
 Online registration form at [power-of-attorney-online.santander.co.uk/](https://power-of-attorney-online.santander.co.uk/)

 In your nearest branch

 Application helpline: **0800 414 8414**

## Registering a Power of Attorney or Court of Protection Order with Santander

In some circumstances it may be necessary to allow a third party to access or manage accounts on behalf of an account holder.

This document explains when third party access may be necessary and how this can be gained by using a Power of Attorney (POA) or Court of Protection Order.

### When would third party access be required?

There are various reasons that third party access may be required, including, but not limited to, the following:

- The account holder is preparing for the future, when they may become mentally incapable.
- The account holder is injured, disabled or physically unwell.
- The account holder plans on leaving the country for a period of time and will find it difficult to administer accounts.
- The account holder has lost mental capacity.

### Types of Power of Attorney

There are several types of POA that may apply in differing situations:

- **Ordinary Power of Attorney (OPA, also known as a General Power of Attorney)** – This is usually put in place by the account holder when they find it hard to manage their own financial affairs for a number of reasons, for example physical disability or travelling abroad. An Ordinary Power of Attorney can be cancelled at any time and becomes invalid if the account holder loses the mental capacity to make decisions.

- **Enduring Power of Attorney (EPA):**

An Enduring Power of Attorney can allow a third party to access and manage the account holder's finances.

An EPA can be used if:

- a) It has been signed by the account holder and their attorney(s).
- b) Each signature was witnessed.
- c) It was signed before 1 October 2007.

As of 1 October 2007, Enduring Power of Attorneys (EPAs) were replaced with Lasting Power of Attorneys. While this means that new EPAs cannot be created, it does mean that existing EPAs are still valid. However, EPAs won't be valid if they aren't registered with the Office of the Public Guardian when the account holder loses the capacity to make their own decisions.

- **Lasting Power of Attorney (LPA, known as Continuing Power of Attorney in Scotland)**

There are two types of LPA:

1. Property and Financial Affairs – can allow a third party to access and manage the account holder's finances.
2. Health and Personal Welfare – does not allow a third party to access or manage the account holder's finances.

LPAs must be registered with the Office of the Public Guardian (OPG) before they can be used. The OPG will have sealed each page on the original document. We can't accept a document that does not contain this mark. Once registered, LPAs can be used if the account holder still has mental capacity unless the LPA specifies otherwise. LPAs are commonly used to plan for future situations while the account holder still has mental capacity and continue after mental capacity is lost.

### Court of Protection orders

A Court of Protection order (Guardianship in Scotland) can appoint one or more people to make decisions for an account holder who lacks the mental capacity to do so for themselves. These decisions may relate to the person's property and affairs, healthcare and personal welfare.

### Multiple Attorneys

Where more than one attorney or deputy is appointed to act on behalf of an account holder, the documentation may authorise them to act jointly or jointly and severally. If the documentation does not state which, they will be treated on the basis that they have been appointed jointly. Please note that where the attorneys/deputies are appointed to act jointly and severally, a maximum of two attorneys/deputies can be registered with Santander.

The differences between a joint and joint and several appointment are:

- Joint attorneys must all act together and not separately. As a result, they will be unable to have any of the services that allow sole access to the account such as card and online access. Joint attorneys must transact in branch. Also, if one joint attorney decides they can no longer act, divorces the account holder, becomes bankrupt, mentally incapable or dies and the documentation does not include replacement attorneys, the POA becomes invalid and a new POA or Court of Protection order will be required.
- Joint and several attorneys may act together but can also act independently. The bankruptcy, death, incapacity, divorce or disclaimation of one attorney does not invalidate the authority of the other attorney.

- If a joint Power of Attorney is registered, in the eventuality of one of the joint attorneys being removed for any reason (including but not limited to an attorney passing away, screening undertaken by the bank, the attorney disclaiming their appointment, or divorce between attorney and donor), then any remaining attorneys will also be removed as the Power of Attorney agreement becomes invalid.

### Help with types of Power of Attorney

Please visit the Office of Public Guardian (OPG) website for help and guidance on the different types of Power of Attorney available.

### Power of Attorney restrictions

The account holder or Court may have included restrictions or instructions to how the attorney or deputy should operate when managing the account holder's finances. Santander is unable to enforce these restrictions/instructions.

It is the responsibility of the attorney/deputy to operate the account in line with the authority they have been given by the account holder or Court.

If an attorney is an undischarged bankrupt or subject to a Debt Relief Order, either at application stage or any point in the future, they must inform Santander and they will no longer be able to act as an attorney.

### Registering an Attorney on a Santander account

To register an Attorney on a Santander account, simply follow the steps below:

#### Step 1 – Obtain the relevant document that gives a third party authority to act on behalf of the account holder

This could be a Power of Attorney or Court of Protection Order. Information on how to do this can be found at [justice.gov.uk/about/opg](https://justice.gov.uk/about/opg)



#### Step 2 – Contact our Power of Attorney helpline on 0800 414 8414 (Monday to Friday 8am to 7pm, Saturdays 9am to 2pm)

Our helpline can:

- provide help and guidance
- help you to locate the Online registration form
- book a branch appointment for you (if you want to visit a branch)
- help you complete the Attorney registration form
- ensure you have all the right documentation ready to post or take into a branch to make the registration run smoothly



#### Step 3 – Complete our Attorney registration form

This can be completed online or via the postal form found at [santander.co.uk/personal/support/supported-banking](https://santander.co.uk/personal/support/supported-banking). Alternatively, you can register at one of our branches.



#### Step 4 – Provide identification

For example a passport or driving licence. Please note we require two forms of ID from our [name of document](#); one from list 1 and another from list 2. Details of this can be found online in the Customer Support section. We recommend calling the helpline to book branch appointments and to make sure you have all the correct identification to ensure your application is not delayed.



### Step 5 – Submit your Attorney registration form

For a branch appointment, please bring the following with you:

- Fully completed Attorney Application Form (this can be downloaded from our website, a copy can be obtained in branch or you can call our helpline for one to be sent out to you through the post).
- Power of Attorney/Court of Protection Order documents.
- Two forms of identification required for all attorneys.
- Confirmation of professional registration; please see guidance provided on the content/appropriate documentation required.

Please remember that we can book a branch appointment for you if you ring our Power of Attorney helpline on **0800 414 8414**.

Alternatively, you can post the documentation to:

#### **Power of Attorney Registration Team**

**PO Box 1109**

**Bradford**

**BD1 5ZJ**

On receipt of your documents, we will process the application within 7 working days. We will then send written confirmation of your registration.

If your application requires additional information, we may contact you for further information.

### What account access is provided?

Once an attorney has been registered, depending on the type of the attorney, they may be able to service the accounts in the following ways:

- In branch (please remember to always take in ID such as a driving licence or a passport).
- Internet access can be provided for Ordinary Power of Attorneys, Lasting Power of Attorneys and Enduring Power of Attorneys when requested where the accounts the donor holds allow this.
- Court appointed deputies can also have internet access when requested. Please note that it is Santander's policy to cancel the account holder's access to their own accounts (including cancelling their cards and online access) when a court appointed deputy is registered or Santander is made aware that the account holder lacks the mental capacity to manage their own finances. This is to protect the account holder by ensuring they can't access funds without the attorney/deputy.
- Attorneys who act 'jointly' cannot be given card or online access to transact and must come into a branch to transact.

Please call the Power of Attorney helpline on **0800 414 8414** to discuss your personal needs.

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Santander is able to provide literature in alternative formats. The formats available are: large print, Braille and audio CD. If you would like to register to receive correspondence in an alternative format please visit **[santander.co.uk/alternativeformats](https://www.santander.co.uk/alternativeformats)** for more information, ask us in branch or give us a call.

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