

LASTING POWERS OF ATTORNEY

Ensuring you remain in control



CALL US ON 0800 999 4437

What is a Lasting Power of Attorney (LPA) & Why is it so Important?

What would happen to your finances and your affairs if you were suddenly unable to make decisions?

It could be something serious and life-limiting, like dementia, or/ it could be an unforeseen accident or illness that puts you in hospital for weeks or months.

Who would take care of your financial decisions and make sure your bills are paid and your wishes carried out?

Most of us don't like to think about scenarios like this – in fact, it's not something that even occurs to most of us. But it's incredibly important.

The best way to make sure everything is taken care of, so you and your family don't have to worry about things, is to put in place Powers of Attorney.



We offer a FREE initial consultation giving you the opportunity to speak with one of our legal experts.

To arrange your FREE consultation call us today on 0800 999 4437 or email: enquiries@parfittcresswell.com

Alternatively, scan the QR Code opposite to arrange your appointment via our website.



What is a Lasting Power of Attorney (LPA)?

A Power of Attorney (PoA) is a legal document that allows someone to make decisions for you, or to act on your behalf if you are no longer able to make your own decisions or you simply no longer wish to. This doesn't remove your independence and ability to make decisions entirely – if you still have mental capacity to make your own decisions you can do so. But if you don't want to make certain decisions or deal with certain situations, your PoA will enable you to ask your attorney to deal with it on your behalf.

Why is an LPA so important?

An LPA enables you to appoint people you trust to manage your affairs should the worst occur, and you lose capacity. It provides you with the comfort and peace of mind that your affairs will be taken care of as you wish by someone you know and trust. Without an LPA even your loved ones (spouse or children) would have no automatic right to deal with your affairs and this means they may have to apply to the Court of Protection in order

to do so. This can be very time consuming, costly and emotionally draining. Our advice would be to think of an LPA as an insurance policy. The worst thing that can happen – and it happens often – is for your family to have to stand by watching helplessly unable to help or make decisions, because nobody will listen to them.

The two types of Powers of Attorney

There are two types of LPAs – Health & Welfare and Property & Financial Affairs. You can also make restrictions to the scope of both LPAs as it relates to particular financial matters or health and welfare decisions.

With a Property & Financial Affairs LPA the attorney can be either an individual or a trust corporation i.e. a bank or a solicitors firm. However, when dealing with a Health & Welfare LPA only an individual can be appointed as an Attorney. Different attorneys can be appointed by the donor to act in respect of welfare and property and financial matters.

How do I make an LPA?

For the LPA to be valid it needs to be registered by

the Office of the Public Guardian and must be 'certified' under the LPA scheme which means that the LPA certificate needs to be countersigned by someone who has either known the donor for at least two years or is a 'prescribed person' such as a solicitor or a doctor. The certifier must confirm that, in their opinion, the donor understands the effect of the LPA and the purpose and scope of the documents they are signing and that the decision of the donor was not influenced by fraud or undue influence. The donor can appoint one or more attorneys. The LPA should specify whether, if there is more than one attorney, the attorneys must act together or separately. It is possible to provide that certain decisions are made jointly and others jointly and severally (i.e. individually).

Once registered, the attorney has the authority to act in accordance with the terms of the LPA. Third parties, such as banks or doctors, will need to see a copy of the document before they will accept an attorney's instructions. An LPA can be revoked by the donor at any time, provided they have the mental capacity to do so.

Scan the QR Code below to arrange your FREE initial consultation and speak with a legal expert today:



Parfitt Cresswell Solicitors

With you every step of the way

Working together for you

Our Services:

Family Law

Wills, Probate, Trusts and Tax Planning

Lasting Powers of Attorney

Elderly Client Services

Property & Conveyancing

Commercial Property

Business Law

Employment Law

Dispute Resolution



To find your nearest office scan the QR Code:

**HELPING YOU WHEN YOU NEED IT MOST
CALL US ON 0800 999 4437**

**Charles Coleman & Co., Colemans, Copley Clark, Jevons Riley & Pope, Keene Marsland,
Max Barford & Co. and Parfitt Cresswell are trading names of Parfitt Cresswell Ltd**

Parfitt Cresswell Ltd is authorised and regulated by the Solicitors Regulation Authority No. 8003996