



PRESS RELEASE

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Lasting Powers of Attorney – simplified system introduced

Rod McCulloch, partner in Wycombe law firm Reynolds Parry Jones has welcomed the introduction of simplified forms allowing the appointment of attorneys.

“Latest statistics show that around two million people in England and Wales lack the mental capacity to make decisions for themselves and 15,000 people under the age of 65 have dementia” he said. “This month sees the introduction of a simplified way to appoint someone to look after things, if you become incapable of doing so yourself”.

Lasting Powers of Attorney (LPAs) were first introduced two years ago and they allow individuals to appoint someone to act as their attorney, to deal with their personal welfare and/or their financial affairs.

The LPA replaced Enduring Powers of Attorney (EPAs) and offered two advantages. Firstly they settled any worry about someone being pressured into the agreement, as an independent person has to certify in the LPA that the donor understands what they are doing and has not been the victim of undue influence.

Secondly, under the old-style EPA an attorney was only authorised to deal with the donor’s finances, but LPAs can be used to cover personal welfare as well.

For health and welfare LPAs, this can include the attorney making decisions on areas such as medical treatment and where the donor lives. The attorney can even be given authority to refuse life sustaining treatment.

“Since the launch of LPAs two years ago, they have been criticised for their length and lack of user-friendliness. But now, the Office of the Public Guardian has launched a shorter and simpler form, which will make it easier to set up a power of attorney” Mr McCulloch concluded.

For further information please contact Rod McCulloch on 01494 525941.