



POWER OF ATTORNEY (S)



There are two types of Power Of Attorney(s) that are most commonly used in Ontario:

- the Continuing Power of Attorney for Property and
- the Power Of Attorney for Personal Care.

What is a Power of Attorney?

A Power Of Attorney (POA) is a legal document that allows you the opportunity to appoint someone else who can act on your behalf when it comes to making decisions about your finances (Continuing Power of Attorney for Property) or your health care decisions (Power of Attorney for Personal Care). The person you appoint is called your “attorney”. (In Canada, in the case of a POA, the word attorney does not necessarily mean a lawyer like it does in the United States. It just means that you’ve appointed another person to act on your behalf.)

What are personal care decisions?

These are decisions that concern your health care (including medical treatment), housing, clothing, health care, safety and diet.

Why should I have a Power of Attorney for Personal Care?

If you become mentally incapable of making decisions with regards to your personal health care, someone else will have to make those decisions for you. This person is called your “substitute decision maker”. For some of the decisions that must be made, including those regarding your medical well-being, the law requires your doctor and other health care professionals to get your substitute decision-maker’s consent before taking action when it comes to medical treatments.

What is a Continuing Power of Attorney for Property?

You may appoint someone to be your Power of Attorney for Property if you want someone to help you manage your finances or are worried that someday you may not be able to. Unlike the Power of Attorney for Personal Care, you do not have to first become mentally incapable before your Power of Attorney for Property handles your finances.

This is why it is very important for you to appoint someone you absolutely trust because as soon as you name someone as your Power of Attorney for Property, that person has total access to all of your finances (unless stated otherwise).

If your Power of Attorney abuses or misuses your finances, it is a crime! The police will help!

You may want to consult with a lawyer for more information about Power of Attorneys. You can visit the Ministry of the Attorney General Power of Attorney Site in [English](#) or [French](#) for additional information.