

## Lasting Power Of Attorney

A Lasting Power of Attorney is a legal document that permits you to appoint someone you trust as an “Attorney” to make decisions on your behalf. The document can be drawn up at any time while you have the mental capacity. Once drawn up this will enable your Attorney to use the Lasting Power of Attorney provided it has been registered with the Office of the Public Guardian. A Lasting Power of Attorney can be used at any time whether you have the mental capacity or not.

There are in fact two types of Lasting Power of Attorney:-

- \* One deals with Property and Financial Affairs and;
- \* The other which deals with Personal Health and Welfare

### LASTING POWER OF ATTORNEY – PROPERTY AND AFFAIRS

This document allows you to choose someone to make decisions as to how your money will be dealt with including how the same would be invested and managed. It would enable that individual to organise pension payments into a particular account, pay bills and if necessary to organise care fees. It would enable the person, if it was ever necessary, to sell your home. It is important that any Attorney is carefully chosen by you. Quite often this is a family member. The document allows you to impose restrictions and give guidance on how in the future you may wish your affairs to be dealt with in the event that you are unable to manage yourself.

### LASTING POWER OF ATTORNEY – PERSONAL WELFARE

A Health and Personal Welfare Power of Attorney allows you to choose someone to make decisions about your healthcare and welfare. This includes the decision to refuse or consent to treatment on your behalf and deciding where you live. Again these decisions can only be taken on your behalf when the Lasting Power of Attorney is registered.

### GENERALLY

It is normally a good idea to appoint more than one person to help prevent abuse of responsibility and of course to share the responsibility.

If you are going to appoint an individual as Attorney, it is essential that you consult with them first.



## M. Reynolds Partnership Solicitors

This firm can undertake the preparation of the Lasting Power of Attorney as to both Property and Financial Affairs and Health and Personal Welfare. This firm will also deal with the registration of the Lasting Power of Attorney at the Office of the Public Guardian. When application is made to the Office of the Public Guardian it may take several weeks before the document is registered. Therefore it is essential at all times that sufficient consideration is given to the preparation of the document as it can never be available immediately on giving instructions.

In the event that an individual loses mental capacity to the extent that that person cannot manage their own affairs and there is no Lasting Power of Attorney (or its predecessor an Enduring Power of Attorney) in place then it would necessitate an application to the Court of Protection for the appointment of an individual as "Deputy" to manage that persons affairs. Unfortunately such an application is very time consuming and the legal costs and associated Court fees extremely onerous.

This firm's costs in connection with the preparation of either Power of Attorney are £350.00 (although of course there is a discount if both Lasting Power of Attorney's are to be prepared) (there is a further discount if instructed by two individuals for example a married couple). We also charge a fee of £100.00 to register the Lasting Power of Attorney at the Office of the Public Guardian and in addition there is a Court fee of £120.00.

M Reynolds Partnership has an experienced team headed by Margaret Reynolds to deal with all aspects of a Lasting Power of Attorney and can arrange visits to your home and where necessary to hospital or care or rest home in addition to any meeting at the office if this was preferable.

Our contact details are:

M. Reynolds Partnership  
24 London Road  
Grays  
Essex, RM17 5XY

Tel: 01375 390239  
Conveyancing Fax: 01375 391808  
Matrimonial Fax: 01375 399101

Email: [admin@mrpsolicitors.co.uk](mailto:admin@mrpsolicitors.co.uk)

Email: [family@mrpsolicitors.co.uk](mailto:family@mrpsolicitors.co.uk)