



Power of Attorney – Getting past the Jargon.

Want to know a bit more about power of attorney, without having to read long forms?

What is a power of attorney? It allows a person to give legal authority to someone else to make decisions about her/his affairs once s/he lacks the capacity to make these decisions, or when they are unable to do so for another reason.

Property and Financial - You may need an ordinary power of attorney over property and other financial affairs if the person is going out of the country for a long period of time, or they find it difficult to communicate their needs. This gives the attorney power to deal with things such as tax, money transactions, and other decisions about their property and finances. For short periods, a third party mandate from the bank will allow you to deal with someone else's account.

Health and Welfare - You will need a Lasting Power of Attorney for health and welfare if the person lacks, or will lack in the future, the mental capacity to make the decisions for themselves, for example, if the person is diagnosed with dementia, a stroke, or another illness or disability that affects their decision making. It is best, if possible, to get LPA before the person becomes mentally incapable to avoid complications during the process. This gives the attorney the power to deal with things such as the day-to-day care of the person, where they are to live, and other decisions about their health and welfare. There is also a property and financial affairs LPA for dealing with financial decisions.

The Ministry of Justice has now redesigned the lasting power of attorney (LPA) forms to be more user friendly and accessible. For more information about the different ways in which you can get permission to look after someone else's affairs, see www.adviceguide.org.uk