

Let's talk about nominated persons

For more information,
contact us:

 1300 360 044

 www.pt.qld.gov.au

A nominated person is someone you choose in your enduring power of attorney to be kept informed about the decisions your attorney makes.

You can have one or more nominated persons. For example, if you appoint one child as your attorney, you might appoint your other children as nominated persons.

You do not have to include a nominated person. If you choose to, you must specify the type of information to be provided and how often it should be shared.

What is the role of a nominated person?

A nominated person receives the information you have directed your attorney to provide. They act as a 'check and balance' helping ensure your attorney is acting honestly and in your best interests. If needed, they can raise concerns or apply to the Queensland Civil and Administrative Tribunal (QCAT) for a review.

Providing your nominated person with a certified copy of your enduring power of attorney will help them understand your instructions and any limits on your attorney's powers.

A nominated person cannot make decisions or act on your behalf.

Who can I nominate as my nominated person?

You can nominate:



a trusted family member, friend or colleague



a professional such as a solicitor or accountant



a trustee organisation*, including Queensland Public Trustee (QPT).

Your nominated person should:

- be at least 18 years old
- not be under an incapacity order
- be someone you trust to act independently and responsibly.



*costs may apply

What should I consider when appointing a nominated person?

Consider why you want to appoint a nominated person. For example, you may want someone who can:

- provide independent oversight of your attorney
- help ensure your attorney is acting in your best interests
- review or monitor financial decisions
- raise concerns if necessary.

You should also ask the person if they are willing to take on the role before naming them in your document.

Should I consult my attorney?

Yes, it's a good idea. Adding a nominated person might give your attorney extra responsibilities, so they should know about this before agreeing to be your attorney.

What information should I direct my attorney to give to my nominated person?

In your enduring power of attorney, you can specify what information is shared and how often.

This may include:

- financial records or decisions
- updates about important personal decisions.

You can also direct your attorney to share information with a professional (such as a solicitor or accountant) so they can undertake an annual review or audit.

Can I update my existing enduring power of attorney to include a nominated person?

If you want to include a nominated person after your enduring power of attorney has already been made, you will need to revoke your existing document and create a new one.

You cannot change your enduring power of attorney if you have lost capacity. Any changes at that stage would require an order from QCAT or the Supreme Court.

Do I need to pay my nominated person for their time?

If your nominated person is a professional (such as a solicitor or accountant), they may charge for their services.

Does QPT act as a nominated person for financial matters?

Yes, QPT can act as your nominated person for financial matters for a fee. Our nominated person services are outlined on our website www.pt.qld.gov.au:

- [Nominated person policy](#)
- [Nominated person service fee agreement](#).

How do I appoint QPT as my nominated person?

If you would like QPT to act as your nominated person for financial matters and you are preparing your own enduring power of attorney, contact us at nominatedperson@pt.qld.gov.au and we will guide you through the process.

Appointing a nominated person where QPT is appointed as your attorney

If QPT is your attorney and you want to appoint a nominated person, please contact us at nominatedperson@pt.qld.gov.au for further advice.