



Wortley Byers
Solicitors

Lasting Power of Attorney

What you need to know

Have you ever thought about who would look after your affairs if you suffered an accident, became ill, frail or if old age prevented you from dealing with matters yourself? And what if you could no longer make important or possibly life-saving decisions about your own health and welfare? Who could decide for you?

We can help you in preparing a Lasting Power of Attorney (LPA) to deal with these issues. There are two types of LPA – the *property and financial affairs* LPA and the *health and welfare* LPA.

In order to be valid the LPA needs to be in a prescribed form and, amongst other things, contain statements that all parties understand its effect.

In addition to helping and advising on making LPAs we can also deal with registering them at the Office of the Public Guardian, if necessary.

To arrange for an appointment or for further information please contact:
Warren Hawkings on 01277 268345 or email whawkings@wortleybyers.co.uk
Poh Shan Chong on 01277 268347 or email pchong@wortleybyers.co.uk
Andrew Spearman on 01277 268393 or email aspearman@wortleybyers.co.uk



What is a property and financial affairs LPA?

This document (sometimes known as a “financial LPA”) enables you to appoint one or more people, known as “Attorneys”, to make decisions purely relating to money and property. You can specify in the document that it is not to come into force until some time in the future when certain circumstances arise. For example, when a doctor gives a written certificate that you are unable through disability to manage your affairs.

You can, if you wish, state the LPA is to apply to certain of your affairs only or impose other conditions. The person(s) you nominate as your Attorney(s) they have very wide powers to deal with your assets and must therefore be trustworthy.

Without a property and financial affairs LPA

If there is no LPA and you become incapable of managing your affairs through mental incapacity, an application must be made to the Court of Protection for a Deputy to be appointed.

The application can be made by any interested person, usually a relative, to be appointed Deputy to manage your affairs. The Court will supervise the Deputy. The procedure is costly, time consuming and bureaucratic. The person is appointed Deputy by the Court rather than by you, so you have no choice.

To arrange for an appointment or for further information please contact:
Warren Hawkings on 01277 268345 or email whawkings@wortleybyers.co.uk
Poh Shan Chong on 01277 268347 or email pchong@wortleybyers.co.uk
Andrew Spearman on 01277 268393 or email aspearman@wortleybyers.co.uk



What is a health and welfare LPA?

You can also appoint Attorney(s) to make decisions about your personal welfare in the future, should you not be able to make those decisions yourself. Such decisions cover where you are to live, your day-to-day care and possibly even whether life-sustaining medical treatment should be given or refused. As with the *property and financial affairs* LPA, you can limit the areas of personal welfare you wish to delegate.

When can either of the LPAs be used?

Both *property and financial affairs* and *health and welfare* LPAs must be registered with the Office of the Public Guardian before they can be used for any reason. A *property and financial affairs* LPA can be used (if you wish) when you are still mentally capable of managing your own affairs, but a *health and welfare* LPA can **only** be used if you lose mental capacity.

How we can help

By completing an LPA you can choose who you would like to manage your affairs, rather than the Court appointing someone. It can save you and your family a great deal of the cost, delay and distress in the future. ***It is important to put these documents in place whilst you are fit and healthy and not wait until a problem with your health arises when it may be too late.***

Contact us for more information

To arrange for an appointment or for further information please contact:
Warren Hawkings on 01277 268345 or email whawkings@wortleybyers.co.uk
Poh Shan Chong on 01277 268347 or email pchong@wortleybyers.co.uk
Andrew Spearman on 01277 268393 or email aspearman@wortleybyers.co.uk