



Power of Attorney Guidance

There are 2 types of LPA:

- Health & Welfare (complete form LP1F)
- Property & Financial Affairs (complete form LP1H)

You can choose to make one type or both

There is a cost of £82 per application (so if you apply for both types you will pay twice). People on certain means tested benefits can apply for fee exemption using form LPA120.

To Complete Application Forms for Power of Attorney you Will Need:

For the donor (the person granting the power to an attorney): Title, full name, address, date of birth, e-mail address (optional)

For the attorney(s) (there can be more than one) Title, full name, address, date of birth, e-mail address (optional)

How should your attorneys (if you have more than one) make decisions: jointly and severally, jointly, jointly for some but jointly and severally for others

You can also nominate Replacement Attorneys should any of the originally appointed attorneys be unwilling or unable to continue acting. Same details required.

When can your attorneys make decisions:

- For Finance & Property - as soon as the LPA is registered, or only when you don't have mental capacity.
- For Health & Welfare, decisions can only be made by attorneys when a person doesn't have mental capacity. The donor must choose whether their attorneys can make decisions about life sustaining treatment.

People to notify when the LPA is registered. This section is to provide details of people who should be formally notified of the application. These should be people the donor knows well and would be willing to raise concerns about the LPA, should they have any. Title, full name, address.

Preferences and instructions: your attorney has to keep your preferences in mind, but will have to follow any instruction you state precisely.

Everyone signing the LPA must read (or have read to them) legal rights and responsibilities.

The person making the application: Title, full name, address, date of birth, e-mail address (optional), phone number

In addition to the donor and the attorney(s) and replacement attorney(s), one or two further people will be required.

Certificate provider:

An impartial person who confirms that the donor understands what they are doing and are not being forced to make the application.

The certificate provider must be:

- At least 18 years old; and either
- A friend, colleague or someone you have known well for at least two years; or
- Your doctor or lawyer or someone with the professional skills to judge whether you understand what you are doing and are not being forced to make the LPA.

A certificate provider cannot be:

- an attorney or replacement attorney in this or any previous LPA application
- a family member or partner of you or any attorneys
- a business partner of you or any attorneys

Witness To all signatures:

- anybody over the age of 18 who is not named as an attorney or replacement attorney.

All signatures must be completed in order throughout the form.