



INFORMATION SHEET

Power of Attorney

What is a power of attorney?

A power of attorney (POA) is a document that allows you to appoint someone else to handle your affairs on your behalf.

A grantor can still act on their own behalf after the execution of a power of attorney, unless and until they lack capacity. The authority of a power of attorney ends upon the grantor's death.

Who is allowed to grant a power of attorney?

In order to grant a power of attorney, the grantor must be at least 18 years of age and have the capacity to understand the nature and effect of the granting of a power of attorney. It is important to understand the power you are granting to your attorney and the implications of having someone else make decisions for you.

How do I appoint a power of attorney?

Members should contact a lawyer for assistance if they wish to name a power of attorney. In order for the person(s) you have appointed as your attorney(s) to make changes to or access information with respect to your SHEPP benefit, SHEPP will request that the power of attorney documents be sent to our office along with a copy of the attorney's ID.

SHEPP will only accept enduring power of attorney documents - those that do not terminate on lack of capacity of the member and are legislated in Saskatchewan by *The Powers of Attorney Act, 2002*.

Who can I appoint as my attorney?

Your attorney should be someone you trust, and who understands the responsibilities involved. You may name a corporation or person(s) to act as your attorney(s). They must also be a person who:

- is 18 years or older;
- has the capacity to understand information and consequences related to making/not making decisions as an attorney;
- is not an undischarged bankrupt;
- is not being paid to provide you with personal or health care services; and
- has not been convicted of certain criminal offences in the last 10 years.

You may appoint an alternate attorney to act if your appointed attorney dies, is unwilling/unavailable, or is unable to act on your behalf.



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POAs and SHEPP

A POA may give the attorney broad or limited authority to make decisions about the grantor's property and financial affairs, and/or personal affairs. SHEPP can act on POAs that give an attorney appropriate authority with respect to the SHEPP pension, such as a POA that appoints a general property attorney.

Common changes or requests made to SHEPP by attorneys acting under a POA include:

- address and other contact information updates
- pension option elections (retirement/termination)
- access to personal information
- request estimates or other calculations
- banking information changes (i.e. pensioned members)
- tax instruction updates for pensioners

An attorney does not have the authority to:

- delegate their authority as POA, unless the POA expressly provides for this
- make a beneficiary designation change
- sign a spousal waiver
- access or change a member's **SHEPPweb** sign-in information

Where can I obtain more information?

You can find general information on powers of attorney from:

Public Legal Education Association of Saskatchewan

650 - 333 25th Street East
 Saskatoon, SK S7K 0L4
 Phone: 306.653.1868
 Fax: 306.653.1869
www.plea.org

Public Guardian and Trustee of Saskatchewan

100 - 1871 Smith Street
 Regina, SK S4P 4W4
 Phone: 306.787.5424
 Fax: 306.787.5065
 Toll Free: 1.877.787.5424
www.saskatchewan.ca