

Summary

Objective

Clients can give ACC permission to discuss their claims with a third party by giving them the authority to act on their behalf.

Owner [Name withheld]

Expert

Policy

1.0 Recording a request

- a** You must record the name of the person or organisation asking for authority to act in Eos.

2.0 Who can be given authority to act

- a** A third party can be:
 - a relative, friend or other individual
 - an advocacy organisation
 - an individual acting in a professional capacity
 - a law firm
 - an organisation who has legal authority to act on behalf of the client, eg one that has power of attorney, guardianship.

3.0 What claims an authority to act covers

- a** An authority to act can cover:
 - a single aspect of a claim
 - the duration of a single claim
 - the duration of all existing claims.

4.0 Change to authority to act for future claims

- a** An authority to act doesn't cover claims in the future. We have changed our past policy, where an authority to act could include any future claims.

Now clients or their representatives must apply for an authority to act for new claims.

5.0 Authorisation documents – non-lawyers

- a** The client must give us a valid document granting authority to act. It can be either:
 - an ACC5937 Authority to Act (137k) - this must have the advocate's name, either the person or organisation, in the 'full name' field and 'advocate' in the relationship field.
 - a letter signed by the client.
 - an email sent by the client from a verified email address, with a PDF file containing evidence that they want someone to act on their behalf.
 - a legally-binding advice such as a Court issued welfare guardianship order, power of attorney document, personal property order or a letter from a law firm.

6.0 Authorisation documents - lawyers and tax agents

- a ACC trusts that lawyers and tax agents are legitimate in their representation role, as they have their own professional standards to meet. This means we don't have to check with the client if the law firm or tax agent is acting on the client's behalf.

Lawyers and tax agents must send us a document showing their authority to act on the client's behalf. This document can be:

- a letter written on their firm's branded notepaper
- an email with a signature showing they are a tax agent or in a law firm.

 ACC5937 Authority to act - Client

7.0 Authorisation - Deceased clients

- a Any existing Authority to Act ceases to have effect with the death of a client. Where a client has passed away ACC needs to determine who the client's personal representative is. This will either be the executor under the client's will, or if there is no will, the appointed administrator of the estate. ACC can deal directly with the executor or administrator, or that individual can authorise another person to deal with ACC.

NOTE What happens if there is no executor or administrator?

Where a person dies without significant assets, they are unlikely to have an executor or administrator. We can discuss administrative matters with the deceased client's closest relative for the management of entitlements payable on the claim; however they do not have the right to access the client's health information. For assistance, please contact the Privacy Team.

Proactively Released