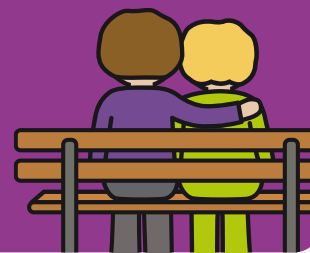


DAVIS·BLANK·FURNISS

Lasting Power of Attorney



Useful information about Lasting Powers of Attorney

There may come a time when, because you are incapable of managing your property and financial affairs or personal welfare, you will need someone to do this for you. You can formally appoint a friend, relative or professional to hold a Lasting Power of Attorney that will allow them to act on your behalf.

A Lasting Power of Attorney is a legal document that lets you appoint someone you trust as an 'attorney' to make decisions on your behalf. It can be drawn up at any time while you have capacity, but has no legal standing until it is registered with the Office of the Public Guardian. A registered LPA for Financial Affairs can be used at any time, whether you have the mental capacity or not, and a registered LPA for Health and Welfare can only be used if you lack mental capacity.

There are two different types of LPA.

- > A Health and Welfare LPA – allows your attorney to act for you in relation to your personal healthcare and welfare.
- > A Property and Financial Affairs LPA – allows your attorney to act on your behalf in relation to your property and financial affairs

Anyone can be an Attorney, provided they are 18 or over and mentally capable.

A power can be made at any time while the Donor is still mentally capable of understanding what the Lasting Power is and what it is intended to do. If there is any doubt as to the Donor's mental capacity at the time the power is being considered the advice of a doctor should be obtained.

The Attorney under a Property and Financial Affairs Power can make any decision about your property and affairs that you could make yourself, so for example they could buy or sell property, manage your finances, and access your personal information. An Attorney under a Health and Welfare Power can make decisions about your care, for example a move to residential care.

You can include restrictions within the Power of Attorney document, which limit the acts an Attorney can carry out on your behalf. This is something you should discuss with your solicitor.

Attorneys are entitled to be reimbursed their out of pocket expenses incurred in acting as your Attorney. Professional Attorneys can charge for their services.

At Davis Blank Furniss we will always make time to meet with you face to face to discuss your requirements at our offices, and if you can't come to us, we will gladly discuss the possibility of coming to see you.