



what would happen if you were ill and unable to handle your own affairs?

Understandably, a lot of people do not like to think about the prospect of illness or incapacity, let alone put contingency plans in place. It is easy to think that “it won’t happen to me” or “someone else can deal with things if I can’t”. Unfortunately, this is often not the case.

There are two types of Lasting Power of Attorney (LPA) – One which covers your property and financial affairs and one to deal with your health and welfare.

Property and Financial Affairs

In the event of mental incapacity and without the legal formality of an LPA, no one would be able to gain access to your finances meaning that things such as everyday bills or care fees may go unpaid.

Ensuring that you have an LPA in place will not only help you, but your family as well, who may already be going through the trauma of seeing someone they love lose their capacity and independence.

Health and Welfare

These LPAs are becoming increasingly useful and allow your Attorney(s) to make decisions in relation to your health and wellbeing when you are no longer able to make these decisions for yourself, such as whether you remain at home or go into care whether or not you should have an operation, and if life sustaining treatment should be given to you or not.

It is important that you seek advice from a Solicitor if you are considering making an LPA and that you appoint Attorneys who you trust will act in your best interests.

If you have a business, a separate LPA is also essential to ensure that if you lost capacity, the right person can assist so that your business can continue to run smoothly until the next step is decided.

QA questions & answers >

What is a Lasting Power of Attorney (LPA)?

A legal document which empowers someone you nominate to act on your behalf if you are unable, through mental or physical ill health, to manage your own property and financial affairs, health and welfare.

When can an LPA be made?

Only whilst you are still mentally capable of understanding what the LPA is and what it is intended to do.