Lasting Power of Attorney Practical Information Leaflet

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Lasting Power of Attorney
Practical Information

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What is a Lasting Power of Attorney?

A Lasting Power of Attorney (LPA) is a legal document that allows you to appoint one or more trusted individuals (your "attorneys") to make decisions on your behalf if you become unable to do so due to illness, accident, or age-related conditions such as dementia.

There are two types of LPA:

- **Property and Financial Affairs LPA:** Lets your attorney manage your finances, pay bills, handle bank accounts, collect pensions, and even sell your home.
- **Health and Welfare LPA:** Covers decisions about your daily care, medical treatment, and living arrangements. This only comes into effect if you lose mental capacity.

Why Should You Consider an LPA?

- **Protect your wishes:** You decide who will act for you and what powers they have.
- **Continuity and peace of mind:** Your affairs can be managed smoothly if you're unable to do so.
- **Family protection:** Avoids legal delays and uncertainty for your loved ones during difficult times.
- **Avoid court intervention:** Without an LPA, your family may need to apply to the Court of Protection, which can be lengthy, costly, and stressful.

Common Misconceptions

1. **If I appoint my partner, they'll make all my decisions.**
   Your attorney can only act if you allow them or if you lose mental capacity. Their powers are limited and defined by law.
2. **I have a Will, so I don't need an LPA.**
   A Will only takes effect after death. An LPA is essential for managing your affairs while you're alive but incapacitated.
3. **I don't have a big estate, so I don't need an LPA.**
   All homes and assets count. Without an LPA, no one can manage your affairs without court involvement, regardless of estate size.
4. **Is an LPA active immediately?**
   A Health & Welfare LPA only comes into effect if you lose capacity. A Property & Financial Affairs LPA can be set to operate only after registration.
5. **I'll lose my independence.**
   An LPA is a safety net. Attorneys can only act in areas you authorise and must always act in your best interests.

How to Set Up an LPA

- You must have mental capacity when setting up an LPA, so it's important to act early.
- You can arrange an LPA yourself or seek advice from a solicitor or specialist advisory firm.
- For more information, visit the official government websites or trusted charities such as Age UK.

Costs

Registering an LPA involves a fee, typically between £92 and £96 per LPA (as of November 2025). Additional costs may apply for certified copies or legal advice. Reduced fees may be available depending on your circumstances.

Further Resources

- For official guidance and forms, visit the https://www.gov.uk/power-of-attorney.
- For Scotland, see the https://www.publicguardian-scotland.gov.uk/.
- For Ireland, visit https://www.citizensinformation.ie/.

Setting up an LPA is about protecting your future choices and giving you and your family peace of mind.

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