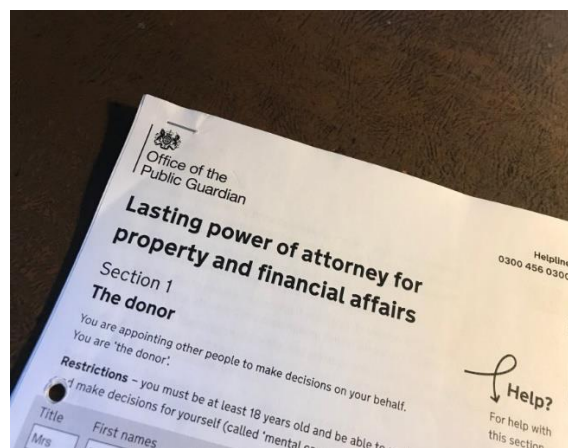


Easy read guide and record for making a property and financial affairs Lasting Power of Attorney



a property and financial affairs **Lasting Power of Attorney**



a property and financial affairs
Lasting Power of Attorney is a
legal document

it is also called an **LPA**



it says who you want to make
decisions and speak for you if
in the future you do not have
mental capacity



mental capacity means being
able to make a decision when
it needs to be made



you must have mental capacity to make an LPA



if you do not have an LPA, the people you trust **cannot** always make decisions for you



your attorney



the person you want to make decisions and speak for you is called an **attorney**



your attorney should be an adult that knows you well enough to make decisions for you



you can choose anyone to be your attorney like your mum dad brother or sister or a friend

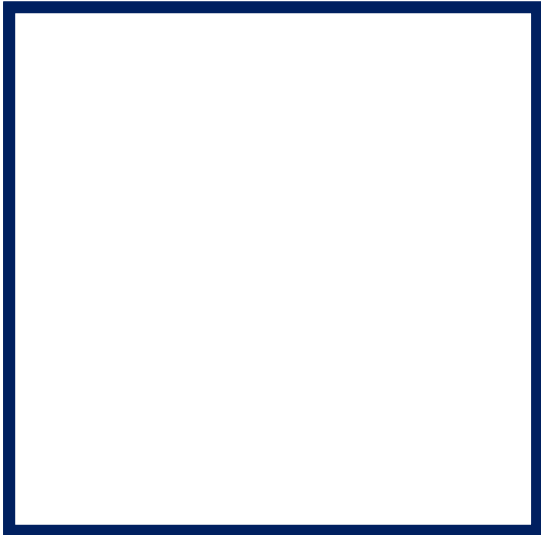


you can choose how many attorneys you want

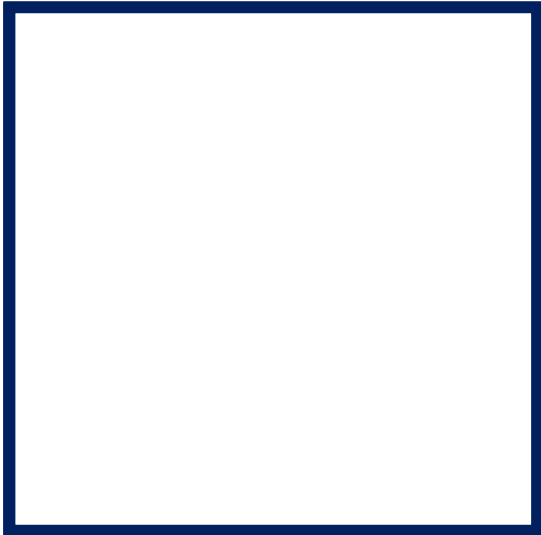
you can choose more than 1 Attorney

my attorneys

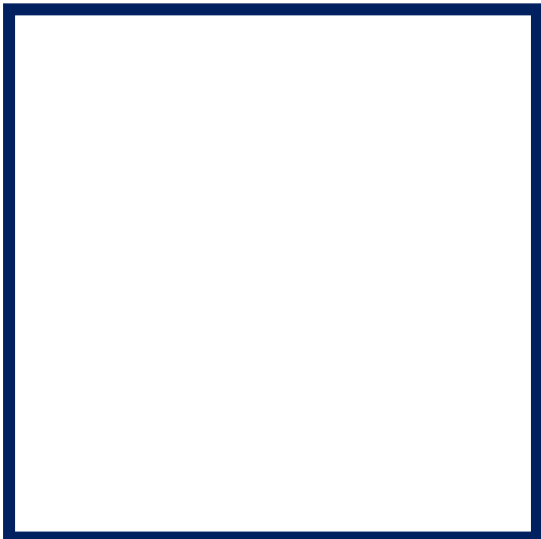
attorney 1



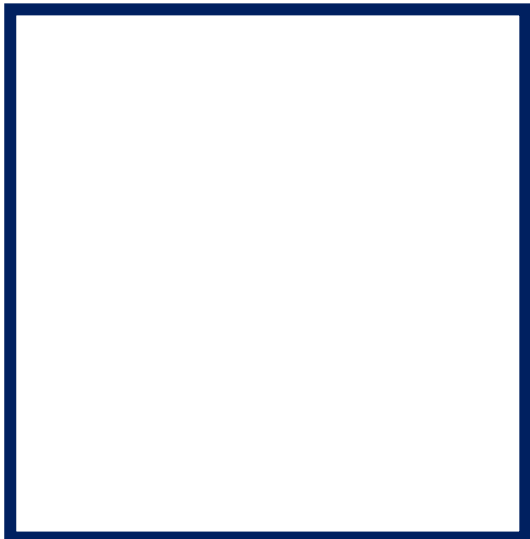
attorney 2



attorney 3



attorney 4



how your attorneys make decisions

if you want more than 1 attorney you must decide how they must make decisions



1 together – your attorneys have to agree each decision

this is known as **jointly**

or



2 separately or together – your attorneys can make a decision on their own or with the other attorney

this is known as **jointly and severally**

or

3 you can have a mixture of these two choices

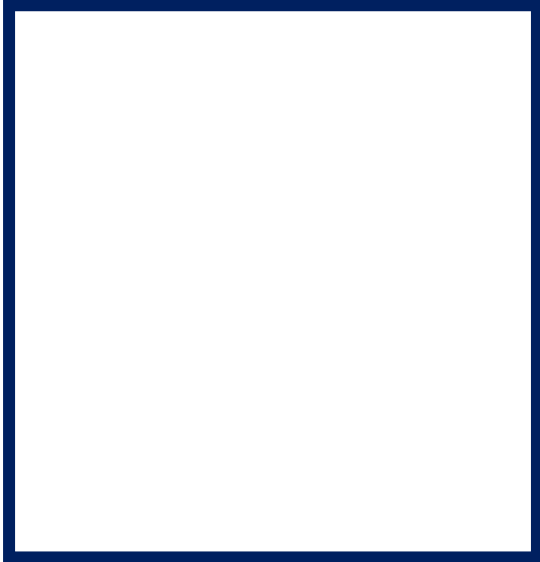
replacement attorney



you can choose a different attorney to replace your original attorney if they can no longer make decisions for you

my replacement attorneys

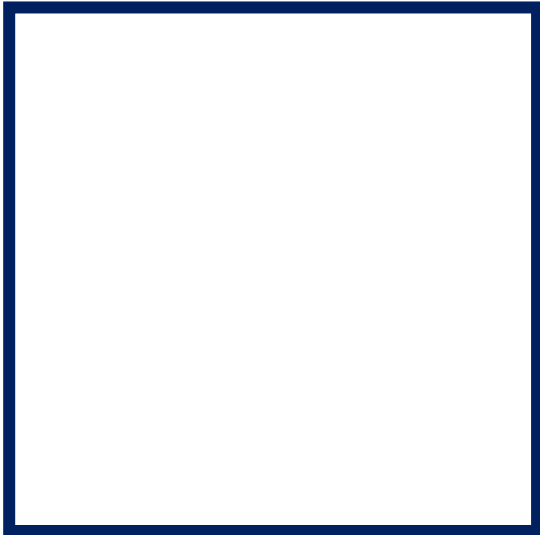
replacement 1

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replacement 2

A large, empty square box with a thick dark blue border, intended for the name of the second replacement attorney.

replacement 3

A large, empty square box with a thick dark blue border, intended for the name of the third replacement attorney.

replacement 4

A large, empty square box with a thick dark blue border, intended for the name of the fourth replacement attorney.

making decisions for you

your attorney will look after your money and property for you



they may use your bank account



they may use your money to pay bills and spend money on things you need or want



they may claim your benefits



they may take money
advice on the best way to
save and to invest so your
money grows



they may buy presents or
make cash gifts to people
you like to make gifts for
celebrations like their
birthday or wedding



if you own your home they
may sell it or buy a home
for you to live in



if you rent your home they
will pay your rent and bills
and may end or start a
tenancy for you

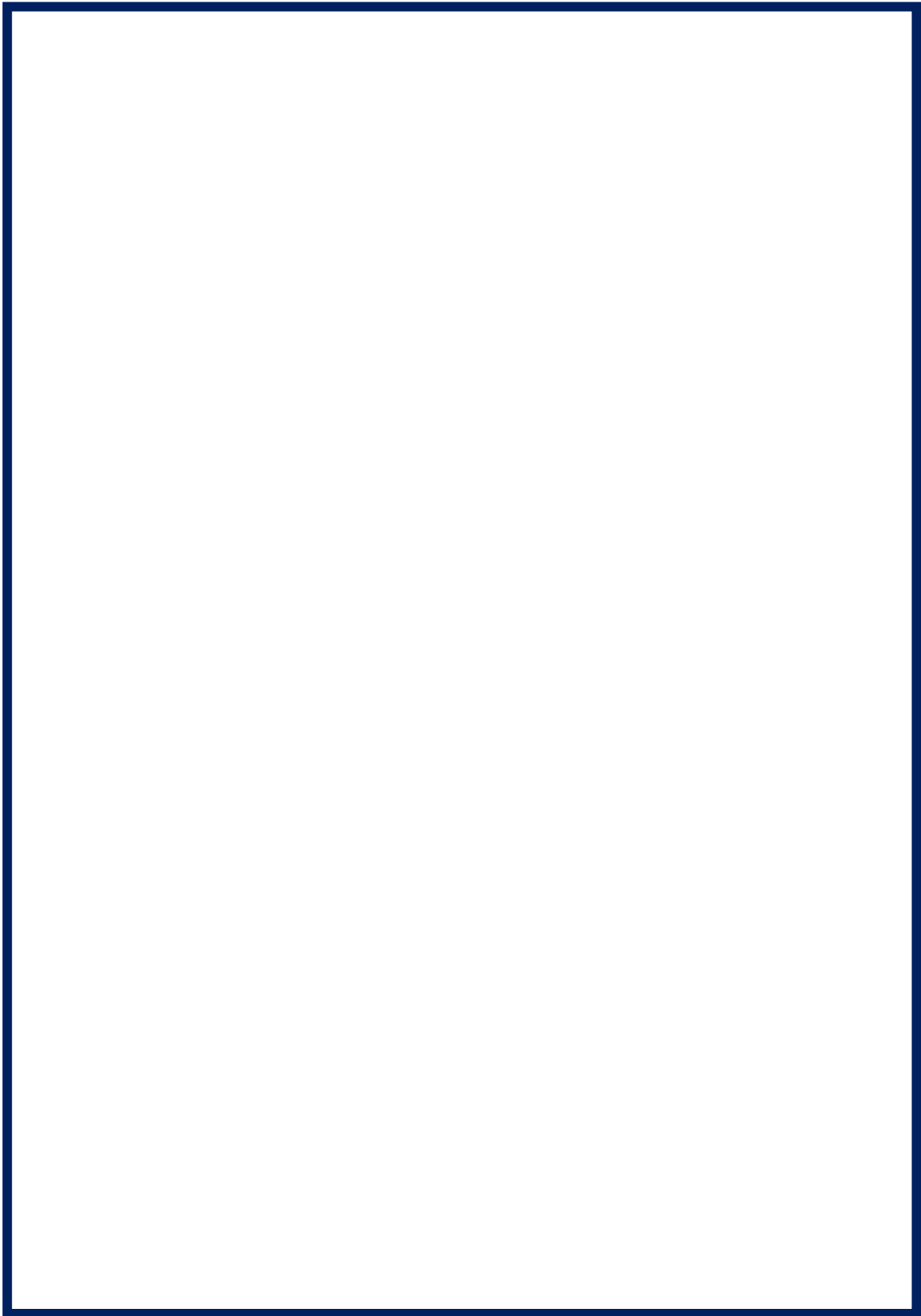
say what you like



you can say how you would like your attorney to spend your money for you



these are things that I like

A large, empty rectangular box with a thick, dark blue border. The interior of the box is white and completely blank, providing a space for a child to draw or write their preferences.

say what your attorney cannot decide



you can say there are decisions you **do not want** your attorney to make

you don't have to say anything

**these are decisions I do not want my
attorney to make**

A large, empty rectangular box with a dark blue border, occupying the central portion of the page. It is intended for the user to list decisions they do not want their attorney to make.

talking to other people



you can name people you would like your attorneys to talk to before they make a decision for you

**these are people I want my attorneys to
talk to when they make decisions**



when do you want your attorney to make decisions



you can decide your attorney can make decisions **when you have mental capacity and when you lack mental capacity**

or

you can decide your attorney can make decisions **only when you lack mental capacity**

telling people you have made the LPA

you can name people you want to be told that you have made the LPA



I want to tell people I have made the LPA

or

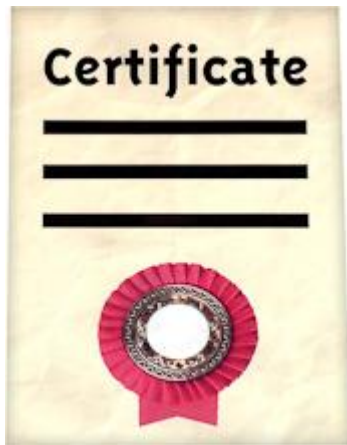
I do not want to tell people I have made the LPA

the people I want to be told I have made an LPA

you do not have to tell
anyone if you do not want
to



certificate provider



another person must sign the LPA to say you understand what you are signing and are not under pressure to sign



This person is called a **certificate provider**



you must choose who you want to be your certificate provider

your certificate provider can be



someone you have **known for at least 2 years** such as a friend

or



a person such as a **doctor, social worker, or lawyer**



a family member **cannot** be your certificate provider

my certificate provider



what happens after the LPA has been signed



Office of the
Public Guardian

once everyone involved has signed your LPA, it must be sent to the **Office of the Public Guardian** for it to be stamped by them

This is known as **registration of your LPA**

The 5 special rules for making decisions



your attorney must follow 5 special rules when they make decisions for you



1 your attorney must let you make your own decision unless it is shown that you cannot make a decision



2 your attorney must give you as much help as you need to make your own decision



3 if you understand what you are doing you can make decisions which your attorney says is unwise

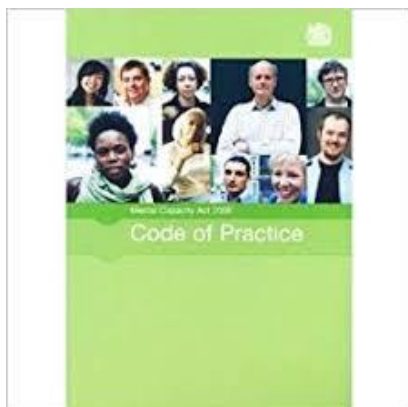


4 if you cannot make a decision your attorney must make a decision which they think is right for you

this is known as making decisions in your **best interests**



5 when a decision is made for you it must give you as much freedom as possible



your attorney must follow guidance in the Mental Capacity Act 2005 Code of Practice

Changing your mind



you can stop your attorney from acting at any time if you are able to make that decision



you will need to sign another legal document