

Stages for Enduring Power of Attorney Registration (EPA)

1. You provide details of the donor whose EPA requires registration at the Office of the Public Guardian (OPG) to the Solicitor because you believe that the donor has become or is becoming mentally incapable. We also require details of all Attorneys and three closest relatives aged over 18 years and mentally capable. These are the people on whom notice of your intention to register the EPA must be served. There may be more than three relatives as you have to serve notice on all the relatives in that class who are equal to each other eg there may be four adult grandchildren. If the original EPA is not in our strongroom you will have to provide this to us safely
2. Within 10 working days of receipt of all the relevant information we prepare the relevant notices and registration application form for you to sign
3. How long this stage takes depends on how quickly you return the signed forms. Either the Solicitor or you can serve the signed notices on those people who must receive notice, this includes the donor. The donor has to be personally served but the others can be served by email. This affords the recipient the opportunity to object to registration of the EPA and they have to contact the OPG within 5 weeks setting out the specific grounds of their objection; these grounds are limited. The dates of service are inserted in the application form which is then dated
4. The Solicitor submits the registration application form together with the requisite fee and original EPA via Royal Mail recorded delivery to the OPG within 10 days of notice being served on the donor. During the period of registration the Attorneys' duties are significantly suspended and resume after completion of the registration. The Attorneys can only take action during this period to preserve or protect the donor's assets to prevent loss to their estate
5. The OPG state that they will complete the registration within 35 days of the date the last person was served and it will be returned to the Solicitor within 5 days of the date of registration. It will either be stamped with the date of registration on the front page of the original EPA or perforated at the bottom of all pages as 'validated'. We will notify you that we have received the original registered EPA and provide you with certified copies for you to register with the various financial institutions with your ID. There is a charge of £12 including VAT for each copy. The original EPA can be stored by us free of charge

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You may also be seen by:-

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