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## LASTING POWERS OF ATTORNEY (REPLACE ENDURING POWERS OF ATTORNEY)

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### Enduring Power of Attorney

This was replaced by the Lasting Power of Attorney in 2007. However, if you have already made an Enduring Power of Attorney it is still valid. The Enduring Power of Attorney only deals with financial decisions, therefore, you should consider whether you need a Lasting Power of Attorney to deal with health and welfare decisions.

### Lasting Powers of Attorney

There are two types of Lasting Powers of Attorney dealing with different aspects:

- Property & Financial Affairs
- Health & Welfare

Authorising someone to act as your Attorney does not mean that you cannot make your own decisions and handle your own affairs. Attorneys will generally assist if you have lost the mental or physical ability to deal with your own affairs.

### Property & Financial Affairs

This enables your chosen Attorney(s) to deal with all of your financial affairs. It can cover operating a bank account, making investment decisions, signing tax returns, together with buying and selling property.





## Health & Welfare

This can only be used if you have lost mental capacity and enables your chosen Attorney(s) to make decisions about where you live, to make arrangements for your care needs, to consent or decline certain medical treatments and to choose your social and cultural activities.

## Who can make a Lasting Power of Attorney?

Any one who is over the age of 18 and has the capacity to understand what they are doing.

## Do I have to appoint Attorneys to deal with both my property and affairs and my personal welfare?

No. You can choose to make either one of the types of Lasting Power of Attorney, or you can decide to do both. They do not need to be made at the same time, so you can do the one you didn't do at a later date. The attorneys you choose for each type of Power of Attorney do not have to be the same. For example, you may decide to appoint your children to deal with finances and your spouse or partner to make decisions about health and welfare.

## What happens if I do not have a Lasting Power of Attorney

Your family or friends may have to go to court to apply for a Deputyship Order to get the authority to act on your behalf. This is generally a much more expensive and time consuming process.

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