



## Choose wisely when naming your power of attorney: Watson

Peter Watson, Dollars & Sense  
February 9, 2012

It is extremely important to determine who will make decisions for you if you are no longer able to do so. Your inability to act on your own could come from an accident, illness or just old age.

You need a trusted person to help in the event you are incapacitated and cannot pay your bills, handle your investments or provide instructions for your healthcare — this can be achieved through the use of powers of attorney.

There are two types of powers of attorney in Ontario. The first is dedicated to property and allows one or more people to make financial decisions on your behalf, such as banking decisions, paying bills or buying and selling investments.

The second is personal care. In this case, one or more individuals make decisions about your medical care, where you live and what you will eat.

The power of attorney is your written delegation of important decisions made during your lifetime. It has nothing to do with a will, which dictates decisions to an executor after you die.

Executors have no legal power to act on your behalf while you are alive — the one exception being if the same person was acting as both your executor and attorney.

You should think seriously about adding a power of attorney for both property and personal care if you do not already have them.

It is critical to think carefully about who should assume this important responsibility. Select people you trust and who would have your well-being as their priority.

Last Wednesday, the front page article of The Oakville Beaver reported an 88-year-old mother was left homeless after being defrauded by her son.

While this case is an exception, these situations can and do occur.

There must be a high level of trust in whom you select as a power of attorney — there are help kits from the Ontario Ministry of the Attorney General or you can consult a lawyer.

The difference between the two is cost. The legal fee will allow you an opportunity to discuss your wishes as well as the advantages and disadvantages of people you might select.

An appointment with a lawyer could also include a more comprehensive conversation about your will, which might include preparing a living will.

We encourage you to have powers of attorney for both property and personal care, but think carefully about who you choose to act in those capacities.

— Submitted by Peter Watson, MBA, CFP, R.F.P., CIM, FCSI.

---

This article is for personal use only courtesy of InsideHalton.com - a division of Metroland Media Group Ltd.

---