

# Acting on behalf of someone else?

How to register a power of attorney or other  
legal authority with us, and how to apply for  
and manage NS&I accounts

# About this guide

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This guide explains how to register an Authority to manage savings on behalf of someone else with us. It also details how to apply for and manage NS&I accounts under such an Authority.

Throughout this guide the term Deputy also refers to the role of Receiver, Controller and Guardian. The role Donor also refers to Granter and a Court of Protection Order also refers to a Guardianship Order. For explanations of these legal terms and the different types of Authority please see **Different types of Authority**.

Please note that we recognise that as Attorney or Deputy you have a fiduciary obligation to our customer (the Donor or Patient). However, this does not remove our statutory duty of care to them. This may mean that on occasion, when we receive instructions from you on their behalf, we will seek additional information in respect of those instructions, in line with our statutory obligations.

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## Registering an Authority with NS&I

To register a Power of Attorney or confirmation of your appointment as Deputy, for example the Court of Protection Order, executed in the UK send us the original document by post. We recommend that you use a secure service. The Court of Protection Order should be sealed or bear the blue office copy stamp. Alternatively you can send us a certified photocopy of your Authority.

### Sending a certified copy

If you are sending a photocopy of the Power of Attorney or confirmation of your appointment as Deputy, it must be certified at the end of each page as being a true and complete copy of the original.

### Who can certify the copy

The copy of the Power of Attorney must be certified by one of the following people: The Donor (if they still have capacity); a solicitor; a notary public or, unless it is a Lasting Power of Attorney, a stockbroker.

The copy of the confirmation of your appointment as Deputy can be certified by any of the following people:

A qualified individual who is currently practising in the legal, financial or teaching profession, doctor or dentist, minister of a recognised religion, civil servant, prison, police or customs officer.

The certifier must not be related to you by birth or marriage, in a personal relationship with you or live at the same address.

### How to certify the copy

The certifier must write at the end of each page of the copy: "I certify that this is a true and complete copy of the original [type of document] belonging to [name]."

Then the certifier must sign and date the copy, print their full name under their signature (affixing any relevant official stamp) and add their occupation, address and daytime phone number. If they have lived at that address for less than three months, they should also give their previous address.

Members of professions should also give their institute membership number, if possible. Under anti-money laundering legislation we may verify their identity using this information.

A Power of Attorney or Court of Protection Order only needs to be registered with us once, except in the case of an Enduring Power of Attorney where the Donor loses capacity. If that happens, we'll need to see the Enduring Power of Attorney again after it has been registered with the Office of the Public Guardian.

For a Power of Attorney or confirmation of your appointment as Deputy executed abroad please call us so we can explain how to register this Authority with us.

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## Acting on behalf of a Patient or Donor

### Applying for an account

If you are an Attorney or Deputy (or Donor where applicable), you can apply on behalf of the Donor or Patient for any NS&I account that is on general sale.

If you have already registered an authority with us and have registered for our online and phone service you can apply for an account online or over the phone (except Investment Account which is postal only and Junior ISA which is online only).

If you want to apply for an account at the same time as registering an authority with us you can do so using a postal application form.

We have a specific Attorney and Deputy application form for each of our accounts, except Premium Bonds and our Investment Account where you should use the general application form. Call us to request an application form or download one from our website at [nsandi.com/downloads-and-forms](https://nsandi.com/downloads-and-forms)

You will need to enclose the original Power of Attorney or confirmation of your appointment as Deputy with the application form(s) and cheque(s). Please see **Registering an Authority with NS&I**.

Where possible the cheque(s) should be drawn on a bank account held in the name of the Donor or Patient. If this is not possible, we can accept a cheque drawn on a bank account in the name of the Attorney or Deputy, together with an explanation of why an account in the Donor's or Patient's name cannot be used.

When applying for a Direct ISA the Donor or Patient must sign the application form with the Attorney or Deputy unless there is a physical or mental incapacity.

In line with anti-money laundering legislation we may verify the identity of everyone named in the application.

### Managing an account

You as an Attorney or Deputy can manage any of our accounts that you are managing on behalf of someone else by post.

If you have restricted authority, or must act jointly for all transactions with another appointed individual or the account is our Investment Account you can only manage the account by post.

If you as the Attorney or Deputy want to manage the accounts online or by phone you must register for our online and phone service. Find out how to register for our online and phone service at [nsandi.com/register](https://nsandi.com/register)

Once registered as an Attorney or Deputy, this table shows which transactions you as an Attorney or Deputy can make on the accounts you are managing on behalf of the Donor or Patient online, over the phone or by post. This is unless you have restricted authority or must act jointly for all transactions with another appointed individual.

Action on behalf of Donor or Patient	Online or by phone	By post
Apply for an account	Yes	Yes
Apply for a Direct ISA or Investment Account	No	Yes
Make a subsequent sale or deposit (excludes Investment Account which is postal only and Junior ISA which is online only)	Yes	Yes
Change Donor details (address, email address)	Yes	Yes
Change nominated bank account details	Yes	Yes
Make a withdrawal (excludes the Investment Account which is postal only)	Yes	Yes
Close a Direct ISA or Investment Account	No	Yes
Close fixed term investments, Income Bonds, Direct Saver and Premium Bonds*	Yes	Yes
Check the balance	Yes	Yes
Provide instructions for fixed term investments at maturity	Yes	Yes
Get a valuation for a fixed term investment (can be viewed online or sent by post)	Yes	Yes
Set up Premium Bond prizes by BACS (requires Donor email address)	Yes	Yes
Change paperless preferences	Yes	No

\*Premium Bonds are closed after a period of inactivity following a full repayment

## Different types of Authority

### Ordinary Power of Attorney

An Ordinary Power of Attorney is a legal document appointing one or more people (an 'Attorney') to manage the financial affairs of another person (the 'Donor'). It allows the Attorney to manage all the Donor's affairs or it can be tailored to specific actions or restricted to a limited period of time.

The Attorney and the Donor can manage the Donor's affairs.

In all cases the Ordinary Power of Attorney becomes invalid once the Donor has lost capacity.

An Ordinary Power of Attorney can also be known as a **General Power of Attorney**.

### Lasting Power of Attorney (England and Wales)

A Lasting Power of Attorney is a legal document appointing one or more people (an 'Attorney') to manage the finances of another person (the 'Donor'). The Attorney and Donor can manage affairs until it is proved that the Donor lacks capacity. The Attorney then assumes full authority.

The Lasting Power of Attorney needs to be registered with the Office of the Public Guardian before it can be used.

Lasting Powers of Attorney replaced Enduring Powers of Attorney from 1 October 2007. Enduring Powers of Attorney can still be used which were signed, dated and witnessed by all parties on or before 30 September 2007, either registered or unregistered.

Enduring Powers of Attorney don't need to be registered with the Office of the Public Guardian before use, but they must be registered with the Office of the Public Guardian once the Donor lacks capacity.

### **Enduring Powers of Attorney (Northern Ireland)**

In Northern Ireland Enduring Powers of Attorney are still used. The Attorney and Donor can manage affairs until it is proved that the Donor lacks capacity. The Attorney then assumes full authority and must register the Enduring Power of Attorney with the Office of Care and Protection.

### **Continuing Power of Attorney (Scotland)**

A Power of Attorney executed on or after 2 April 2001 stating that it is a Continuing Power, must be registered with the Office of the Public Guardian, Scotland, before use. On registration, the Office of the Public Guardian, Scotland, will issue a certificate confirming that the Power has been accepted.

### **The Attorney and Donor**

can manage affairs until it is proved that the Donor lacks capacity. The Attorney then assumes full authority.

Powers of Attorney executed before 2 April 2001 don't need to be registered with the Office of the Public Guardian, Scotland. The Power will continue even if the person loses capacity, unless the Power specifically states that it will lapse if capacity is lost. In Scotland the Donor is called a **Granter**.

### **Court of Protection Order**

The Court of Protection appoints an individual, individuals or a corporate body (the 'Deputy' - previously known as 'Receiver') to act on behalf of a person (the 'Patient') who is unable to make decisions about their personal health, finance or welfare.

There are regional variations to the term Deputy. In Northern Ireland the Deputy is called the 'Controller' and in Scotland a 'Guardian' is granted a Guardianship Order to act on behalf of the Patient.

# Contact and help

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Visit our website at **nsandi.com**



Phone us on **08085 007 007**

We're here in the UK every day. Calls from the UK are free.  
We may record your call to help us give you the best service.



Tweet us **@nsandihelp**



Write to us at **NS&I, Sunderland SR43 2SB**

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You can get in touch with us through the Text Relay Service: just dial **18001** from your textphone then enter our main phone number. Or call our Minicom service direct on **0800 056 0585**.