



I've made my Power of Attorney (LPA), what do I need to do now?

Now you have made your Power of Attorney (LPA), you need to do three things:

1. Make sure your LPA is correctly signed and witnessed so that it is legally binding;
2. Register your LPA with the Office of the Public Guardian (OPG);
3. Store your LPA in a safe place.

Leech & Co will help you through this process.

1. Signing and Witnessing the LPA

When the LPA application form(s) has been completed and you have decided who you want to appoint as your Attorneys, you must ensure that the form is signed and witnessed not only in the correct way, but also in the correct order. Leech & Co will complete the form(s) for you and then meet with you at your home or workplace to ensure that the forms are correctly signed and witnessed.

The LPA application form must be signed by all of the people involved in the correct order. If they don't, the OPG will not register it and the Attorneys will not be able to use it.

Order of Signing

You (the Donor) must sign your sections of the form first:

- Section 5 of the Health & Care decisions about life sustaining treatment (if applicable)
- Continuation Sheet 1 and Continuation Sheet 2, if used

- Section 9 (for both LPA forms)

Your **Attorneys, Replacement Attorneys, Witness and Certificate Provider** will then sign their sections of the form(s). It is better if everything can be signed at the same appointment, but this is not essential. The process of signing and witnessing the LPA form(s) can be tricky and it is vital it is done correctly for the LPA to be valid. We will guide and assist you through this process so you do not need to worry about it.

Who can be a Witness?

Your signature and those of your Attorneys and Replacement Attorneys must be witnessed. You will only require one person to act as your witness. Your witness must be at least 18 years old, but cannot be one of your Attorneys. Similarly, you, as the Donor, cannot witness your Attorneys' signatures.

What is the Certificate Provider?

The Certificate Provider is an independent and impartial person who signs the form to confirm that you have mental capacity to apply for the Power of Attorney and that you have not been forced to make it. This can be a medical or legal professional, but it can also be a friend or colleague as long as they are over the age of 18 and have known you for at least two years. They cannot be a member of your family or your Attorneys' family. You can use the same person to be your Witness and Certificate Provider. We can act as your Certificate Provider as long as we are satisfied you have mental capacity to apply for a Power of Attorney.

2. Register your LPA with the Office of the Public Guardian (OPG)

You do not need to register your LPA as soon as it is completed, but we strongly recommend that you do so. This is because you and your loved ones will be protected by the LPA as soon as it is needed.

If the LPA is to be registered, there is another section of the LPA form that will need to be signed and witnessed. This can be done at the same appointment as the signing and witnessing of the LPA form and you can use the same witnesses. We will register the LPA form for you with the Office of the Public Guardian so you do not need to worry about this. Registering the LPA form will incur a fee and we will discuss this fully with you.

3. Store your LPA in a safe place

When your LPA has been signed, witnessed and registered, the OPG will return the registered document to us. We will provide 2 certified copies to you to be kept by you in a safe place. We will store the original LPA in our safe storage and also store an electronic copy for you so it can be easily located and obtained. The cost for storing your LPA is included within the cost of making it so there is no additional charge to you.

Full details about all of the above can be found on our website - www.leechandco.co.uk - or simply call us on 0161 749 9000. We're more than happy to talk things through with you and answer any of your questions.

Leech & Co Solicitors have prepared this factsheet to help you make your Will. It contains general advice only. The content of this factsheet should not be used to make a decision or take an action without further legal advice.