



Lasting Powers of Attorney

In 2007 the Mental Capacity Act 2005 came into force.

Not only did the Act makes several changes to the procedures involved when applying to the Court of Protection for receivership orders (now known as deputyships) but it also prevents any new enduring powers of attorneys (EPA) being made and instead brings in the new lasting powers of attorneys (LPA).

An LPA allows a person (called a donor) to nominate one or more people (called attorneys) to act on their behalf, not only while they are mentally capable but also if or when they lose mental capacity.

The LPA is only in force once it has been registered with the Office of the Public Guardian in order to protect the donor from misuse of the power by anyone.

An LPA enables the donor to appoint attorneys to deal with any matters on their behalf including paying any bills, withdrawing monies from bank accounts, obtaining pension monies, paying any home fees that are due, selling properties etc.

As a result of the LPA not being useable by the attorneys until it is registered it is essential that the process is begun as quickly as possible.

If you or anyone you know would like to make an LPA, Watson Esam can help. If you are unable to come into the office, we are happy to arrange home visits to discuss the LPA with you and your family members to ensure that you understand exactly how it works. More often than not we can bring all the forms with us and get everything signed and sorted within a few weeks.

Please contact Lauren Smith for further information or assistance.

Watson Esam can also help you with

- Business law
- Employment law
- Family law
- Personal injury
- Claims and disputes
- Debt recovery
- Professional negligence
- Contested probate
- Bankruptcy
- Insolvency
- Property matters
- Charities/voluntary organisations
- Wills and trusts
- Probate
- Inheritance tax planning
- Powers of attorney



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