

Date as postmark

Ref - LW – GPOA Department

Dear Sir/Madam

Further to your recent enquiry, I now have pleasure in enclosing our General Power of Attorney briefing notes and instruction form.

Please complete in **block capitals** and return, with your payment to the address shown below:

**CareAware
General Power of Attorney Department
PO Box 8
Manchester
M30 9NY**

On receipt of this instruction form, any queries will be advised and if necessary, any required clarification to your instructions will be sought. Please note, this must always be confirmed in writing.

The General Power of Attorney document will then be prepared and returned to you for signature and witnessing.

Should you have any queries or wish to discuss any matter further, please do not hesitate to contact our **HELPLINE**, e-mail us at the above address or visit our website at www.careaware.co.uk.

Yours sincerely

Louise and Sally

GPOA Department

GENERAL POWER OF ATTORNEY GUIDANCE NOTES

A General Power of Attorney is a legal document enabling individuals while they are still mentally capable, to decide who they would like to deal with their affairs.

In order to make the appointment, the individual must have the mental capacity to do so and must understand the nature and consequences of their action.

A General Power of Attorney is likely to be most suitable in the following circumstances:

- If you need somebody to act for you for a temporary period, for example, when you are on holiday
- Whilst you are waiting for a Lasting Power of Attorney to be registered with the Office of the Public Guardian
- If you would like somebody to act for you only while you are able to supervise their actions
- If you would like somebody to act for you on a specific matter, eg. sale of house

If you want somebody to be able to act for you when you lose capacity to make your own decisions, you should consider setting up a Lasting Power of Attorney also.

If there is any doubt as to the Donor's mental capacity at the time the General Power of Attorney is being considered, the advice of a doctor should be obtained and legal advice may need to be sought.

The Donor is the person giving the Power and there are a number of options which the Donor must consider.

The first is to determine who they wish to act as their Attorney. This might typically be a relative, friend or professional adviser, over 18 years of age and not bankrupt when the document is signed.

Secondly, if more than one Attorney is appointed, the Donor must then decide how they will be permitted to act.

Jointly means they must act together and **cannot** do so separately.

Note - should one of the Attorneys become unable to act (including if they die), the power will fail.

Jointly and severally means that they can act together but individually if they wish.

Note - there is no limit to how many Attorneys can be appointed but it may be impractical to have more than three.

The final choice is the type of **authority** which the Donor wishes to give their Attorney/s and any restrictions on the assets to which they wish the appointment to apply.

A general authority allows the Attorney/s to carry out any transactions on the Donor's behalf which the Donor is legally able to delegate.

A specific authority only enables the Attorney to deal with particular aspects of the Donor's affairs which have been specified within the document (e.g. a particular bank account, or sale of a named house).

Whether the Power gives a general authority or has restrictions, it will end if:

- The Donor loses mental capacity to make their own decisions and are no longer able to supervise / direct the attorney/s
- The Power is cancelled in writing
- The Power is limited to a specific task which has been completed
- The Attorney dies or loses mental capacity themselves

In order for your General Power of Attorney document to be produced, please complete the attached instruction form in **BLOCK CAPITALS** and return to us at the address shown above.

Please read these guidance notes along with our Acting on a Person's Behalf bulletin before completing your answers.

GENERAL POWER OF ATTORNEY INSTRUCTION FORM

In order for your General Power of Attorney to be produced, please provide the following details in BLOCK CAPITALS. Please read in conjunction with our guidance notes and Acting on a Person's Behalf bulletin.

YOUR (DONOR) DETAILS (the person giving the Power)

DONOR Full name:

Full address:

Postcode:

Date of Birth:

ATTORNEY/S DETAILS (the person/s being given the Power)

Attorney 1 Full name:

Full address:

Postcode:

If you wish to appoint more than one person, please provide details below

Attorney 2 Full name:

Full address:

Postcode:

Attorney 3 Full name:

Full address:

Postcode:

STATUS

How do you wish your Attorney/s to act? (tick as appropriate)

Jointly

Jointly and severally

Not applicable as I have only appointed one attorney

AUTHORITY

Do you wish to place any restrictions on this Power? (tick as appropriate)

NO, a general authority is to be given

YES, I have provided details in the box below

<u>Restrictions</u>

DONOR DECLARATION

I confirm that the above information is accurate and that I wish to make the appointment/s indicated.

I also confirm that there are no restrictions to my capacity to make this appointment.

Signed (Donor)

Dated

Daytime telephone number of person to be contacted in case of query with this form:	
Full name:	Relationship to Donor (if not Donor):
Telephone:	Mobile:

Please return this completed instruction form along with your payment of £100 to: CareAware, P O Box 8, Manchester, M30 9NY

Please note: An administration charge of £15.00 will be deducted for any cancelled documents