

# Information about Power of Attorney and Joint Deposit Accounts



## What is a Power of Attorney?

A Power of Attorney is a legal document that you sign to give one or more persons the authority to manage your money and property on your behalf. In most of Canada, the person(s) you appoint is called an "attorney". The person(s) you choose does not have to be a lawyer.

Among other requirements, you must be mentally capable at the time you sign any type of Power of Attorney for it to be valid. As the legal definition of mental capacity varies based on the laws in each province or territory, it may be advantageous to seek legal counsel in this regard. You also can make changes to or cancel a Power of Attorney at any time, as long as you are mentally capable.

## What is a Joint Deposit Account?

A Joint Deposit Account is a bank account in which two or more people have ownership rights over the same account. These rights can include the right for all account holders to withdraw or deal with the funds in the account, no matter who puts the money into the account.

As a joint account holder you share equal access to the account and responsibility for all the transactions made through the account. In most cases, unless you state otherwise, the other account holder(s) can make withdrawals or other transactions without your consent and the funds in the account may be subject to creditors' rights or other claims that might exist against the other account holder(s).

In many cases, joint accounts include the right of survivorship. This means that if one of the account holders dies, the surviving account holder(s) become(s) the owner(s) of the account. Scotiabank's Deposit Account Agreement contains the terms and conditions associated with joint accounts, and can be found in the Day-to-Day Banking Companion Booklet at [www.scotiabank.com](http://www.scotiabank.com), or ask for a copy at your nearest Scotiabank branch.

## Scotiabank and Power of Attorney Forms

Scotiabank can provide you with a Power of Attorney Form in the event you do not have one already. This form will only cover transactions with Scotiabank. You should be careful to ensure there is no conflict between the Scotiabank form and any other Power of Attorney you may have signed. Advice from a legal professional can be beneficial to identify whether there may be conflicts between a Scotiabank Power of Attorney form and any existing Power of Attorney you may have. However, you are not required to use this form. If you feel that you require a Power of Attorney, we encourage you to obtain one, along with guidance, from an outside source such as a lawyer or notary.

## What Scotiabank requires from you to have a Power of Attorney listed on an account

Scotiabank requires two pieces of original and current identification and specimen signature for the attorney, as well as an original or original notarized copy of an existing Power of Attorney.

Scotiabank is committed to providing its customers with the highest level of service. When a customer or attorney presents a Power of Attorney at a Scotiabank branch, it will be thoroughly reviewed. The complexity of the information will influence the time it takes to review the document, but we will share the outcome of that review as quickly as possible. Generally, this review takes 5 business days but may take longer if more information is required.

## Want to find out more?

More information on the advantages and risks of having a Power of Attorney, or what to consider before setting up a Joint Deposit Account, is available in a brochure produced by the Federal/Provincial/Territorial Ministers Responsible for Seniors entitled "What every older Canadian should know about Powers of Attorney (for financial matters and property) and Joint Bank Accounts". This brochure is available at [www.scotiabank.com](http://www.scotiabank.com) or on the Government of Canada's website: [www.seniors.gc.ca/eng/working/fptf/attorney.shtml](http://www.seniors.gc.ca/eng/working/fptf/attorney.shtml)

## If you have a problem or concern

### Step One:

#### Talk to us at your Branch or Customer Contact Centre 1800-4SCOTIA or 1-800-472-6842.

If the person you speak to at the branch/customer contact centre is not able to resolve your concern to your satisfaction, please speak directly to a management officer, who has the authority to resolve the majority of problems that arise.

### Step Two:

#### Contact the Office of the President.

If the management officer has been unable to resolve your complaint satisfactorily, a representative of the President & CEO will be pleased to assist you.

- e-mail      mail.president@scotiabank.com
- Mail        The President, Scotiabank,  
44 King Street West  
Toronto, ON M5H 1H1
- Fax         1-877-700-0045  
(in Toronto 416-933-1777)
- Telephone   English 1-877-700-0043  
(in Toronto 416-933-1700)  
French 1-877-700-0044  
(in Toronto 416-933-1780)

### Step Three:

#### Contact Scotiabank's Ombudsman.

Scotiabank's Ombudsman has been appointed to undertake an impartial review of all unresolved customer complaints. If you have gone through the first two steps and remain dissatisfied, submit your complaint to the Ombudsman in writing.

- e-mail      ombudsman@scotiabank.com
- Mail        Scotiabank Ombudsman  
44 King Street West  
Toronto, ON M5H 1H1
- Fax         1-866-787-7061

## Still not satisfied?

### You may contact the Ombudsman for Banking Services and Investments (OBSI)

An independent Ombudsman has been appointed to serve the interests of customers of Canadian banks and investment firms. If you are not satisfied with our Ombudsman's response, you can refer your complaint to the OBSI. While we would expect to resolve your complaint within 90 days, if our best efforts have been unable to provide a resolution in that time, you may refer your complaint to the OBSI.

- e-mail      ombudsman@obsi.ca
- Mail        Ombudsman for Banking Services  
and Investments  
401 Bay St., Suite 1505  
P.O. Box 5  
Toronto, ON M5H 2Y4
- Telephone   1-888-451-4519
- Website     www.obsi.ca

### Contacting the Financial Consumer Agency of Canada (FCAC):

The FCAC supervises federally regulated financial institutions to ensure they comply with federal consumer protection laws. For example, financial institutions must provide consumers with information about fees, interest rates and complaint-handling procedures. They must also provide proper notice of closing a branch and, subject to certain conditions, must cash a federal government cheque up to \$1,500 and open a deposit account when acceptable identification is presented. If you have a complaint about such a regulatory matter, you can contact the FCAC in writing at:

- Mail        Financial Consumer  
Agency of Canada  
6th Floor, Enterprise Building  
427 Laurier Avenue West  
Ottawa, Ontario K1R 1B9
- Telephone   English 1-866-461-3222  
French 1-866-461-2232
- Website     www.fcac-acfc.gc.ca



® Registered trademark of The Bank of Nova Scotia.