

Powers of Attorney and Advance Medical Directives in the light of COVID-19

In these extraordinary times, it is more important than ever to review what arrangements you have in place to allow someone else to manage your affairs, should the need arise.

In particular, we are extremely conscious that with many people self-isolating and the country increasingly in a state of lockdown for a potentially undefined period, the practical use of a Power of Attorney may need to be considered.

For example, if you are unable to leave the house or are finding it difficult to deal with any of your usual affairs over the phone or by computer, you may feel it is wise to give someone the ability to do those things on your behalf, if only on a temporary basis throughout this current crisis.

Existing Powers of Attorney

If you already have an old form of Enduring Power of Attorney (EPA) or a registered Lasting Power of Attorney (LPA), you may want to check that those documents still appoint the right people. In each case, please also check that the document does not restrict its use on the loss of mental capacity only. If required, we can issue certified copies to your attorneys for an appropriate administration fee.

General Powers of Attorney

If you do not have either an EPA or LPA then we strongly advise that you consider putting an LPA in place (EPAs can no longer be newly created). Please follow [this link](#) for more information. Alternatively, please phone to speak to one of our lawyers.

However, although we advise putting in place an LPA, the process can be somewhat lengthy and there is a mandatory registration process which typically takes 6-8 weeks before the document is usable.

We are conscious that it is possible you will want a document in place in much shorter time. For that purpose, we would suggest you consider executing a General Power of Attorney (GPA). These are simpler documents which come into force as soon as signed and enable you to choose one or more people (attorneys) to deal with your affairs. They may be drafted to allow your attorney(s) to deal with all of your affairs or can be restricted to certain functions only.

It is still advisable to prepare an LPA in the longer term since a GPA ceases to be usable once the donor has lost capacity (the key difference with an LPA). However, a General Power of Attorney may prove to be an extremely useful document in the short term for practical matters arising now or simply for peace of mind. They are revocable once no longer required.

Advance Medical Directive (AMD)

An AMD (sometimes called a Living Will) provides instructions to the medical profession and other carers in relation to end of life decisions. In particular, they are used to specify situations where a person may or may not want to be resuscitated or their life prolonged. These decisions can be dealt with in a Health and Welfare LPA, which also covers a wider range of decision making matters. However, for the reasons discussed above and with the prospect of many people ending up in hospital without a loved-one allowed to be in attendance, an AMD may be put in place almost immediately without the need to wait for an LPA to be registered.

We are able to discuss and take your instructions for both General Powers of Attorney and Advance Medical Directives by telephone or video consultation with lawyers from any of our 4 offices.

A single General Power of Attorney is offered for a fixed fee of £300 plus VAT and for couples £450 plus VAT.

A single Advance Medical Directive can be prepared for £400 plus VAT and for couples, £550 plus VAT.

We can also prepare both sets of documents as a package for the discounted price of £600 plus VAT for an individual and £900 plus VAT for a couple.

When considering these matters we also highly recommend that you also review whether your will is up to date. We are happy to assist with this or any other query you may have at this difficult time.

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