

Third party access

Third party mandate explained

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What is a third party mandate?

A third party mandate is a formal instruction from you to HSBC UK. It tells us that you'd like another party to carry out everyday banking transactions on your HSBC UK bank account. These everyday transactions do not include arranging a formal overdraft or opening or closing an account for you.

Could a third party mandate be right for me?

You may use a third party mandate if you need help managing your accounts for convenience or because you don't have access to them. For example, you may choose a third party mandate if you are housebound because of an injury. Please note, before deciding if a third party mandate is right for you, you should consider alternative third party access.

You'll find more examples of when a third party mandate may be suitable in our 'Choosing Third Party Access' table at [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access).

What important information do I need to know?

Mental capacity

You must have mental capacity when a third party mandate is used on your account.

Restrictions

A third party mandate will only give the other party access to the HSBC UK accounts you have open at the time it is issued. If you'd like to give the other party access to any accounts you open in the future, you would need to submit another third party mandate at that point. The third party will only have access to your existing bank accounts, however if there are no restrictions to what the third party can do, they may be able to view balances and payment details of existing lending products such as mortgages, loans and credit cards. The third party cannot make payments on your behalf from their own bank accounts, but are able to make transfers between your accounts and products.

If you'd like to restrict what the other party can do with your account, simply tell us on the third party mandate. For security reasons, this will also prevent them from having access to Telephone Banking and a debit card.

Debit card

If you'd like the third party to make payments on your behalf such as cash withdrawals and food shopping, you can provide the third party with a debit card to your account. The debit card will be in the third party's name and will be provided with a separate card number and PIN. A debit card cannot be provided if the mandate has restrictions or if you nominate more than one third party.

Multiple third parties

If you'd like to nominate multiple parties, you can also specify on your third party mandate whether you want them to act jointly and severally¹.

For security reasons, if you nominate two or more parties to act jointly, they won't have access to Telephone Banking or Online Banking or a debit card.

Responsibility

As the third party is your representative, you are responsible for the actions and decisions they carry out with respect to your account. If the third party makes a payment that you have not authorised, you must let us know immediately. There may be instances where we need to raise a report to the police.

What access does a third party mandate give?

To see how a third party can operate your account, see our 'Managing Third Party Access' table on page 6.

How do I issue a third party mandate?

Complete a third party mandate in branch

You and your third party should visit an HSBC UK branch and complete a third party mandate. You can also download a blank copy from our website at [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access). There are some important things to remember:

- follow the instructions carefully as any mistakes may lead to a delay in processing your third party mandate
- if you already have third party mandates on your accounts, you will need to select on the new mandate if any existing third parties are to remain, as the new mandate will replace all previous third party mandates

1. Refer to our Glossary [hsbc.co.uk/help/third-party-access/glossary](https://www.hsbc.co.uk/help/third-party-access/glossary).

- the third party must supply suitable documents proving their identity and residential address (see examples on page 5)
- the third party must include their full name, address, date of birth and signature on the third party mandate

Return a third party mandate by post

You need to pick up a blank third party mandate from any HSBC UK branch. You can also download a blank copy from our website at [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access). Once completed, the mandate can be posted to any HSBC UK branch. Please include the following documents in the envelope:

- completed third party mandate (including the full name, address, date of birth and signature of all third parties)
- suitable documents proving the identity and residential address for all third parties (see examples on page 5). We can accept official copies certified by a solicitor if you are sending your documents by post

Please note, we may contact you by phone and ask you to verify your identity with a standard security check. We'll then confirm that you're happy for the mandate to be issued before completing your request.

Please note, HSBC UK does not accept responsibility if original documents sent to us have been lost in the post.

What ID documents are acceptable?

Example identification documents

- current passport
- current national identity card
- current driving licence
- travel documents (issued in the UK by the Home Office)

Example address documents

- council tax bill (valid for current year)
- utility bill (dated within last four months)
- telephone bill (dated within last four months) – mobile phone bills are not acceptable

For a list of all the documents we accept, please see our proof of ID and address page at [hsbc.co.uk/help/banking-made-easy/help-us-identify-you/](https://www.hsbc.co.uk/help/banking-made-easy/help-us-identify-you/).

When will third party access stop?

You can choose to cancel your third party mandate at any time. Certain events such as if you or the other party were to die or lose mental capacity would also affect your third party mandate. For events which may affect your third party access see our 'Stopping Third Party Access' table on page 10.

Managing Third Party Access

Actions to be done on behalf of the account holder	Third Party Mandate	Ordinary Power of Attorney	Lasting/ Enduring Power of Attorney	Court of Protection Order (Deputyship)	Department for Work and Pensions (DWP) Appointee (Please note, this information applies only for the benefits received by the individual who has lost mental capacity or has a severe physical disability)
Hold a debit card	✓	✓	✓	✓	✓ See note 2
Obtain information about account holder's account(s) from bank	✓	✓	✓	✓	✗
Open/close accounts in the account holder's name	✗	✗	✓	✓	✗
Issue cheques	✓	✓	✓	✓	✗
Make payments (i.e. bills)	✓	✓	✓	✓	✓
Withdraw cash	✓ See note 1	✓	✓	✓	✓ See note 2
Deposit cash/ cheques	✓	✓	✓	✓	✓
Retrieve items from safekeeping	✓	✓	✓	✓	✗

Actions to be done on behalf of the account holder	Third Party Mandate	Ordinary Power of Attorney	Lasting/ Enduring Power of Attorney	Court of Protection Order (Deputyship)	Department for Work and Pensions (DWP) Appointee (Please note, this information applies only for the benefits received by the individual who has lost mental capacity or has a severe physical disability)
Apply for ISAs	✗	✗	✓	✓	✗
Access Online Banking	✓ See note 4	✓ See note 4	✓ See note 4	✓ See note 4	✓
Access Telephone Banking	✓ See note 3	✓ See note 3	✓ See note 3	✓	✓
Hold a cheque/ pay-in book	✗	✓	✓	✓	✓ See note 2
Manage the account if account holder becomes mentally incapacitated	✗	✗	✓	✓	✓
Sign a mortgage loan agreement	✗	✓	✓	✓	✗
Arrange an overdraft	✗	✗	✗	✗	✗

The information in this table is for your guidance only. The powers we grant a third party over a customer's account may change from those listed depending on the particular circumstances or changes to our procedures (and are subject always to our obligations under applicable laws and regulations). In particular, the power of attorney, court of protection order or third party mandate itself may contain restrictions on the third party's access to and powers over a customer's account(s). We will need to comply with any such restrictions which will override our general position set out in the table. See our Third Party Access pages for explanation of other types of access at [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access).

Note 1 (Managing Third Party Access)

Third parties acting under a Third Party Mandate can hold a debit card and withdraw cash, provided that the third party mandate or power of attorney documents do not contain any relevant restrictions and do not appoint two or more parties to act jointly.

Note 2 (Managing Third Party Access)

Appointees can have a Debit Card for the other person's account and use it to withdraw money from a cash machine. Appointees can also hold a paying-in book.

Note 3 (Managing Third Party Access)

Some third parties can have Telephone Banking access to the accounts of the individual they are acting for.

Irrespective of the type of third party authority held (third party mandate or power of attorney), we are only able to provide telephone access if both of the following are true:

- The third party access is unrestricted. This means that the third party has full authority to operate a sole account or has the same signing authority on a joint account as the individual they are acting for and there is no clause limiting their authority.
- There is only one named third party OR there are multiple third parties acting jointly and severally².

Deputies under a Court of Protection order and Department for Work and Pensions appointees can have Telephone Banking access as they will have their own accounts opened instead of being added as signatories to the account of the individual they are acting for.

Note 4 (Managing Third Party Access)

Third party mandate holders and holders of ordinary powers of attorney can only be set up for Online Banking in exceptional circumstances, for example, where the account holder has a physical incapacity which prevents them using Online Banking.

Mental incapacity cancels any ordinary power of attorney or third party mandate meaning we cannot allow access.

2. Refer to our Glossary [hsbc.co.uk/help/third-party-access/glossary/](https://www.hsbc.co.uk/help/third-party-access/glossary/)

Some holders of lasting or enduring powers of attorney may be set up for Online Banking access, provided that all of the following are true:

- The individual they are acting for has lost capacity OR if the individual retains capacity, he or she understands and agrees that only the attorney will have access to Online Banking. This is because only one person can access a sole account via Online Banking at a time; therefore, either the attorney or the individual they are acting for can have Online Banking access, not both.
- The Power is unrestricted. A power of attorney is unrestricted if the attorney has authority to operate a sole account or has the same signing authority on a joint account as the individual they are acting for and there is no clause limiting their authority.
- There is only one named attorney OR there are multiple attorneys acting jointly and severally³ – in the latter case only one of the attorneys will have online access.

Deputies under a Court of Protection order and Department for Work and Pensions appointees can have Online Banking access as they will have their own accounts opened instead of being added as signatories to the account of the individual they are acting for.

Note: Scottish Continuing/Combined Power of Attorney and Enduring Power of Attorney in Northern Ireland are similar to the Lasting Power of Attorney. They must be registered with the Office of the Public Guardian in Scotland or the Office of Care and Protection in Northern Ireland before they can be used. For information on Scottish Power of Attorney or Scottish Authority to Access Funds, Intervention Orders or Guardianship Orders please contact the Office of the Public Guardian in Scotland. For information on Power of Attorney and Controllership in Northern Ireland please contact the Office of Care and Protection. The details are at the end of this brochure.

3. Refer to our Glossary [hsbc.co.uk/help/third-party-access/glossary/](https://www.hsbc.co.uk/help/third-party-access/glossary/)

Stopping Third Party Access

For an explanation of our different Third Party Access options see [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access).

	Third Party Mandate	Ordinary Power of Attorney	Lasting Power of Attorney	Enduring Power of Attorney (only valid if written and signed before 1 October 2007)	Court of Protection Order (Deputyship) See note 5	Department for Work and Pensions Appointee Account
Account holder dies	The Mandate is automatically revoked and the balance of the account will form part of the deceased's estate.	The power is automatically revoked and the balance of the account will form part of the deceased's estate.	The power is automatically revoked and the balance of the account will form part of the deceased's estate. See note 3	The power is automatically revoked and the balance of the account will form part of the deceased's estate. See note 3	The order is automatically revoked and the balance of the account will form part of the deceased's estate. See note 4	Authority of the appointee is cancelled and the balance of the account will form part of the deceased's estate.
Account holder loses mental capacity	The mandate is automatically revoked.	The power is automatically revoked.	No change – the power remains valid and the attorney retains full authority.	If the power is unregistered, it is temporarily suspended until registration is completed. A registered power will remain valid and the attorney regains full authority.	The Court of Protection order would only be used in case of mental incapacity.	The Appointee account would only be used in case of mental incapacity or severe physical disability.

	Third Party Mandate	Ordinary Power of Attorney	Lasting Power of Attorney	Enduring Power of Attorney (only valid if written and signed before 1 October 2007)	Court of Protection Order (Deputyship) See note 5	Department for Work and Pensions Appointee Account
Account holder wants to cancel	The mandate is revoked upon receipt of account holder's instruction.	The power is cancelled by Deed of Revocation ⁴ .	Written evidence by either the Court of Protection confirming Deed of Revocation ⁵ or by the Office of the Public Guardian advising cancellation of the power. See note 3	Written evidence by either the Court of Protection confirming Deed of Revocation ⁶ or by the Office of the Public Guardian advising cancellation of the power. See note 3	Written evidence by Court of Protection needed to confirm Deed of Revocation ⁷ . See note 4	See note 2
Third party dies	The mandate is automatically revoked.	The power is automatically revoked. See note 1	The power is automatically revoked. See note 1 and 3	The power is automatically revoked. See note 1 and 3	The order is automatically revoked. The Court needs to appoint new deputy. See note 4	The appointment is revoked and the appointee's authority is cancelled immediately.
Third party loses mental capacity	The mandate is automatically revoked.	The power is automatically revoked. See note 1	See note 3	See note 3	The order is automatically revoked. The Court needs to appoint new deputy. See note 4	See note 2
Third party wants to cancel	The mandate has to be revoked by the account holder.	The power is automatically revoked.	See note 3	See note 3	The order may be revoked upon application by deputy. The Court needs to appoint new deputy. See note 4	See note 2

4. Refer to our Glossary [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access)

5. Refer to our Glossary [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access)

6. Refer to our Glossary [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access)

7. Refer to our Glossary [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access)

Please refer to the most recent copy of the HSBC UK Personal Banking Terms and Conditions and Charges document. You can obtain a copy at any HSBC UK branch or at the following link [hsbc.co.uk/1/2/legal](https://www.hsbc.co.uk/1/2/legal). If the information in this guide differs from that in the terms and conditions, the terms and conditions override this guide.

See our Third Party Access pages for explanation of other types of access at [hsbc.co.uk/help/third-party-access](https://www.hsbc.co.uk/help/third-party-access).

Note 1 (Stopping Third Party Access)

All powers of attorney (Ordinary, Lasting, and Enduring):

These legal documents allow the individual granting a power of attorney to name multiple or replacement attorneys.

Subject to the text of the power of attorney, a replacement attorney may be able to take over in the event of bankruptcy, loss of capacity or death of an existing attorney.

If there are multiple attorneys appointed jointly and severally and one of them cannot continue to act for some reason, the other attorney(s) may continue to act on behalf of the individual who granted the power of attorney.

Note 2 (Stopping Third Party Access)

See the Guide for Agents, Appointees and Attorneys on the webpage of the Department for Work and Pensions at [dwp.gov.uk](https://www.dwp.gov.uk)⁸

Note 3 (Stopping Third Party Access)

Find out more information under “Cancelling or ending a Lasting or Enduring Power of Attorney” on the DirectGov page at [direct.gov.uk](https://www.direct.gov.uk)⁹

Note 4 (Stopping Third Party Access)

Find out more information under “Cancelling or ending a deputy’s responsibilities” on the DirectGov page at [direct.gov.uk](https://www.direct.gov.uk)¹⁰

Note 5 (Stopping Third Party Access)

A deputy’s appointment can be revoked at any time by the Court of Protection.

8. See our useful links page at [hsbc.co.uk/help/third-party-access/useful-links](https://www.hsbc.co.uk/help/third-party-access/useful-links).

9. See our useful links page at [hsbc.co.uk/help/third-party-access/useful-links](https://www.hsbc.co.uk/help/third-party-access/useful-links).

10. See our useful links page at [hsbc.co.uk/help/third-party-access/useful-links](https://www.hsbc.co.uk/help/third-party-access/useful-links).

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Accessibility

If you need any of this information in a different format, please let us know. **This includes large print, braille, or audio.** You can speak to us using the live chat on our website, visiting one of our branches, or by giving us a call.

There are also lots of other options available to help you communicate with us. Some of these are provided by third parties who are responsible for the service. These include a Text Relay Service and a British Sign Language (BSL) Video Relay Service. To find out more please get in touch. You can also visit: [hsbc.co.uk/accessibility](https://www.hsbc.co.uk/accessibility) or: [hsbc.co.uk/contact](https://www.hsbc.co.uk/contact).

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