



**JOINT ACCOUNTS**

General information on joint accounts is available on the Government of Canada website at <http://www.seniors.gc.ca/eng/working/fptf/attorney.shtml>

**POWERS OF ATTORNEY**

1- A power of attorney is by definition a legal document whereby one person (the “mandator”) authorizes another person (the “mandatary”) to act on his or her behalf when carrying out, for example, banking transactions.

The power of attorney takes the following forms:

- Simple written document obtained by completing the *Power of Attorney – Individual or Sole Proprietorship* form (the “Bank’s form”) provided by the Bank. If you choose to complete this form, we recommend that you have it reviewed by a legal advisor before signing it, to ensure that it meets your needs.
- A more complex document drafted by a legal advisor (legal power of attorney).

For more information on powers of attorney and the different forms available, visit the Government of Canada website at <http://www.seniors.gc.ca/eng/working/fptf/attorney.shtml>

2- If you wish to give power of attorney to a relative, the Bank must conduct the necessary verifications before it can be granted for your banking needs.

**Depending on the type of power of attorney used, the Bank:**

<b>Legal power of attorney</b>	<b>Power of attorney via the Bank form</b>
<ul style="list-style-type: none"> <li>• Requires the presence of the mandator and the mandatary to present the power of attorney.</li> <li>• Identifies the mandator and the mandatary.</li> </ul> <p>In cases where the mandator is absent:</p> <ul style="list-style-type: none"> <li>• Asks the mandatary where the mandator is and whether he or she still mentally capable.</li> <li>• Contacts the mandator to make sure the power of attorney is valid.</li> </ul>	<ul style="list-style-type: none"> <li>• Requires the presence of the mandator and the mandatary when granting the power of attorney.</li> <li>• Identifies the mandator and the mandatary.</li> </ul>
<ul style="list-style-type: none"> <li>• Obtains the original or a certified true copy of the legal power of attorney (for a notarial power of attorney, the document must be stamped with the notary’s seal).</li> <li>• Confirms with the mandator to make sure the designated mandatary and the powers granted by the mandator remain valid.</li> <li>• Verifies, in cases where more than one mandatary has been appointed, if they must act jointly or individually.</li> </ul>	<ul style="list-style-type: none"> <li>• Completes the Bank’s form and has the form signed.</li> <li>• Records in the form, in cases where more than one mandatary has been appointed, whether they must act jointly or can act individually, in accordance with the mandatary’s instructions.</li> </ul>
<p>Asks and collects the following information from the mandatary:</p> <ul style="list-style-type: none"> <li>• Personal information, such as name and address.</li> <li>• Place of birth, address and citizenship.</li> </ul>	

- 3- The Bank may conduct additional verifications when you present a power of attorney.
- a) The Bank may:
- Contact the legal advisor who drafted your power of attorney to make sure it is still valid.
  - Request a medical certificate to check your capacity to grant a power of attorney.
  - Analyse the content of some clauses in your power of attorney to make sure the mandatary is allowed to carry out an action.
  - In the case of incapacity of the mandator:
    - Check to see if evidence of incapacity exists (for example, medical proof).
    - Obtain the mandate in anticipation of incapacity and the judgment of homologation, if applicable.
    - Obtain the court judgment confirming the appointment of a mandatary once protective supervision has been instituted, if applicable.
- b) While such verifications can lead to additional delays, they are in your best interest. In such cases, the Bank will notify you of:
- Required additional verifications, and
  - An approximate estimate of any additional delays, depending on the nature of the verifications being conducted.
- 4- When the Bank refuses to act on a power of attorney based on your mandatary's instructions, you or your mandatary can use the conflict escalation and resolution procedures explained in the brochure entitled *Achieving Customer Satisfaction*, which is available in branches or on the Bank website at [https://www.banquelaurentienne.ca/en/contact\\_us/comments.html](https://www.banquelaurentienne.ca/en/contact_us/comments.html).