

# LASTING POWERS OF ATTORNEY

*A Lasting Power of Attorney (LPA) allows you to choose someone you trust to make decisions on your behalf (e.g. a close family member or friend). You can choose more than one person and they can either act together or together and independently.*

There are two types of LPA:

- Property and Financial
- Health and Welfare

## **Property and Financial LPA**

This LPA allows your attorneys to make decisions on your behalf relating to your financial matters and your home as well as any other property you may own.

You can authorise your attorneys to act on your behalf when you have capacity to make decisions yourself (e.g. if you are travelling), as well as when you lack the ability to make decisions for yourself.

## **Health and Welfare LPA**

This LPA allows your attorneys to make decisions on your behalf only when you lack the ability to make decisions for yourself in relation to your health and welfare.

Your attorneys will be able to make decisions for you in respect of matters such as medical treatment. You can authorise your attorneys to give or refuse consent to life sustaining treatment.

## **Registration and Use of LPAs**

LPAs can only be used by your attorneys once they have been registered with the Office of the Public Guardian. The registration process takes 6-10 weeks, so we recommend registering the document immediately after it has been prepared

so that your attorneys are in a position to act.

Bear in mind that your attorneys must always act in your best interests and where possible consult you and involve you in the decision making process.

We recommend having LPAs in place particularly as you can decide who should have the authority to make decisions on your behalf. However, if you do not wish to prepare an LPA and in the future you lack the ability to make decisions yourself, your friends or family members may be asked to make an application to the Court of Protection for the authority to deal with your affairs under a Deputyship Order. The Court fees alone for an application for a Deputyship Order are £400 with further fees for additional matters.

## **Cost**

Barr Ellison has a team of experienced professionals to assist you in the preparation and registration of LPAs. Our charges for the preparation and registration of simple, straightforward LPAs:

£500 + vat (individual) or £800 + vat (couple) for one type of LPA, and

£800 + vat (individual) or £1200 + vat (couple) for both types of LPA.

If your matter is urgent or more complex, we will need to speak with you before providing an estimate. Registration with the Office of the Public Guardian is an additional £82 for each LPA.