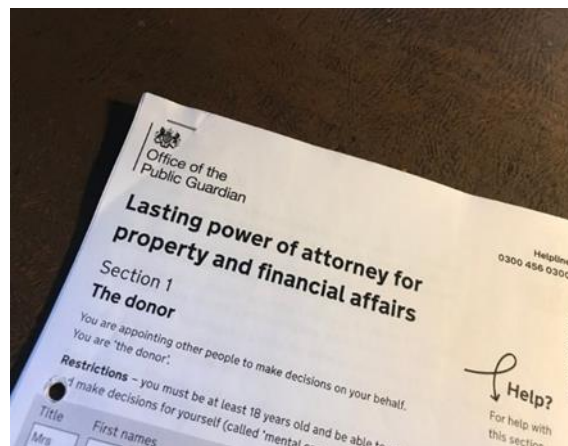


# easy read guide to sections 8 and 9 of property and financial affairs

## Lasting **P**ower of **A**ttorney form



# your lasting power of attorney



everybody must sign your lasting power of attorney for it to be a legal document

it is also called an **LPA**



by signing this LPA you appoint your attorney to make decisions and speak for you **if in the future you do not have mental capacity**

and

you may have decided to allow your attorney to make decisions **when you have mental capacity**



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



your attorney must follow what you have put in your LPA

your attorney will look after your money and property for you



your attorney can use your money to pay for things you need or want



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

**or**



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

# your attorney must follow 5 special rules



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

The rules are set in law called the **Mental Capacity Act 2005**



**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

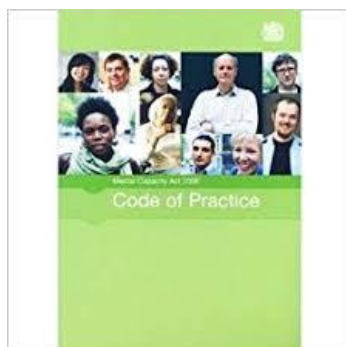


4 if you cannot make a decision your attorney must make a decision which they think is right for you

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 Code of Practice

# telling others you have made this LPA



you have decided if you want to tell others that you have made this LPA

# your LPA must be stamped by the Office of the Public Guardian



Office of the  
Public Guardian

your attorney cannot make decisions until your LPA has been stamped by the Office of the Public Guardian



by signing your LPA you agree that the Office of the Public Guardian can keep details of your LPA and use the information in it

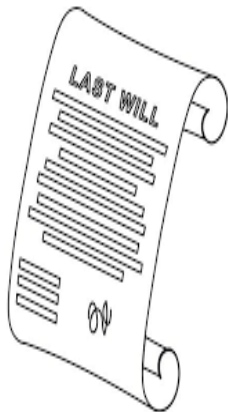
## stopping your LPA



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

this LPA cannot be used after you have died

## your will



a will sets out who gets your money after you have died

if you have a will your attorney cannot change your will using the LPA