

more  
than  
money



# Easy Guide to Power of Attorney

Power of Attorney (POA) and  
advice for being an Attorney



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## Power of Attorney

- What is Power of Attorney?
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## Case Study: How a Power of Attorney Works at the Bank



## Where can you get help or more information?

# Hello

This is a short guide providing information on Power of Attorney (POA) and advice for being an Attorney.

### This is a short guide

For details on how to lodge a POA with NAB:

- Go to our website at [nab.com.au/poa](http://nab.com.au/poa)
- Visit your nearest branch. [Find it on our website](#)
- Call us on:
  - NAB Direct: 13 22 65
  - Indigenous Support Line: 1800 966 100
- Contact us via chat.

### If you need help to speak or listen

You can use the National Relay Service or NRS to call us. You must sign up to the service first.



Call **1800 555 660**

You can find more ways to contact the NRS on their website. Website [NRS call numbers and links](#) | [Access Hub](#)



### If you do not speak English

You can call us and say **I need an Interpreter**. We will get someone to help with your banking.





## What is Power of Attorney?

A Power of Attorney is a legal document. It lets you choose someone you trust to make decisions for you.

This person is called your 'attorney'. An attorney is not always a lawyer. It can be a family member, a friend, or someone else you trust.

# Why might you need a Power of Attorney?

- You might be going overseas and need someone to look after your money while you are away.
- You may be sick or injured and need help managing your affairs.
- You want someone to help you make decisions as you get older.
- You want to make sure someone you trust can help you if you cannot make decisions yourself.

## What can an attorney do?

Your attorney can do things like:

- Pay your bills
- Manage your money
- Sell or buy things for you (like a car or house)
- Make decisions about your health and wellbeing (if you allow them)

You can choose what your attorney can and cannot do. You can limit their power or give them full control. You are always in charge. You decide what your attorney can do.

## Types of Power of Attorney

### 1. General Power of Attorney

- This lets your attorney make decisions for you for a set time or reason (for example, while you are travelling).
- It stops if you can no longer make decisions yourself.

### 2. Enduring Power of Attorney

- This keeps going even if you can no longer make decisions for yourself (for example, if you are very unwell).
- It only stops when you pass away.



# Who should you choose as your attorney?

It is very important to choose someone you trust and will always do what is best for you. This person should:

- Be over 18 years old
- Understand what you want
- Be good with money and paperwork
- Be willing to help you

# How do you make a Power of Attorney?

1. Search for your state or territory government website and download the right form and we recommend you seek independent legal advice.
2. Complete the form with your details, the person/people you choose as your attorney/s and list your wishes.
3. Sign and date the form in front of an acceptable witness, your attorney/s need to sign and date the form in front of an acceptable witness and the document must be certified by an acceptable certifier.
4. Give a copy to your attorney, your bank, and anyone else who needs to know.

# What happens if you change your mind?

You can change your mind at any time (if you can still make decisions). We recommend you first seek independent legal advice.

## If you're worried it could be financial abuse

- Your attorney must always do what is best for you.
- It could be financial abuse if your attorney is not acting in your best interest or pressuring you or misusing your money.
- Confidential help is available. You can:
  - Get free legal advice from Legal Aid or a community legal centre
  - Contact NAB for help (phone NAB Customer Support Team on **1300 308 175** or email **nab.customer.support@nab.com.au** or visit **nab.com.au/financialabuse** or visit your local NAB branch)
  - Find more information on your state or territory government website



### Key Point:

You are always in charge. Giving someone Power of Attorney does not mean you lose control. You can still make your own decisions if you want to and are able.

# Advice and support for attorneys

Being chosen as someone's attorney is a big responsibility. It means someone trusts you to make important decisions for them, often about their money and wellbeing. At NAB, we understand that this is an important role, and it can sometimes feel challenging. To help you in this role, here are 8 important things to remember:



## 1. Do what's best for the person

Always make choices that help the person you care for.



## 5. Keep money separate

Don't mix your money with theirs. Use their money only for their needs.



## 2. Listen to what they want

If they can tell you what they want, follow that. If not, think about what they would choose.



## 6. Write things down

Keep notes and receipts for everything you do with their money or property. We may ask you for invoices or receipts when making payments as an attorney.



## 3. Follow the instructions and wishes in the document

The Power of Attorney document tells you what you can and can't do. Stick to it.



## 7. Ask for help if you're not sure

If something is hard, like selling a house, ask a lawyer or expert.



## 4. Don't use their money for yourself

You can't take their money or give gifts unless the Power of Attorney document says you can.



## 8. Tell people if things change

If the person can't make decisions anymore, let the bank and others know.

# Case Study

## How a Power of Attorney Works at the Bank

### Sarah and Tom's Story

Sarah is 75 years old. She wants help managing her money as she gets older. Sarah gives her son, Tom, Power of Attorney. This means Tom can help with her banking.

### Why did Sarah need a POA?

- Sarah is starting to forget things.
- She wants to make sure her bills are paid and her money is safe.
- She trusts Tom to help her.

### How does Tom use the POA at the bank?

- Tom goes to the bank with the POA document.
- The bank checks the document and adds Tom as an attorney on Sarah's accounts.
- Now, Tom can:
  - Pay Sarah's bills
  - Move money between her accounts
  - Ask about her balance

### Example of an acceptable transaction

Sarah's electricity bill is due. Tom uses Sarah's money to pay the bill from her account. The bank allows this because it is for Sarah's needs.

### Example where the bank asks for more information or says no

Tom wants to transfer a large amount of Sarah's money to buy a car for himself. The bank asks Tom to explain how this is in Sarah's best interest. Tom cannot show that buying a car for himself helps Sarah. The bank does not allow the transaction.



#### Key Point:

If the bank considers Tom is using Sarah's money for his own benefit and not hers, we may ask for more information or say no to the transaction.



# Contact us

## If you need help

If you cannot find the information you need on our website, or having difficulty here are some ways we can help.



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**Indigenous Support Line: 1800 966 100**



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