

Are you concerned that you may not be able to make decisions for yourself in the future?

By making a Lasting Power of Attorney you may appoint a person or persons of your choice to act on your behalf to deal with your property and financial affairs and make decisions about your health and welfare.

If you lose your mental capacity without having a Lasting Power of Attorney (Property and Affairs) in place, an application to the Court of Protection will have to be made to appoint someone to act on your behalf. This process is considerably longer and more costly than having a Lasting Power of Attorney in place.

Your Attorney is under a legal duty to act in your best interests. Under a Lasting Power of Attorney (Property and Affairs), your Attorney must help you make as many of your own decisions as you can whilst you have sufficient mental capacity.

You may limit the Lasting Power of Attorney so that it only relates to specific assets or circumstances. This can be useful if you do not wish to give your Attorney access to all of your

assets or allow them complete freedom in making decisions concerning your health and welfare.

A Lasting Power of Attorney does not give your Attorney authority to amend your Will.

A Lasting Power of Attorney (Personal Welfare) allows your Attorney to make decisions about your welfare (for example where you should live, your diet and your health care). This includes making decisions about your medical treatment you receive. The Lasting Power of Attorney (Personal Welfare) may also permit your Attorney to give or refuse consent to life sustaining treatment, if you so wish.

A Lasting Power of Attorney (Personal Welfare) may only be used if you do not have sufficient mental capacity to make those decisions yourself. However, a Lasting Power of Attorney (Property and Affairs) may be used by your Attorneys even if you have full capacity to make those decisions but would prefer someone to deal with these matters on your behalf.



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