LPASafe

How to sign and use your general power of attorney

Order LP-SAMPLE

Your general power of attorney has been prepared from your answers. It appoints Mr Peter Sample and Ms Lucy Sample as Mrs Jane Elizabeth Sample's attorneys, acting jointly and severally (together or separately). It is not valid until Mrs Jane Elizabeth Sample signs it as a deed in front of a witness, as set out below. Read it through first and check every name and address.

Important: this stops working if you lose mental capacity
This is an ordinary (general) power of attorney. It can only be used while the donor has mental capacity. If the donor loses mental capacity it stops working and must not be used. It is not a lasting power of attorney.

If you want someone to be able to act for you after you can no longer make your own decisions, you need a lasting power of attorney, which must be registered with the Office of the Public Guardian before it can be used.

What this document does

It gives your attorneys authority to do on your behalf anything you can lawfully do through an attorney: for example dealing with your bank, paying bills, signing documents and buying or selling things for you. This is the general authority set out in section 10 of the Powers of Attorney Act 1971. The deed contains no limits, no conditions and no end date.

It takes effect as soon as it is signed and witnessed. It is not registered anywhere and there is no government fee.

What it does not do

- It cannot be used once you have lost mental capacity.
- It does not cover decisions about your health, care or medical treatment.
- It does not cover things you do as a trustee or as a personal representative of someone's estate (section 10(2) of the 1971 Act). Jointly owned land is usually held on trust, so if you need someone to sell or mortgage a jointly owned home for you, take legal advice before relying on this document.
- It does not let your attorney make a will for you.

How to sign it

1. Print it

Print the deed single-sided on plain white A4 paper. Do not sign a copy on screen: the signatures must be in ink on the paper.

2. Choose a witness

One adult witness must be present and watch Mrs Jane Elizabeth Sample sign. Choose someone independent, aged 18 or over. Do not use either attorney, and it is better not to use a member of their family.

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3. Write the date and sign

With the witness watching, Mrs Jane Elizabeth Sample writes the date in the gaps at the top (day, month and year) and signs on the line marked "Signature of donor". Use a pen with black ink.

4. The witness signs

The witness then signs and writes their full name, address and occupation on the lines provided. That is all the deed needs.

5. Give the signed original to your attorneys

Your attorneys will need the signed original, or a copy certified as a true copy, to show to banks and other organisations. Keep a photocopy for yourself and make a note of who has the original.

Using it with banks and other organisations

Banks, building societies and other organisations each have their own process. Some will ask to see the original deed and the attorney's identification. Some prefer you to complete their own third-party authority form instead. Ask the organisation what it needs before your attorney visits.

How to end it

You can end (revoke) the power at any time while you have mental capacity. Tell your attorneys in writing that the power is revoked, ask for the original and any copies back, and tell every bank or organisation that has seen it. Until an organisation knows the power has ended, it may still act on it. The power also ends if you die or lose mental capacity.

If you also want cover for the future

A general power of attorney is a short-term tool. A lasting power of attorney is the document that keeps working if you lose capacity. The Office of the Public Guardian charges £92 to register each one and registration takes 8 to 16 weeks, so a general power of attorney is sometimes used to cover that gap, while you still have capacity.

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LPASafe generates this document automatically from the answers given. No person and no solicitor has checked or reviewed it. LPASafe is not a law firm and this is not legal advice. England and Wales only. The forms of words used follow Schedule 1 to the Powers of Attorney Act 1971. If your affairs are complicated, if you own property jointly, or if anyone may dispute your capacity or your choice of attorney, take independent legal advice before signing.