

A Power of Attorney is a legal document under which you can give others the right/authority to sign on your behalf. In the nature of things such authority should only be given to a person in whom you have full trust.

“General” Powers of Attorney have been in existence since 1972, and enable the person giving the power (“the Donor”) to give blanket authority to the Attorney to carry out any and all transactions. Although the General Power of Attorney is a straightforward document it ceases to be of effect if the Donor becomes mentally incapable.

The Lasting Power of Attorney (“LPA”) deals with the above deficiency. It is a rather lengthy document, requiring the involvement of an independent “certificator”. For an LPA to become effective it must however be registered with the Court of Protection. It is important to note, once registered, the document becomes operational, irrespective of whether or not the Donor still has mental capacity. For many Donors this is not a problem, although some clients prefer us to

insert a “restriction” stipulating that the Attorney shall not act unless he/she has reason to believe that the Donor is becoming mentally incapable.

If you wish to appoint more than one attorney under an LPA you will need to consider if either one of the two Attorneys will be able to sign on your behalf (this is known as joint and several) or if the signatures of both Attorneys will be required (joint). A joint arrangement has the advantage of greater security but carries with it the disadvantage that the Power will become ineffective in practical terms if one of your Attorneys should die or become mentally incapable.

There are also provisions in an LPA for replacement Attorneys to be appointed in the event of your principal Attorney(s) dying or being unable to act.

The Lasting Power of Attorney also includes a facility for a person “to be notified” in the event of the Power being registered at the Office of the Public Guardian. Our current fees for

dealing with Lasting Powers of Attorney are as follows:-

Preparation, execution and registration of the main document
£350.00 plus VAT

NB Our fee for preparation, execution and registration of a matching pair of LPAs for spouses/civil partners
£650.00 plus VAT

Our fee for registration with the Court of Protection per LPA (created pre 2015)
£200.00 plus VAT

Court fee for registration per LPA
£82.00

When giving instructions for the preparation of an LPA we will need your full name, address and date of birth and the same details for the Attorneys/Replacement Attorneys you wish to appoint, together with the full name and address of anyone you wish to be notified when the LPA is registered at the Court of Protection.

**LASTING POWERS OF
ATTORNEY**

Our normal office opening hours are:-

Monday to Friday
9.00 - 1.00
2.00 - 5.00

**ANTHONY HARRIS &
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