someone you trust
will look after the
things that matter.*

*An Enduring Power of Attorney
(EPA) is a legal document
appointing an attorney or
attorneys to act on your behalf
if you cannot or do not wish to.*

WHY SHOULD I HAVE AN EPA?

An EPA provides for unforeseen events. You may need to travel overseas at short notice, have a serious accident, suffer an illness such as a stroke or Alzheimer's disease. Or, you may want someone else to look after your affairs as you get older.

An EPA means someone you trust will look after the things that matter.

Many rest homes also require individuals to have an EPA in place.

THERE ARE TWO TYPES OF EPA; YOU MAY CHOOSE ONE OR BOTH.

PROPERTY: for managing your financial affairs and assets. For example, your attorney can manage your property, pay bills and handle investments. You may appoint Perpetual Guardian as a property attorney. We have over 135 years of experience and the expertise to safely manage your assets and affairs.

PERSONAL CARE AND WELFARE: for managing your personal health and wellbeing. Your attorney will look after

things like accommodation arrangements, medical decisions and purchasing clothing or personal items. A few things to note; only individuals may be appointed as a Personal Care and Welfare attorney, and they can only be used if you lose mental capacity.

CHOOSING YOUR ATTORNEY(S)

It is important that you appoint someone who you trust implicitly; we can assist you in identifying a suitable attorney and offer an independent and impartial perspective. You can appoint multiple Property attorneys to act together, but just one for Personal Care and Welfare (plus substitutes).

YOUR ATTORNEY'S RESPONSIBILITIES

Attorneys must always act in your best interests, but you can define how and when they should act. They should consult with you when acting on your behalf, and encourage you to develop and exercise the capacity you have. Attorneys also have a duty to work with each other in order to best serve the person they are protecting and ensure there are no gaps in their care.



BEFORE YOU SET UP AN EPA, YOU SHOULD CONSIDER:

- Who you wish to appoint as your attorney for Property, and who you wish to appoint as your Personal Care and Welfare attorney.
- Which assets need to be taken care of e.g. your property, any debts, or money owed to you?
- Are there are certain people you wish to consult with your attorney, such as family members or an accountant, before making decisions?
- Do you wish to add conditions, for example, should the attorney report back to family members by giving them annual accounts?
- Do you wish to appoint a replacement attorney in case an individual appointed as attorney is not able to continue at some stage?

*Talk to Perpetual Guardian
today to set up your EPAs.*

What happens if a loved one loses capacity without an EPA?

The Protection of Personal and Property Rights Act 1988 (PPPR Act) protects the rights of people who have lost mental capacity and are no longer able to make their own decisions or manage their affairs.

If a loved one has lost capacity, does not have an EPA, and an important decision must be made or document signed, an application must be made to the Family Court under the PPPR Act to legally manage your loved one's affairs. This can be costly and time-consuming and the Court may appoint someone that you would not want to act on your loved one's behalf.

We can make this process easier. As a professional trustee company, we are well-equipped to act as property manager for your loved ones. We will happily liaise with your preferred legal professional to facilitate applications to the Family Court on your behalf if needed.

perpetualguardian.co.nz
0800 737 738

Perpetual Guardian is a trading name of Perpetual Trust Limited.