

Plan ahead – putting support in place for managing your accounts



We understand that planning for the future can be difficult.

However putting the right support in place now can really help both you and your loved ones further down the line.

This guide outlines your options for allowing someone you trust to help with your bank accounts, and also gives a reminder about the importance of writing and maintaining a will.





How to let someone you trust access to your accounts

There may be circumstances, either now or in the future, where you may need help managing your accounts. You might have difficulty accessing certain services, or no longer feel confident doing it yourself.

You can formally appoint someone you trust to help you manage your finances. This could be a close family member, a friend or another trusted person.

There are many reasons why you may want to consider this:

- you would feel more comfortable having someone close be able to help you manage your finances and access funds;
- to ensure that someone you trust can manage your finances in the event that in the future you become incapable of doing so yourself;
- you need to make plans if, for example, you have been diagnosed with a serious illness; or
- you are living abroad but hold an account with us in Northern Ireland.

The person you choose can manage your account in a number of ways. Choosing the right option will depend on your own needs and circumstances.

We look at the main ways here:

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● Enduring Power of Attorney	7

As well as explaining what a control order from the court means.

1. Carer's Account

If you are temporarily immobile or shielding for health reasons, and you need some short-term help from a trusted person to access your money, you can ask us to open a Carer's Account for you.

We would add the Carer's Account as a supplement to your main account. It would allow your trusted person (carer) access to money to pay for essential living expenses for you during this time.

Importantly:

- you keep control of your main accounts; and
- you decide how much money you want to transfer to the Carer's Account, and how often you would like these transfers to be made.

The carer would be issued with their own debit card and PIN on the Carer's Account. This means they won't have access to your main account, or any of your security details.

✘ Are there any restrictions on what the carer can and cannot do on my accounts?

The carer can:

- only access the money you have placed in the Carer's Account
- withdraw cash from cash machines up to the daily withdrawal limit, or the total amount of money available in the account, whichever is lower
- buy goods or services using their debit card up to the daily limit, or the total amount of money available in the account, whichever is lower.

The carer will not be able to:

- have access to any of your other accounts
- change the type of account you hold
- change your name, address or contact details
- open or close any of your accounts
- apply for any new products or services such as credit cards or loans
- buy goods or services online.

✘ When would this option not be suitable?

- If you need a long-term solution, this is not a suitable option, as a Carer's Account should only be used if you are temporarily immobile or shielding for health reasons.
- A Carer's Account may only be opened if you have mental capacity. The account agreement with the carer will stop if you no longer have capacity.

2. Third Party Mandate

A third-party mandate allows one or more family member or other trusted person the authority to act on your behalf in relation to your accounts with Danske Bank.

This may be suitable if you need support with your everyday banking, whether it is to pay bills or to access cash.

The mandate holder may access your accounts in varying levels, act on their own, or only with you.

You can specify which accounts the mandate holder has access to and how they access them – using e-Banking, for example, or only in branch. You may choose to provide them with an extra card in their name which allows them to access cash via an ATM or to purchase goods on your behalf.

Are there any restrictions on what they can and cannot do on my accounts?

The mandate holder will not be able to change your accounts, so for example, they cannot:

- change the type of accounts you hold;
- change your name, address or contact details;
- open or close accounts; or
- apply for any new products or services such as credit cards or loans.

When would this option not be suitable?

- If you want to put an arrangement in place that will continue if you lose mental capacity to control your own affairs.
- If you or the mandate holder do not have mental capacity.

3. Power of Attorney

There may come a time when, because you are incapable of managing your property and financial affairs, you will need someone to do this for you.

You can formally appoint a friend, relative or professional to hold a Power of Attorney that will allow them to act on your behalf. In Northern Ireland, there are two types of Power of Attorney, Ordinary and Enduring.

i Please note, these apply specifically to Northern Ireland. If you have assets outside Northern Ireland, please ensure that you obtain advice on how to manage these in the future.

Ordinary Power of Attorney

This is a legal document under which you can appoint one or more trusted people the power to act on your behalf. You may continue to operate your own account, supported by whoever you have appointed under the Ordinary Power of Attorney.

You can grant a trusted person general authority to act on your behalf in relation to all of your affairs, or you may restrict it so that they are limited, for example, to managing your finances or even to managing specific accounts.

- You must be mentally capable to set up an Ordinary Power of Attorney.
- The attorney(s) may remain in place for as long as you have the mental capacity to manage your own affairs.
- You can revoke the Ordinary Power of Attorney at any time if you change your mind, and we can remove the attorney from your account on your instruction.
- It is important to note that an Ordinary Power of Attorney is automatically revoked if you lose mental capacity.
- It may be a more suitable option for temporary situations, such as for a period when you are living abroad and need someone to manage your finances for you.

x When would this option not be suitable?

- If you or the third party are under 18 years of age.
- If you want to put an arrangement in place that will continue if you lose mental capacity.

An Enduring Power of Attorney is similar to an Ordinary Power of Attorney; however, importantly it will remain effective, or only take effect, when you no longer have mental capacity to manage your financial affairs.

- You must be mentally capable at the time you make an Enduring Power of Attorney.
- If you lose mental capacity it must be registered with a division of the High Court called the Office of Care and Protection.
- You can choose for it to take effect immediately, or you may place a restriction that means it will only take effect if and when you lose mental capacity.

✘ When would this option not be suitable?

- If you or the third party are under 18 years of age.
- If you do not want the attorney to retain power after you have lost mental capacity.

i Can I appoint more than one attorney?

You can appoint more than one attorney, for instance, your two children. It's important to consider, however, whether you'd like them to act 'jointly' or 'jointly and severally.' This will affect how they manage your accounts. A solicitor or independent adviser can guide you further on which option is best suited to you. The differences below show how this decision affects the way they can operate your accounts.

- **Jointly** – all attorneys need to be present to carry out a transaction. This means that they aren't able to manage your account over the phone, or through eBanking. They also won't be able to have use of a debit card.
- **Jointly and severally** – attorneys can act independently, or together. This means that either or both attorneys can manage your account.

4. Control Orders

If you lose the mental capacity to manage your finances, and no Enduring Power of Attorney has been registered at the High Court, someone can apply to the High Court to act as your 'controller' or 'authorised person' under an Order, which can be issued by the High Court.

An Order (known as a 'Control Order' or 'Short Procedure Order') may be granted by a division of the High Court called the Office of Care and Protection that allows an appointed 'controller' or 'authorised person' to deal with the day to day management of your affairs. This can be a relative, a friend, or perhaps a professional adviser or solicitor.

- The Order will state exactly how the controller or authorised person is allowed to manage your affairs and the Court may impose restrictions on the controller/authorised person.
- It is important to note that you will not have control over the individual who is appointed to act as your controller/authorised person, so you may wish to consider setting up someone as an Enduring Power of Attorney – this ensures you have control over who may operate your account in the event that you lose mental capacity.



At a glance

This is a summary of how these types of access operate.

This may be used if you:	Carer's Account	Third Party Mandate	Ordinary Power of Attorney	Enduring Power of Attorney	Control Order
Just need some short-term help	✓	✓	✓	✗	✗
Are preparing for when you'll be unable to make decisions	✗	✗	✗	✓	✗
Have lost mental capacity	✗	✗	✗	✓**	✓*

*You will not have control over who is appointed as a Controller - this person will be appointed by the High Court when they receive an application from someone, such as your family, friend, or solicitor.

** You must set up the Enduring Power of Attorney while you have mental capacity.



How do I set up third party access with the Bank?

We can easily set this up for you at an appointment in your local branch. If you give us a call first, we'll let you know what documents to bring with you and who should attend. The third party doesn't have to bank with us, but we'll need to keep a record of their details for security and identification purposes.

To find out more about any of these options, or to make an appointment, please ask at your local branch, or phone us on 0345 600 2882.





Rest assured – consider making a will

A will is a legal document you create that sets out your instructions for who you want to inherit your possessions and money (your ‘estate’) when you pass away.

i Why make a will?

- A will can ensure that your estate is distributed as you intend.
- If you do not make a will, all or part of your estate may go to people who you never intended to benefit, as your assets will be distributed in a way defined by the law, known as the law of Intestacy.
- You can appoint a person or people who you trust to deal with your estate to make sure that your wishes are carried out according to your will – these are called executors
- If you make a will it will likely save your family unnecessary distress at an already difficult time.
- It is important to make sure you keep your will up to date if you have any changes in your circumstances.

i Where to go for more help

We’re not able to give you any legal or financial advice. The information we have provided should only be used as a general guide. We recommend that you contact a solicitor registered with the Law Society of Northern Ireland for further advice.

There are also a number of organisations that could help you, including:

- The Office of Care and Protection
- The Law Society of Northern Ireland
- NI Direct Government Services

Need more support?



0345 600 2882

We may record or monitor calls to confirm details of our conversations and for verification and quality purposes.



[danskebank.co.uk](https://www.danskebank.co.uk) has more information on all our products and services.



Our branch staff are happy to help.

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