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**POWERS
OF ATTORNEY:**

Protecting
Yourself



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Information Empowers

Setting
the Scene

**You want to ask
someone you trust
to do things for you?
Careful! Sometimes
there can be abuses.
Here are precautions
to take when you give a
power of attorney.**

**This pamphlet is up to date to June
2021.**

It has general information only. If you
need legal advice on a specific situation,
consult a lawyer or notary.

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- Protection mandates
- Protecting vulnerable people

Powers of attorney: delegate with confidence

A power of attorney is a kind of contract used to ask someone to manage your property or affairs for you.

Important! When you create a power of attorney, you must still be capable of taking care of your property and affairs. And you must usually still have this ability when the person you name uses the power of attorney. This other person is your representative (sometimes called a “mandatary”).

Ways to protect yourself

Really necessary to delegate?

There are ways to avoid giving powers to someone. You can use automatic withdrawals to pay bills, for example. Your financial institution can tell you how.



Ask for an inventory

You can ask the person acting for you to make an inventory (list) of your property and money before using the power of attorney. You can get a copy. Another person you trust can also have a copy.

Limit the powers of your representative

Mention exactly what this person can do on your behalf.

Limit the amount of bank withdrawals

Put a limit on the amount your representative can take out (for example, \$2,000 per month at most).

Ask for regular reports

Ask for a written summary of what is being done for you. You can get one every month, for example.

You can also ask your representative to report regularly to another person you trust. This other person can keep an eye on what your representative is doing and take action if there are problems.

Put an expiry date

Put a date when the power of attorney will automatically end. No one can use it after that date.

Keep track of your affairs

Regularly check your statements, bills and other relevant documents. That way, you know where your money is going.

Consult a notary or lawyer

If your situation is complicated, it can be a good idea to see a notary or lawyer for help in writing your power of attorney.

Ending a power of attorney

You can end a power of attorney at any time, even if it has an expiry date. For example, you can end it if your representative does not act properly.

What to do if you end your power of attorney?

- ☐ If there were problems, try to sort things out by speaking to the people, institutions or businesses involved. In some cases, you can cancel things done for you.
- ☐ Tell financial institutions and other companies or people your representative interacted with that you are cancelling the power of attorney.
- ☐ Ask for all copies of the document to be returned to you. If it was not done by a notary, remember to also ask for the original.
- ☐ Write on the power of attorney that it is cancelled. If the document was done by a notary, notify the notary, who can cancel the original and any other official copies.

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