



PROGRESSIVE  
BUILDING SOCIETY

**Managing a  
savings account  
for someone else**



# Contents

Introduction	2
How our guide can help	2
Options available	2
Third party withdrawal	3
Documents required	3
Enduring Power of Attorney (EPA)	3
What is an Enduring Power of Attorney (EPA)?	3
Some small print	4
What happens if the account holder becomes mentally incapable?	4
Letting us know	4
Documents required	4
How long does the process take?	5
Care and Protection Controllership	5
Letting us know	5
Documents required	6
How long does the process take?	6
Dealing with a joint account	6
Contact us	7
Further sources of help and information	7
Useful links	7

# Introduction

We understand that there may be circumstances when it's in a customer's best interest for someone else to look after their financial affairs.

At Progressive we make sure all our Members are treated with the utmost respect and care and that their needs are met with a fair, secure and robust service exceeding the highest possible standards.

There are various reasons why it may be best for someone else to either temporarily or permanently take control of an account. For example, a customer may need a long spell in hospital or they may have an illness such as dementia. Every situation will be different so please talk to us.

## How our guide can help

This guide which applies to Northern Ireland, explains how you can manage a savings account with Progressive on behalf of another person.

We describe the circumstances in which this is possible and how it can be done, outlining the documents you'll need and the process required.

Our helpful team will be on hand to provide guidance as necessary.

## Options available

Should a customer need help to manage their savings account(s) there are a number of options available:

- **Third party withdrawal** – a one off arrangement between the account holder and a trusted third party nominated by the account holder to carry out a single withdrawal on the customer's behalf.
- **Enduring Power of Attorney (EPA)** – a formal legal arrangement that allows a customer to plan ahead against the possibility of future loss of physical or mental capacity. An Enduring Power of Attorney identifies who the customer wants to control the running of their account if required.
- **Care and Protection Controllership** – this route is used in cases when a customer no longer has capacity to operate their finances and there is no Enduring Power of Attorney in place. A friend or family member is appointed by the High Court to take control of the account(s). Where an appropriate person cannot be identified, a Solicitor may undertake this role.

## Third party withdrawal

With this one-off option, the account holder **must** authorise a withdrawal from their savings account.

This may happen if the account holder is unable to visit a branch to make a withdrawal themselves due to illness, being housebound or hospitalised. They simply authorise a third party to visit a branch and collect a withdrawal on their behalf.

It's worth noting that the third party may only withdraw a cheque payable to the account holder as cash withdrawals are not permitted.

The account holder and the third party must both complete and sign the relevant sections on a **Third Party Withdrawal From a Member's Savings Account Form**, which you can download from our website [theprogressive.com](http://theprogressive.com) or simply pick up a form from one of our branches.

### Documents required

To collect the withdrawal, the third party should call at any of our branches or agencies with the completed **Third Party Withdrawal From a Member's Savings Account Form**, the passbook for the account and valid photographic identification.

## Enduring Power of Attorney (EPA)

### What is an Enduring Power of Attorney (EPA)?

An ordinary Power of Attorney enables the account holder (called the Donor) to choose a person or persons (called an Attorney) to deal with their property and affairs. In the instance where an ordinary Power of Attorney stops in the event of the account holder becoming mentally incapable of managing their affairs an Enduring Power of Attorney will continue.

This option lets the account holder control who will manage their affairs should the need arise.

An Enduring Power of Attorney can be made at any time provided the Donor is over 18 years old and mentally capable of understanding what the Enduring Power of Attorney entails. It will take effect as soon as the Attorney(s) signs unless the Donor has included any conditions or restrictions in relation to when the power should commence.

If the Donor changes their mind they can cancel or amend the Enduring Power of Attorney at any time while they are mentally capable.

At Progressive we strongly recommend that the Donor seeks advice from a Solicitor before setting up an Enduring Power of Attorney.

### **Some small print**

Please note that Progressive Building Society can only accept Powers of Attorney which are governed by the laws of Northern Ireland. If you have an Enduring Power of Attorney, Lasting Power of Attorney or Deputy Order made outside the jurisdiction of Northern Ireland, please contact the Northern Ireland Office of Care and Protection who will provide you with a suitable court order recognised in Northern Ireland. Contact details are available in the Useful Links section at the end of this guide.

### **What happens if the account holder becomes mentally incapable?**

If the Attorney(s) believe(s) that the Donor is showing signs of becoming mentally incapable of managing their own affairs they must apply to register the Enduring Power of Attorney with the High Court (Office of Care and Protection) in Northern Ireland. As part of the process the Donor will receive notification of the Attorney's application to the court.

### **Letting us know**

It's always best to keep us informed of any changes, so if you are an Attorney for someone who holds a savings account with us and you wish to register the Power of Attorney on their account, please call into any of our branches or call our helpline on 0800 029 4998.

When an Enduring Power of Attorney is registered on a savings account, the account holder (Donor) is no longer able to operate the account. The Attorney(s) will now manage the account on the Donor's behalf.

### **Documents required**

In order for the Attorney(s) to start managing the Donor's savings account(s) we will need the following:

- original Power of Attorney document or a copy certified by a Solicitor confirming it is a true copy;
- **Registering a Power of Attorney/Care & Protection Order on a Savings Account Form**, completed and signed by the Attorney(s) – you can download this from our website **theprogressive.com** or pick up a form in one of our branches;
- valid photographic identification for the Attorney(s);
- passbook for the savings account.

## **How long does the process take?**

It takes approximately seven banking days to process the registration for an Enduring Power of Attorney, after which the Attorney(s) will have the same power to manage the account as the Donor had. We will inform the Donor and any other Attorney(s) who have decided not to act, when the Enduring Power of Attorney has been registered on the account.

## **Care and Protection Controllership**

It's good to know that the law looks out for savers' best interests too. The rights of people living in Northern Ireland who do not have mental capacity are fully protected by the High Court in Northern Ireland. Within the High Court system, the Office of Care and Protection will decide who can handle a person's affairs if they no longer have mental capacity and have not made or are not capable of making an Enduring Power of Attorney.

When a person is deemed incapable of managing their financial affairs because of mental disorder, the law and in particular, the Mental Health (Northern Ireland) Order 1986, permits the appointment of another person to take charge of these affairs.

The name given by the Order to someone who is suffering from mental disorder and whose financial affairs are subject to the Court's control, is the 'Patient'. The name given to those appointed by the Court to manage a Patient's financial affairs is the 'Controller'.

The Controller can be a relative, friend or a professional advisor. Sometimes, an Officer of the Court or the Official Solicitor can be appointed.

### **Letting us know**

Let us know and let us help.

If you are the appointed Controller for someone who holds a savings account with us and you wish to register the Care and Protection Order on their account, please call into any of our branches or call our helpline on 0800 029 4998.

The Order will give details of the specific powers given to the Controller and only gives authorisation on what is stated in the Order. If the Controller wishes to extend their authority, an application must be made to the Court who may grant a further Order.

## **Documents required**

Before we can act on the instructions of the Order, we will need the following:

- original Care and Protection Order bearing the seal of office;
- **Registering a Power of Attorney/Care & Protection Order on a Savings Account Form**, completed and signed by the Controller(s) - you can download this from our website [theprogressive.com](http://theprogressive.com) or pick up a form in one of our branches;
- passbook for the savings account.

## **How long does the process take?**

It takes approximately seven banking days to process the registration.

## **Dealing with a joint account**

Where two people are operating a joint account and one of the account holders sadly loses mental capacity, another person may be given access as an Attorney or Controller.

If you are a customer operating a joint account with someone who is losing mental capacity, you should visit us at any of our branches or call our helpline on 0800 029 4998, we're ready to help you.

When an Enduring Power of Attorney or Care and Protection Order is in place, we will allow the Attorney or Controller and the account holder who retains mental capacity to operate the account either together or separately dependent on the terms and conditions of the joint account.

We will inform the joint account holder with mental capacity that an Enduring Power of Attorney has been registered on behalf on the other account holder once the Enduring Power of Attorney is activated.

If you have any further questions please contact us.

We understand that this can be a difficult time for everyone involved, so please be assured that we have our Members' best interests at heart – at all times.

# Contact us

## By post:

Progressive Building Society  
33/37 Wellington Place  
Belfast  
BT1 6HH

**By telephone:** 0800 029 4998

**By email:** [savingssupport@theprogressive.com](mailto:savingssupport@theprogressive.com)

A list of all our branches, including addresses and contact numbers, can also be found on our website **theprogressive.com**.

## Further sources of help and information

You will find information about Powers of Attorney and Care and Protection Orders on the NI Direct Government Services website:

[nidirect.gov.uk/articles/managing-your-affairs-and-enduring-power-attorney](https://nidirect.gov.uk/articles/managing-your-affairs-and-enduring-power-attorney)

[nidirect.gov.uk/contacts/contacts-az/office-care-and-protection](https://nidirect.gov.uk/contacts/contacts-az/office-care-and-protection)

[justice-ni.gov.uk/topics/courts-and-tribunals/office-care-and-protection-patients-section](https://justice-ni.gov.uk/topics/courts-and-tribunals/office-care-and-protection-patients-section)

## Useful links

Law Society of Northern Ireland

Website: [lawsoc-ni.org](http://lawsoc-ni.org)

The Office of Care and Protection

Website: [justice-ni.gov.uk](https://justice-ni.gov.uk)

Age NI

Website: [ageuk.org.uk/northern-ireland](https://ageuk.org.uk/northern-ireland)

Northern Ireland Alzheimer's Society

Website: [alzheimers.org.uk/about-us/northern-ireland](https://alzheimers.org.uk/about-us/northern-ireland)

Citizen's Advice Bureau

Website: [citizensadvice.org.uk/nireland](https://citizensadvice.org.uk/nireland)

This is not a legal document or code of practice. It is for guidance only. The guidance applies in Northern Ireland only.



Progressive Building Society is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Financial Services Register Number 161841. All calls may be recorded and/or monitored. The Society is a member of the Building Societies Association. The Society has an internal complaints procedure. Complaints that cannot be resolved may be referred to the Financial Ombudsman Service, Exchange Tower, London E14 9SR [tel: 0800 023 4567 or 0300 123 9123] email: [complaint.info@financial-ombudsma.org.uk](mailto:complaint.info@financial-ombudsma.org.uk). The Society is a subscriber to the Financial Services Compensation Scheme. Further details are available on request from the Society or by visiting our website: [theprogressive.com](http://theprogressive.com) or the Financial Services Compensation Scheme website: [fscs.org.uk](http://fscs.org.uk).

Unless otherwise stated, the law of Northern Ireland will apply and all communications and documentation in relation to this contract will be in English. You submit to the non-exclusive jurisdiction of the Northern Irish Courts.



Protected



PROGRESSIVE  
BUILDING SOCIETY

September 2019