



Alex wants to know why a Lasting Power of Attorney is such an important legal document

No Lasting Power of Attorney

Next of kin DOESN'T have the legal authority to make decisions for Alex

- ❌ Sole bank accounts are frozen
- ❌ Joint bank accounts are frozen in some circumstances
- ❌ Bills can't be paid from Alex's money
- ❌ Investment decisions can't be made (and any previous authority given to make investment decisions is cancelled)
- ❌ Property can't be sold, meaning a co-habiting partner can't move house if they wanted to
- ❌ Next of kin don't have the legal authority to make decisions about medical treatment
- ❌ Next of kin don't have legal authority to make personal choices, for example where Alex should live

These same restrictions apply to any next kin including a husband/wife and children

If you don't plan ahead and you suffer an accident or illness which causes you to lose mental capacity, your next of kin can only gain legal authority to act on your behalf through a Court Order issued by the Court of Protection. This is a long, costly and intrusive process.

If Alex suffers an unexpected accident or illness

With Lasting Power of Attorney

If Alex plans ahead and puts in place Lasting Power of Attorney for both Financial Decisions & Health and Care Decisions appointing next of kin

- ✅ Alex has legally appointed next of kin to make decisions about finances
- ✅ The bank recognises the next of kin's legal authority and no bank accounts are frozen
- ✅ Bills can be paid as normal
- ✅ Investment decisions can be made by the next of kin on Alex's behalf
- ✅ Property can be sold if needed
- ✅ The next of kin has legal authority to make decisions about Alex's medical treatment
- ✅ Next of kin can make personal choices for Alex, such as where to live

These same powers apply to anyone given authority under a Lasting Power of Attorney, including a husband/wife and children

By planning ahead, you can choose who should have legal authority to make decisions on your behalf if you're unable to make decisions for yourself. A Lasting Power of Attorney costs far less than a Court Order and the people you choose can step in as soon as they're needed.

This illustration is for general guidance only and should not be regarded as legal advice. BPA Associates Limited takes no responsibility and recommended you seek independent legal advice .