

Lasting Power of Attorney



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An illness, or an accident leading to mental incapacity, can take away your ability to make everyday decisions about your finances and welfare.

Once you have lost mental capacity, it is too late to put a Lasting Power of Attorney in place.



What is a Lasting Power of Attorney?

A Lasting Power of Attorney is a legal document that authorises your chosen representatives to make decisions about your health, welfare and finances on your behalf if you find that you are unable to make decisions for yourself.

There are two types of Lasting Power of Attorney:

1. Lasting Power of Attorney for financial decisions

This can be used while someone still has mental capacity. The attorney (the person who makes decisions for you) can make decisions regarding buying and selling property, paying the mortgage, investing money and paying bills.

2. Lasting Power of Attorney for health and care decisions

This involves decisions regarding healthcare and personal welfare and can only be used

once you have lost mental capacity. The attorney can make decisions about your medical care, your homing situation, and who you should have contact with.

Why would I need a Lasting Power of Attorney?

It is a common misconception that if you were unable to make decisions for yourself, your closest relatives will be automatically entitled to make decisions on your behalf. However, if there is no Lasting Power of Attorney in place, then you could find that somebody is appointed on your behalf by the Courts.

By making a Lasting Power of Attorney, you are able to choose someone who you know will take your personal wishes and needs into consideration.

Who should be my attorney?

Select a trusted family member or friend, who will then have the power to make important decisions on your behalf rather than these being left to organisations such as the Court or social services, who often make choices based on costs as opposed to the needs of the individual.

Benefits to a Lasting Power of Attorney

There are a number of benefits to having a Lasting Power of Attorney in place:

- You can appoint people that you trust to assist you, thereby avoiding unwanted external assistance.
- Once registered, the Lasting Power of Attorney lasts your lifetime.
- It outlines your wishes regarding management of your property and financial affairs; including the sale of any property and funding of care from your assets.
- You can make your wishes regarding health and welfare decisions known, including

decisions regarding life-sustaining treatment and the choice of residential care providers.

- You always retain control of your personal affairs whilst you can still manage to do so.
- The Lasting Power of Attorney can be as flexible as you choose and you have the option to restrict and guide your attorneys.

How Blaser Mills can help

Anyone over the age of 18 can set up a Lasting Power of Attorney and it can be put in place as a precaution. One of our Wills, Trusts and Probate solicitors can assist in setting up and registering a Lasting Power of Attorney. It is worth noting that you must put in place a Lasting Power of Attorney while you have the mental capacity to do so.

To talk to us, please call 020 3814 2020 or contact the Head of the Wills, Trusts and Probate team at mit@blasermills.co.uk

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