Office of the Public Guardian

Form

LPA120

# Get help with paying power of attorney fees

Use this form if you are applying to register a lasting power of attorney (LPA) or an enduring power of attorney (EPA).

You can apply for either:

- **exemption** - pay none of the power of attorney fees
- **remission** - pay half the power of attorney fees

**Where to send the completed form:**

Post to:

**Office of the Public Guardian**
**PO Box 16185**
**Birmingham**
**B2 2WH**

To ask for this form in Welsh, braille, audio or large print, email us at:
**customerservices@publicguardian.gov.uk**

# Power of attorney fees

## Overview

The fee to register a lasting power of attorney (LPA) or an enduring power of attorney (EPA) is paid when you send the power of attorney form to the Office of the Public Guardian (OPG). In some circumstances, a donor is entitled to pay less than the full fee for their power of attorney.

An **exemption** means the donor pays no fee. This is because they get certain means-tested benefits.

A **remission** means the donor pays half the fee. This is based on their circumstances.

You can only apply to pay no fee or a reduced fee at the same time you apply to register your LPA or EPA. We will not consider any applications made after then. All fees are non-refundable.

### How much will I pay with a remission?

If you are entitled to a remission, you will pay £46 to apply to register an LPA or an EPA.

If you are making a repeat LPA application and are entitled to a remission, as agreed by OPG, you will pay £23 for an LPA or an EPA.

## Exemption - paying no fee

The donor may not have to pay power of attorney fees if they get one of these means-tested benefits:

- Guarantee Credit element of Pension Credit
- Council tax benefit (not the 25% single person discount or exemptions on medical grounds)
- Housing benefit (not as part of Universal Credit)

The donor will not be eligible for exemption if they have been awarded personal injury damages of more than £16,000 (even if this amount was ignored when they were assessed for the benefit). Damages awards includes payments provided as a result of criminal or medical negligence.

### Acceptable evidence:

You must send us an entitlement letter from the benefit provider that:

- has the donor's title, full name, address and postcode
- has the amount of benefits received
- has the dates the benefits were received
- be for the relevant financial year (a financial year is the period between 1 April and 31 March)
- be submitted at the same time the power of attorney is sent to OPG

If you are sending evidence for the Guarantee Credit element of Pension Credit then you need to send the full breakdown specifying the guaranteed element.

# Remission - paying half the fee

You may only have to pay half of the fee if the donor's annual income before tax is no more than £12,000.

## Acceptable evidence:

Any evidence you send must:

- have the donor's income type and amount
- have the donor's title, full name, last known address and postcode
- be submitted for the current financial year (the period between 1 April and 31 March)

You also need to give additional evidence for the following.

### Paid employment

The last three consecutive wage slips from current employment.

### Self-employment

Most recent tax return (self assessment) or most recent HMRC tax calculation.

### Non-means-tested benefits

For example, Attendance Allowance (AA), Disability Living Allowance (DLA) and Personal Independence Payment (PIP): an official letter or notice from the benefit provider.

### State pension

A letter from DWP showing the amount and frequency of payments awarded.

### Universal Credit (including housing benefit)

12 months of full statements from the Universal Credit website showing the amount and frequency of payments awarded, including the breakdown of elements.

If the donor has received Universal Credit for less than 12 months, we require further evidence of how they supported themselves within that time period.

### Private pensions and company and public sector pensions, including pension drawdown

A letter or notification from the pension provider showing the gross amount and frequency of payments, or two consecutive payment advice slips confirming the gross amount paid.

### Interest and dividends from savings, capital, stocks, shares or bonds

Statements, vouchers or tax certificates showing total income before tax.

### Property rental income

Copies of tenancy agreements or leases for each property showing the rent amount currently being paid and its frequency and the most recent tax return or most recent HMRC tax calculation.

### Income received by the donor from individuals

For example, a lodger, tenant, or relative: copies of rental statements paid to the donor.

### If the donor has no income

Signed statement explaining how they support themselves financially.

## Hardship

If the donor does not qualify for a fee exemption or remission, but paying fees would cause financial hardship, you can write to us to request a fee reduction. This is called a hardship application.

If you want to submit a hardship application include a written request with the power of attorney applications and the LPA120 form. We will then request the relevant information from you.

## Review of exemption and remission decisions

If your application has been rejected and you have reason to believe it shouldn't have, you can request a review of the decision.

The request must be received within 28 days of the date of the letter that stated the outcome of your original application. It must be made in writing, giving the reasons you are requesting the review. You should enclose any documents you believe will support your request.

We will review the request and decide whether there is enough evidence for the original decision to be reversed or amended. We will notify you of the decision within 21 days. If a fee is still payable, you will also be notified of this.

You cannot make further requests for a review of the same application.

## Please note:

If we do not receive the evidence needed to support your application or the evidence received does not meet the requirements, we may refuse it.

We may ask for more evidence to support your application. If you do not supply this, your application may be declined, and you will have to pay the full fee for your power of attorney.

# How To Apply

Please post the LPA120 form, supporting evidence and power of attorney documents to:

**Office of the Public Guardian**

**PO Box 16185**

**Birmingham**

**B2 2WH**

If you have any queries, please contact us via:

- Telephone 0300 456 0300
- Calling from outside the UK: +44 (0)203 518 9639
- Relay UK (if you cannot hear or speak on the phone): 18001 0300 123 1300

Open 9am to 5pm weekdays, except Wednesday 10am to 5pm



You must send us your LPA120 application and supporting evidence at the same time you send your power of attorney to apply for registration.

We can accept scanned or photographic copies of the LPA120 and supporting evidence.

Please ensure all submissions are clear and easy to read.

# How to pay

## Using a debit or credit card

If you make your LPA using the digital LPA tool, you can make a secure online payment by credit or debit card.

If you do not use the digital LPA tool, use section 14 of the LPA application form to choose card payment and give your telephone number. We'll contact you by post with information about how you can pay online or over the phone using your credit or debit card. If you provide a mobile telephone number, we'll also text you a link to pay online.

If you are applying for help with EPA fees, use part 9 of the EP2PG form and add your phone number to part 12.

## Cheque payment

Please make your cheque payable to 'Office of the Public Guardian' and write the donor's full name and postcode on the back.

# Welsh and alternative formats

To ask for this form in Welsh, Braille, audio or large print, email us at:

**customerservices@publicguardian.gov.uk**

Please include your address and the format you need.

Office of the Public Guardian

Form

LPA120

# Get help with paying power of attorney fees

## Section 1
## Donor details

**1.1**

Title

Full name

Address

Postcode

Phone (to include mobiles)

Email

Section 2

# The application

**2.1**

**Which fee are you applying for help to pay?**

- [ ] LPA for property and financial affairs
- [ ] LPA for health and welfare
- [ ] EPA
- [ ] Repeat application for an LPA for property and financial affairs
- [ ] Repeat application for an LPA for health and welfare

**2.2**

**If you are making a repeat application, please provide any LPA reference numbers**

You can find these on the letters we have sent you

**2.3**

**You must include any LPAs or EPA you want to register along with this application in the envelope**

- [ ] Yes, I have enclosed all the documents I wish to register

If you are applying for an exemption (to pay no fee), go to Section 3.

If you are applying for a remission (to pay half a fee), go to Section 4.

Section 3

# Apply for a fee exemption

If the donor receives any of the following benefits they may not have to pay a fee for their power of attorney.

Please answer all questions in this section.

You also need to send us evidence. Check the guidance at the start of this form for the evidence we need.

**3.1**

**Which of these benefits does the donor receive?**

- [ ] Guarantee Credit element of State Pension Credit
- [ ] Council Tax Support / Council Tax reduction (this does not include disability or inoccupancy discount or Class U exemption)
- [ ] Housing benefit (not as part of Universal Credit)

**3.2**

**Has the donor received personal injury damages?**

If the donor has been awarded personal injury damages of more than £16,000 which were ignored when they were assessed for one of the benefits above, they won't qualify for an exemption.

**Please confirm one of the following statements**

- [ ] The donor did not receive any personal injury payments
- [ ] The donor did receive personal injury payments, but they were less than £16,000
- [ ] The payments were more than £16,000, but were ignored when the donor was assessed for one of the benefits listed above

Section 4

# Apply for a fee remission

**4.1**

If the donor's total annual income before tax (gross annual income) is no more than £12,000, they may be eligible to pay half a fee.

☐ I confirm the donor's income is no more than £12,000 before tax

Please complete the table below confirming the donor's income from all sources.

You also need to send us evidence. Check the guidance at the start of this form for the evidence we need.

| **Payment or Benefit Provider** | **Total Annual Receipt** |
|---|---|
| Attendance Allowance | £ |
| Disability Living Allowance | £ |
| Personal Independence Allowance (PIP) | £ |
| Contribution-Based Employment Support Allowance (ESA) | £ |
| Pension Savings Credit | £ |
| State Pension | £ |
| Private pensions | £ |
| Property rental income | £ |
| Income from employment | £ |
| Interest from capital investments and savings | £ |
| Universal Credit | £ |
| Other form of income | £ |
| **Total** | **£** |

**If you have any other form of income, confirm its source**

# Section 5
# **Declaration**

**5.1**

☐ I have added evidence to support this application



Check the guidance at the start of this form for the evidence we need

**5.2**

**I declare that the information I have given is true to the best of my knowledge**

Signature

Name

Date signed

Day Month Year