

# Notice of intention to apply for registration of a Lasting Power of Attorney

This notice must be sent to everyone named by the donor in the Lasting Power of Attorney as a person who should be notified of an application to register. Relatives are not entitled to notice unless named in the Lasting Power of Attorney.

The application to register may be made by the donor or the attorney(s).

Where attorneys are appointed to act jointly\*\* they **all** must apply to register.

## Details of the person to be told\*\* \_\_\_\_\_

Name	Address	
<input type="text"/>	<input type="text"/>	
Telephone no.	Postcode	<input type="text"/>
<input type="text"/>		<input type="text"/>

**To the person to be told** - You have the right to object to the proposed registration of the Lasting Power of Attorney. You have **five weeks** from the day on which this notice is given to object. Details of how to object and the grounds for doing so are on the back page.

## Details of the Lasting Power of Attorney (LPA) \_\_\_\_\_

Who is applying to register the LPA?	<input type="checkbox"/> the donor	<input type="checkbox"/> the attorney(s)								
Which type of LPA is being registered? (You must complete separate applications for each LPA you wish to register.)	<input type="checkbox"/> Property and Financial Affairs	<input type="checkbox"/> Health and Welfare								
On what date did the donor sign the LPA?	<table border="1"><tr><td>D</td><td>D</td><td>M</td><td>M</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td></tr></table>		D	D	M	M	Y	Y	Y	Y
D	D	M	M	Y	Y	Y	Y			

## Details of the donor \_\_\_\_\_

Full name	Address	
<input type="text"/>	<input type="text"/>	
Telephone no.	Postcode	<input type="text"/>
<input type="text"/>		<input type="text"/>

**Details of the attorney(s)**

---

Name of 1<sup>st</sup> attorney

Address

Telephone no.

Postcode

- solely       jointly and severally\*\*  
 jointly       jointly in some matters and jointly and severally in others
- 

Name of 2<sup>nd</sup> attorney

Address

Telephone no.

Postcode

- jointly       jointly and severally  
 jointly in some matters and jointly and severally in others
- 

Name of 3<sup>rd</sup> attorney

Address

Telephone no.

Postcode

- jointly       jointly and severally  
 jointly in some matters and jointly and severally in others
- 

Name of 4<sup>th</sup> attorney

Address

Telephone no.

Postcode

- jointly       jointly and severally  
 jointly in some matters and jointly and severally in others

**Signature and date** \_\_\_\_\_

This notice must be signed by all parties applying to register the lasting power of attorney.

Signed


Print name


Dated

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

## How to object to the registering of a Lasting Power of Attorney (LPA)

You can ask the Office of the Public Guardian (OPG) to stop the LPA from being registered if one of the factual grounds at (A) below has occurred. You need to tell us by completing Form LPA007 which is available from the OPG and by providing evidence to accompany it. You must send us the completed LPA007 form **within five weeks** from the date this notice was given. Failure to tell us could result in the LPA being registered.

**(A) Factual grounds** – you can ask the Office of the Public Guardian to stop registration if:

- The Donor is bankrupt or interim bankrupt (for property and financial affairs LPAs only)
- The Attorney is bankrupt or interim bankrupt (for property and financial affairs LPAs only)
- The Attorney is a trust corporation and is wound up or dissolved (for property and financial affairs LPAs only)
- The Donor is dead
- The Attorney is dead
- That there has been dissolution or annulment of a marriage or civil partnership between the Donor and Attorney (except if the LPA provided that such an event should not affect the instrument)
- The Attorney(s) lack the capacity to be an attorney under the LPA
- The Attorney(s) have disclaimed their appointment

Form LPA007 is available – from the OPG on 0300 456 0300 or [www.direct.gov.uk/mentalcapacity](http://www.direct.gov.uk/mentalcapacity)

You have the right to object to the Court of Protection about the registration of the LPA, but only on the grounds mentioned at (B) below. To do this you must contact the Court and complete the application to object form they will send you. Using that form, you must set out your reasons for objecting. They must receive the objection within five weeks from the date this notice was given. You must also notify the OPG when you object to the Court by using the separate form LPA008 that is available to download from [www.justice.gov.uk/global/forms/opg/lasting-power-of-attorney/index.htm](http://www.justice.gov.uk/global/forms/opg/lasting-power-of-attorney/index.htm). Failure to notify the OPG of an objection may result in registration of the LPA.

**Note:** If you are objecting to the appointment of a specific attorney, it may not prevent registration if other attorneys or a substitute attorney have been appointed.

**(B) Prescribed grounds** – you can only object to the Court of Protection against registration of the LPA on the following grounds:

- That the power purported to be created by the instrument\* is not valid as a LPA. e.g. the person objecting does not believe the donor had capacity to make an LPA.
- That the power created by the instrument no longer exists e.g. the donor revoked it at a time when he/she had capacity to do so.
- That fraud or undue pressure was used to induce the donor to make the power.
- The attorney proposes to behave in a way that would contravene his authority or would not be in the donor's best interests.

**Note:**

\* The instrument means the LPA made by the donor.

\*\* Some of the terms used in the 2007 version of the LPA forms are different to those used in this form and in the LPA002.

'Together' means the same as 'Jointly'. 'Independently' means the same as 'Severally'.

'Named person' means the same as 'Person to be told'.

The Court will only consider objections made if they are made on the above grounds. To obtain a Court objection form please contact the Court of Protection at Archway Tower, 2 Junction Road, London N19 5SZ or Telephone 0300 456 4600.