

# SUSAN HOWARTH SOLICITORS LIMITED

## LASTING POWERS OF ATTORNEY

Have you ever thought about what would happen if you suddenly had an accident or illness that left you unable to handle your own affairs? Who would have access to your bank accounts to pay your bills, look after your family, make decisions on your behalf?

We all take out insurances against the unexpected and a Lasting Power of Attorney (LPA) is one which gives peace of mind to you that a trusted friend or relative will step in and take care of things on your behalf should it be needed either temporarily or permanently. Unlike most insurance policies it costs only a one off fee.

### What is a Lasting of Attorney?

An LPA appoints someone (an Attorney or Attorneys) to assume legal control of your affairs if the unexpected happens and you can no longer look after things for yourself. The LPA must be registered at the Office of the Public Guardian to be valid.

There are two types of LPA:

#### 1) a **Property and Affairs LPA**

this gives your authority to others to manage your property and financial affairs

#### 2) a **Health & Welfare LPA**

gives your authority to others to make decisions about your personal welfare which might include your medical care or where you should live.

### Things you Should Know About an LPA

- They are available to any adult of any age who has the mental capacity to take such a step.
- It gives the Attorney the same power over your affairs as if it was you making the decisions but you can limit their authority in the document.
- You can limit the circumstances in which the powers to take over for you come into action
- You can appoint more than one Attorney.
- You can leave your Attorneys clear instructions about how to handle your affairs
- The financial LPA can be used both when you have capacity to act, as well as if you lack mental capacity to make a financial decision.
- The welfare LPA can only be used if you lack mental capacity to make a welfare or medical decision.

### Taking Legal Advice About an LPA

An LPA is a powerful legal document so it is vitally important to get proper advice in order to fully protect your interests and ensure you have fully understood the implications of the powers you are delegating to others.

### The Cost

We charge a standard one-off fee for the package which includes creating the documentation and registration. Depending on your circumstances and requirements we can give you a accurate quotation for our services on request. There is also a fee payable to the Office of the Public Guardian (currently £82 per LPA).

**We would be happy to advise you in detail about Lasting Powers of Attorney, the procedure involved and the costs. Please contact us on 01606 48777 for more information or to make an appointment.**

A government website [www.justice.gov.uk](http://www.justice.gov.uk) contains some very useful information and you can download information booklets and forms.