

Do I need a Power of Attorney?

In the UK, setting up a Power of Attorney lets you choose one or more people to make decisions who can act on your behalf if you're no longer able to yourself - or if you don't want to.

It gives them legal authority to help with property and financial affairs or health and welfare decisions.

Do I need a Power of Attorney?

Planning ahead by having a Power of Attorney in place is important in case you become unable to make decisions for yourself. You can only arrange a Power of Attorney while you're of sound mind, so arranging it now will make it much easier for you and your family if the time comes.

Whilst you're able to manage your own financial affairs, you don't need a Power of Attorney in place to access your lifetime mortgage. However, if you do lose mental capacity in the future or are unable to manage your finances for any other reason, you may not be able to access the full benefits of your lifetime mortgage.

If you are no longer of sound mind and don't have a Power of Attorney, we'll remove access to the cash reserve facility for both single and joint borrowers. You might need to access your cash reserve for care fees or emergencies - this is why it's so important to consider having a Power of Attorney in place.

How do I set up a Power of Attorney?

You can set up a Power of Attorney online by completing the forms and registering with the Office of the Public Guardian. You can also pay a solicitor to arrange this for you.

You can find out more at www.gov.uk/power-of-attorney

Can I send a letter of authority to grant third party access instead?

You can't use a letter of authority for a third party to complete any transactions on your behalf, for example making withdrawals from your cash reserve. For a third party to be able to transact on your behalf, they'll need to be legally appointed by way of a Power of Attorney.

Without a Power of attorney, you can authorise us to speak to someone else about your lifetime mortgage, but this will be for information purposes only.

What can my attorneys do on my behalf?

Your Power of Attorney can transact on your behalf for most demands, including releasing money from your cash reserve and making voluntary partial repayments. The Power of Attorney document must specifically include that your representative is able to transact on your behalf for your property and financial affairs. They can only act within any pre-agreed limits which you have specified when granting the Power of Attorney.

If you need to leave the property in the future for care, the loan will become repayable. As long as it's agreed in advance and specified on the Power of Attorney document (by both borrowers if joint), they'll be able to sell the property to repay the lifetime mortgage.

How do we register the Power of Attorney?

To register a Power of Attorney with Aviva, please send us either:

- The original Power of Attorney document. It must be complete and include all pages, or
- Send us a certified copy of the Power of Attorney document with proof of the attorney(s) identity. It must be complete and include all pages. The following people can certify a document is the copy of an original: Solicitors, Notary Public, Stockbroker, Donor (if they have capacity to do so). The certifier will need to provide a 'wet signature' (signed in ink on paper) on every page, date it and include their name, occupation, contact details, employment address. We can't accept a photocopy or scanned copy of the certified document.

Send it to the address below with a cover letter, quoting your lifetime mortgage number and return address. **Aviva, PO BOX 520, Norwich, NR1 3WG**

Are there any restrictions or additional steps when using a Power of Attorney?

There are strict laws on when you can use a Power of Attorney and how they must conduct themselves. We'll need to understand the reason for releasing funds from your cash reserve and may also request extra evidence such as invoices, receipts and bank statements.

When your Power of Attorney acts on your behalf, the Court of Protection and Office of the Public Guardian restrict how they use your money. They can only use it for your benefit.

If they'd like to release money from the cash reserve which is not primarily for your benefit, they must get permission from the Court of Protection and Office of the Public Guardian.

Need this in a different format?

Please get in touch if you'd prefer this document (**PF011879**) in large print, braille or as audio.

How to contact us

 0800 068 6800

 contactus@aviva.com

 aviva.co.uk