

# WHAT ARE ENDURING POWERS OF ATTORNEY?

*...and do I really need them?*



**It only takes one moment for your life to instantly change.**

Enduring powers of attorney are vital if the unexpected happens and an accident or illness prevents you from being able to communicate or make your own decisions.

Planning ahead, and getting these in place, will ensure your chosen person(s) will have the legal authority to deal with your affairs or make decisions on your behalf should the unexpected happen.

Enduring powers of attorney can also be helpful when you want someone else to take responsibility on your behalf, such as if you are travelling overseas.

## **MANY PEOPLE MAKE A WILL - BUT OVERLOOK ENDURING POWERS OF ATTORNEY.**

Enduring powers of attorney come into effect while you are still alive, whereas will does not take effect until you pass away.

There are two separate enduring power of attorney documents - one for property (your things) and the other for your personal care and welfare.

In summary:

- ◆ Your attorney(s) should be a close family member or friend that you trust, is reliable and, ideally, lives in New Zealand.
- ◆ A different set of people can be given power of attorney for your property than for your personal care.
- ◆ You can appoint joint property attorneys, but the personal care attorney is to be just one person.
- ◆ You can have successor(s), or back-up attorneys in the event the first attorney is unwilling or unable to act.
- ◆ A personal care enduring power of attorney will only take effect in the event of mental incapacity. A property enduring power of attorney can take effect in the event of mental incapacity, or immediately.

It is important to note that enduring powers of attorney need to be put in place while you have mental capacity to be valid.



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