



Office of the
Public Guardian

Guidance

August 2023

Avoiding errors when completing a lasting power of attorney form



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Summary

A lasting power of attorney (LPA) is a legal document that lets you (the 'donor') appoint one or more people (known as 'attorneys') to help you make decisions or to make decisions on your behalf.

This gives you more control over what happens to you if you have an accident or an illness and cannot make your own decisions (you 'do not have mental capacity').

About this guidance

This guide will help you complete the LPA forms and avoid making common mistakes.

In this guide 'you' means the donor.

It's important that the LPA forms are filled out correctly. The attorneys you have appointed may not be able to make important decisions for you if there is an error in the LPA.

If you make an error on your LPA, it could mean:

- a delay in the registration process
- your LPA is not legally valid
- the Office of the Public Guardian (OPG) cannot register the LPA at all

Sometimes the application process can seem complicated. This guidance explains how to avoid the most common errors.

To further help you reduce the chance of making errors, you can use OPG's 'Make a lasting power of attorney' online service at www.lastingpowerofattorney.service.gov.uk. It also helps guide you through the process. This service is only available in English.

Using the correct form for your LPA

There are two LPA forms:

- LP1F for property and financial affairs
- LP1H for health and welfare decisions

Most sections in the forms are similar. Make sure you have:

- the correct pages for your type of LPA
- **all** pages numbered 1 to 20, including the information page (section 8, page 9)
- any required continuation sheets (only if applicable)

Check the **bottom right** of each page to make sure you're using the correct form and that its pages are in order.

This is highlighted in the red boxes in the images below.

Health and welfare examples. Note 'LP1H':

Address

Postcode

Email address (optional)

For OPG office use only

LPA registration date OPG reference number

Day Month Year

Only valid with the official stamp here.

LPIH Health and welfare (07.15)

1

LPIH Register your LPA (07.15)

16

Property and financial affairs examples. Note 'LP1F':

Address

Postcode

Email address (optional)

For OPG office use only

LPA registration date

OPG reference number

Day Month Year

Only valid with the official stamp here.

LP1F Property and financial affairs (07.15) 1

This form contains fields for address, postcode, and optional email address. Below these are fields for OPG office use, including LPA registration date (split into day, month, and year) and an OPG reference number. A dashed line indicates where an official stamp should be placed. A red box highlights the stamp area, which contains the text 'LP1F Property and financial affairs (07.15)' and the number '1'.

LP1F Register your LPA (07.15) 16

This form is mostly blank, with a red box highlighting the bottom right corner. The stamp area contains the text 'LP1F Register your LPA (07.15)' and the number '16'.

If you are applying for both LPAs at the same time, keep the health and welfare pages separate from the property and financial affairs pages. If you mix the pages, you might have to make a new LPA and pay the fee again.

Printing your LPA

The easiest way to complete an LPA is to use OPG's [‘Make a lasting power of attorney’ online service](#). It helps guide you through the process and can help reduce errors. At the end you will need to print the form so that it can be signed and dated. The online service is only available in English.

Alternatively, you may decide to print the forms to fill in yourself. If you cannot print the forms yourself, you can request an LPA pack to be sent to your address by calling our contact centre on 0300 456 0300.

The LPA is a legal form so needs to be clearly printed; the forms should match how they look online. Please make sure your PDF software is updated to prevent possible issues.

Check everything on the form before you print it, including details that have been pre-populated if you have made your LPA online. You must make sure all the words are printed on the correct pages and do not follow on to the next page.

Visit the [lasting powers of attorney form page](#) to view how the forms should look. If your LPA forms do not match how they look online, you must re-print them or print the forms directly from the website.

The certificate provider

Certificate providers are impartial people who confirm you understand what you are doing, and that nobody is forcing you to make the LPA.

You must choose a certificate provider who is impartial. Being impartial means the certificate provider can judge or consider the LPA fairly without allowing their own interest to influence their role. Examples of people that won't be accepted are: family members, an attorney, your employee.

You can check the list of who can and cannot be the certificate provider in OPG's [LP12 guidance \(Part A10- Signature: certificate provider\)](#).

Making mistakes and making corrections to your LPA

Your attorneys will need to show your LPA document to third parties when they begin to act for you. Therefore, it's important that all the details on the LPA are correct.

Do **not** use any type of correction fluid or stickers as OPG won't be able to register your LPA and you will have to pay again for a new LPA.

Each mistake on an LPA form needs to be corrected and initialled.

The person who made the mistake must initial (write their initials next to) the correction. This is shown in the examples on the next page.

Examples of corrections

Example 1: If you have put the wrong date of birth for your attorney on section 2, you (the donor) should:

- put a line through the wrong date
- write the correct date next to it
- write your initials next to the correction

The form contains the following fields and handwritten corrections:

- Title:** Mr
- First names:** Joe
- Last name (or trust corporation name):** Bloggs
- Date of birth:** Day: 2, Month: 9, Year: 02. The original year '1990' is crossed out with a horizontal line. The correct year '1991' is written above the boxes, with initials 'JS' to the right.
- Address:** First line of address (empty)

In this example, 'Mr Joe Bloggs' is the attorney and 'Mr John Smith' is the donor.

Example 2: If the witness has put the wrong address on section 9, the witness should:

- put a line through the wrong address
- write their correct address next to it
- write their initials next to the correction

The form is divided into two columns: Donor and Witness.

Donor:

- Signed (or marked) by the person giving this lasting power of attorney and delivered as a deed.**
- Signature or mark:** J. Smith
- Date signed or marked:** 09 / 09 / 2022
- Day Month Year**
- Instructions:** If you have used Continuation sheets 1 or 2 you must sign and date each continuation sheet at the same time as you sign this page. If you can't sign this LPA you can make a mark instead. If you can't sign or make a mark you can instruct someone else to sign for you, using Continuation sheet 3.

Witness:

- The witness must not be an attorney or replacement attorney appointed under this LPA, and must be aged 18 or over.**
- Signature or mark:** J. Doe
- Full name of witness:** Jane Doe
- Address:** 1 Jane Doe Street Road. The original address is crossed out with a horizontal line. The correct address '1 Jane Doe Street Road' is written above it, with initials 'JD' to the right.
- Town:** (empty)
- City:** (empty)
- Postcode:** ABC DEF

Donor and attorney details

You need to make sure all the details for yourself and your attorneys are correct. These include:

- full name (the name on your identification document(s))
- date of birth in the format DD/MM/YYYY
- address and postcode

You will write this information in section 1 and section 2 of the form. This also relates to section 4 if you decide to have replacement attorneys.

If you have made a mistake, for example you've written a wrong date of birth, please refer to the 'Making mistakes and making corrections to your LPA' section of this guidance.

Health and welfare: life-sustaining treatment (section 5)

You must choose either option A or option B. You must only sign and date one option.

This section has a different layout to the other sections of the LPA form. The difference is how the witness details are laid out. They go across the bottom of the form.

You need to make sure the witness gives their full name and address, and signs in the correct box:

Who do you want to make decisions about life-sustaining treatment? (sign only one option)

| | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------------|----------------------|----------------------|----------------------|----------------------|-----|-------|------|--|--|--|---|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-----|-------|------|--|--|--|
| <p>Option A – I give my attorneys authority to give or refuse consent to life-sustaining treatment on my behalf.</p> <p>If you choose this option, your attorneys can speak to doctors on your behalf as if they were you.</p> <p>Signature or mark</p> <input type="text"/> | <p>Option B – I do not give my attorneys authority to give or refuse consent to life-sustaining treatment on my behalf.</p> <p>If you choose this option, your doctors will take into account the views of the attorneys and of people who are interested in your welfare as well as any written statement you may have made, where it is practical and appropriate.</p> <p>Signature or mark</p> <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Date signed or marked</p> <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr><tr><td>Day</td><td>Month</td><td>Year</td><td></td><td></td><td></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | Day | Month | Year | | | | <p>Date signed or marked</p> <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr><tr><td>Day</td><td>Month</td><td>Year</td><td></td><td></td><td></td></tr></table> | <input type="text"/> | Day | Month | Year | | | |
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| Day | Month | Year | | | | | | | | | | | | | | | | | | | | | | | |

Witness
The witness must not be an attorney or replacement attorney appointed under this LPA, and must be aged 18 or over.

| | |
|---|---|
| <p>Signature or mark</p> <input type="text"/> | <p>Full name of witness</p> <input type="text"/> |
| | <p>Address</p> <input type="text"/> <input type="text"/> <input type="text"/> |
| | <p>Postcode</p> <input type="text"/> |

Only valid with the official stamp here. LPIH Health and welfare (07.15) 6

This section has to be filled out correctly for the LPA to be valid. Any errors on this page may result in you having to make a new LPA and paying the fee again.

Signing and dating your LPA

You (the donor) must always be the first person to sign your LPA. If you're unable to sign or mark your LPA, please see ['Donors who cannot sign or mark: Continuation sheet 3'](#) in OPG's LP12 guidance.

You must make sure sections of your LPA are completed, signed and dated (as the day of signing) in the following order:

1. **you** sign and date section 5 (health and welfare LPA only)
2. **your witness** signs section 5 (health and welfare LPA only)
3. **you** sign and date continuation sheets 1 and 2 (only if applicable)
4. **you** sign and date section 9
5. **your witness** signs section 9
6. **your chosen certificate provider** signs and dates section 10
7. **your chosen attorney** signs and dates section 11 (if you have more than one attorney, you must make sure all attorneys sign and date after section 10 has been completed)
8. **your attorney's witness** signs section 11
9. **the applicant(s)** (you or an attorney(s)), must sign and date section 15 after all attorneys have completed their section 11

This is an example of signing and dating your LPA in order:

Section 5 completed by the donor and the witness- **09/09/2022**

Continuation sheet 1 completed by the donor- **09/09/2022**

Section 9 completed by the donor and the witness- **09/09/2022**

Section 10 completed by the certificate provider- **15/09/2022**

Section 11 completed by an attorney and their witness- **20/09/2022**

Section 11 completed by an attorney and their witness- **01/10/2022**

Section 15 completed by who the applicant is- **03/10/2022**

Everyone can also sign and date their sections in order all on the same day.

If a mistake has been made and the wrong date has been written, please see the 'Making mistakes and making corrections to your LPA' section.

Witnesses

Witnesses **must** be aged 18 years or over and give their full name and address. Full name means first name(s) and last name, for example 'John Michael Smith'.

Make sure every signature is witnessed for the following sections:

- section 5 (health and welfare only)
The witness for section 5 **cannot** be an attorney.
- section 9
The witness for section 9 **cannot** be an attorney.
- section 11
The witness **can** be another attorney.
You (the donor) **cannot** witness an attorney's signature.

Making preferences or instructions for your LPA

Preferences and instructions in your LPA can cause complications if not done correctly. You may wish to take legal advice to avoid complications.

However, here are some tips below to help:

Preferences are not mandatory

This means that preferences do not require your attorneys to do something. They are guidance for your attorneys to consider your wishes. If you want to include a preference, use phrases like:

- 'I would like...'
- 'I wish my attorneys to...'

Instructions are mandatory

This means instructions must be followed by your attorneys. If you want to include an instruction, use phrases like:

- 'My attorneys must...'
- 'My attorneys have to...'

If you include instructions that are unlawful, the instruction will need to be removed from the LPA by the Court of Protection before it can be registered. For example, an instruction asking your attorneys to provide support for assisted dying will need removing from your LPA because assisted dying is against the law. This will significantly delay your LPA being registered.

Make sure any instructions you write are for the correct type of LPA. You can't include instructions for health and welfare on a property and financial affairs LPA. You can't include instructions for property and finance on a health and welfare LPA.

The final check

Before you send your LPA to us, you need to make sure:

- all pages 1 to 20 are present (please do not staple, fix, or bind them together in any way)
- the LPA page type (LP1F/LP1H) is the same throughout
- there are no printing errors
- you have chosen either option A or option B on section 5 (health and welfare only)
- the sections are signed and dated in the correct order
- your details and your attorneys' details are correct
- each witness has stated their full name on all sections
- a black or blue pen has been used throughout. Pencil is not allowed
- handwriting is clear and easy to read
- there is no correction fluid or stickers on the LPA
- any corrections have been initialled by the correct person



If you are sending multiple LPAs in the same envelope, clearly separate them so they do not get mixed up.

If you would like more information on creating a lasting power of attorney, please see our [LP12 guidance](#). If there's anything you're uncertain about, call our contact centre on 0300 456 0300.



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