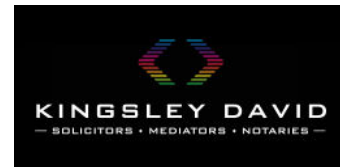


## FAQs Lasting Powers of Attorney

<p>What is a Lasting Power of Attorney (LPA)?</p>	<p>A legal document (created by the Mental Capacity Act 2005) that enables any individual over the age of 18 and who has mental capacity (the donor) to choose another individual or individuals (called attorneys) to make decisions on his behalf.</p> <p>An ordinary power of attorney is cancelled upon you not having mental capacity. An LPA lasts through that illness.</p>
<p>How do I make an LPA?</p>	<p>There is a prescribed form which must be used.</p>
<p>How much do they cost?</p>	<p>If you do them yourself then it costs nothing. If you register them at the Court (which is essential before they can be used) there is a fee. As at the date of these FAQs (August 2015) the Court fee is £110).</p> <p>If you use us as your solicitors to do them then we charge for the time, advice and expertise. The fee including registering it at the Court is about £500 plus VAT plus the Court fee.</p>
<p>Can they be used to abuse my wealth?</p>	<p>Possibly. That is why you should choose your attorney carefully. The attorney has a duty to act properly.</p>
<p>I understand that there are two types of LPA. One dealing with my money and property and the other my welfare. Is that right and do I need both.</p>	<p>Yes. Both are important. The property and money version speaks for itself but perhaps the welfare one needs a little explanation.</p> <p>If you were in a home and being abused, or say poorly looked after would you want your loved-ones to protect you and put you somewhere else? Then you must give them an LPA as otherwise you are under the care of the Local Authority and they decide what will happen, if anything.</p>
<p>As a solicitor would you do an LPA (both)?</p>	<p>Yes. Absolutely.</p>
<p>When should I do one?</p>	<p>Once you are an adult and if you have the mental capacity.</p>
<p>How do I make one?</p>	<p>Contact us or go onto the Internet to the Office of the Public Guardian and follow the links to the forms.</p>



## FAQs Lasting Powers of Attorney

Who can be an attorney?	An adult individual or a trust corporation) for the financial and property version). Usually the attorney is a close family member such as a spouse or adult child.
Can I appoint more than one attorney?	Yes and it is wise to do so (in case one cannot act or dies).
Can I limit the attorneys scope of authority?	Yes but this needs careful consideration as it may not be wise to do so.
Can I change my LPA?	No, not once it has been made. If circumstances change it may be necessary to revoke the one made (cancel it) and do a new one but remember you have to be mentally capable to make a new one.
What if the LPA is not properly made?	<p>This can be a problem. The Public Guardian cannot register a defective LPA unless ordered to do so by the Court.</p> <p>It is important to get it right. It is also important in our opinion to register the LPA at the Court as there may be time to do a new one if it is defective. (That is, before you have lost the mental capacity to make one.)</p>