

## Cais i wrthwynebu cofrestru Atwrneiaeth Arhosol (AA)

| At ddefnydd swyddfa'n unig |
|----------------------------|
| Dyddiad derbyn             |
| Rhif yr Achos              |
| Dyddiad cyhoeddi           |

Enw rhoddwr yr AA (dyma'r person a wnaeth yr AA)

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SÊL

## Application to object to the registration of a lasting power of attorney (LPA)

| For office use only |
|---------------------|
| Date received       |
| Case no.            |
| Date issued         |

Name of the donor of the LPA (this is the person who made the LPA)

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|  |
|--|

SEAL

### Darllenwch hwn i ddechrau

- Chewch chi ddim gwrthwynebu gan ddefnyddio'r ffurflen hon oni bai eich bod yn atwrnai arfaethedig neu'n berson a enwyd a dderbyniodd LPA001 hysbysiad o fwriad i wneud cais am gofrestru atwrneiaeth arhosol.
- Ni chodir unrhyw ffi am ffeilio'r ffurflen hon gyda'r llys.
- Rhaid i gais i wrthwynebu gael ei wneud cyn pen pum wythnos i'r diwrnod pryd y derbyniasoch yr hysbysiad LPA001.
- Os nad ydych chi'n un o'r bobl a dderbyniodd hysbysiad LPA001 ond eich bod yn dymuno gwrthwynebu, mae'n dal yn bosib i chi wneud hynny, ond bod angen i chi ffeilio ffurflen gais COP1 a thalu'r ffi benodedig. Mae angen i chi hysbysu'r Gwarcheidwad Cyhoeddus o'ch cais. Gweler nodyn 1 ar ddiwedd y ffurflen hon am wybodaeth ar hysbysu'r Gwarcheidwad Cyhoeddus.

### Please read first

- You can only object using this form if you are an intended attorney or a named person who received an LPA001 notice of intention to apply for registration of a lasting power of attorney.
- There is no fee for filing this form with the court.
- An application to object must be made within five weeks from the day on which you received the LPA001 notice.
- If you are not one of the people who received the LPA001 notice but you wish to object, you can still do so but you need to file a COP1 application form and pay the specified fee. You need to notify the Public Guardian of your application. See note 1 at the end of this form for information on notifying the Public Guardian.

- Dylid cyflwyno gwrthwynebiad i'r Gwarcheidwad Cyhoeddus (yn hytrach na'r llys) yn yr amgylchiadau canlynol:
  - os mai chi yw'r rhoddwr, drwy ddefnyddio ffurflen LPA006 gwrthwynebiad gan y rhoddwr i gofrestru atwrneiaeth arhosol;
  - neu
  - os ydych chi'n gwrthwynebu am rai rhesymau ffeithiol penodol, drwy ddefnyddio ffurflen LPA007 gwrthwynebiad i Swyddfa'r Gwarcheidwad Cyhoeddus yn erbyn cofrestru atwrneiaeth arhosol am resymau ffeithiol.
- Efallai y bydd rhaid i chi dalu am unrhyw gostau a gyfyd yn ystod yr achos. Os bydd y llys o'r farn eich bod wedi ymddwyn yn afresymol, gellir gorchymyn i chi dalu costau partïon eraill.
- Defnyddiwch ddalen bapur ar wahân i barhau os oes angen mwy o le arnoch i ateb cwestiwn. Ysgrifennwch eich enw, enw a dyddiad geni'r person y mae'r cais yn ymwneud ag ef a rhif y cwestiwn yr ydych yn ei ateb ar bob dalen ar wahân.
- Os ydych angen cymorth i lenwi'r ffurflen hon, edrychwch ar y wefan, [www.publicguardian.gov.uk](http://www.publicguardian.gov.uk) am fwy o arweiniad neu wybodaeth, neu cysylltwch â Gwasanaethau Cwsmeriaid ar 0845 330 2900.
- Ni all staff y Llys Gwarchod roi cyngor cyfreithiol. Os oes angen cyngor cyfreithiol arnoch, cysylltwch â thwrnai.
- An objection should be made to the Public Guardian (instead of the court) in the following circumstances:
  - if you are the donor, by using the form LPA006 objection by the donor to the registration of a lasting power of attorney;
  - or
  - if you object on certain specified factual grounds, by using the form LPA007 objection to the Office of the Public Guardian of a proposed registration of a lasting power of attorney on factual grounds.
- You may need to pay for any costs you incur during the proceedings. If the court considers that you have acted unreasonably you can be ordered to pay the costs incurred by other parties.
- Please continue on a separate sheet of paper if you need more space to answer a question. Write your name, the name and date of birth of the person to whom the application relates, and the number of the question you are answering on each separate sheet.
- If you need help completing this form please check the website, [www.publicguardian.gov.uk](http://www.publicguardian.gov.uk), for further guidance or information, or contact Customer Services on 0845 330 2900.
- Court of Protection staff cannot give legal advice. If you need legal advice please contact a solicitor.

## Adran 1 - Eich manylion (y ceisydd)

### 1.1 Eich manylion

- Mr.     Mrs.     Miss  
 Ms.     Arall \_\_\_\_\_

Enw cyntaf

Enw(au) canol

Cyfenw

## Section 1 - Your details (the applicant)

### 1.1 Your details

- Mr.     Mrs.     Miss  
 Ms.     Other \_\_\_\_\_

First name

Middle name(s)

Last name

1.2 Cyfeiriad (yn cynnwys y cod post)

Rhif ffôn

|                 |  |
|-----------------|--|
| Yn ystod y dydd |  |
| Gyda'r nos      |  |
| Symudol         |  |

Cyfeiriad ebost

1.3 A oes twrnai yn eich cynrychioli?

Oes  Nac oes

Os Oes, rhowch fanylion y twrnai.

Enw

Cyfeiriad (yn cynnwys y cod post)

Rhif ffôn

Rhif ffacs

Rhif DX

Cyfeiriad ebost

1.4 I ba gyfeiriad y dylid anfon pob dogfen swyddogol?

- Eich cyfeiriad
- Cyfeiriad y twrnai
- Cyfeiriad arall (rhowch fanylion os gwelwch yn dda)

1.2 Address (including postcode)

Telephone no.

|         |  |
|---------|--|
| Daytime |  |
| Evening |  |
| Mobile  |  |

E-mail address

1.3 Is a solicitor representing you?

Yes  No

If Yes, please give the solicitor's details.

Name

Address (including postcode)

Telephone no.

Fax no.

DX no.

E-mail address

1.4 Which address should official documentation be sent to?

- Your address
- Solicitor's address
- Other address (please provide details)

- 1.5 Eich disgrifiad
- Atwrnai
- Person arall sydd â hawl i gael ei hysbysu ynglyn â'r cais i gofrestru'r AA

- 1.5 Your description
- Attorney
- Other person entitled to be notified of the application to register the LPA

## Adran 2 - Gwrthwynebiad i gofrestru AA

## Section 2 - Objection to the registration of an LPA

- 2.1 Enw llawn y rhoddwr
- Mr.  Mrs.  Miss
- Ms.  Arall \_\_\_\_\_
- Enw cyntaf
- Enw(au) canol
- Cyfenw

- 2.1 Full name of the donor
- Mr.  Mrs.  Miss
- Ms.  Other \_\_\_\_\_
- First name
- Middle name(s)
- Last name

- 2.2 Enw llawn yr atwrnai/atwrneiod arfaethedig
- Mr.  Mrs.  Miss
- Ms.  Arall \_\_\_\_\_
- Enw cyntaf
- Cyfenw
- Mr.  Mrs.  Miss
- Ms.  Arall \_\_\_\_\_
- Enw cyntaf
- Cyfenw

- 2.2 Full name of intended attorney(s)
- Mr.  Mrs.  Miss
- Ms.  Other \_\_\_\_\_
- First name
- Last name
- Mr.  Mrs.  Miss
- Ms.  Other \_\_\_\_\_
- First name
- Last name

- 2.3 Dyddiad llofnodi'r Atwrneiaeth Arhosol gan y rhoddwr
- |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | B | B | B | B |
|---|---|---|---|---|---|---|---|

- 2.3 Date donor signed the LPA
- |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|

- 2.4 Dyddiad y cawsoch eich hysbysu o'r cais i gofrestru'r AA
- |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | B | B | B | B |
|---|---|---|---|---|---|---|---|

- 2.4 Date you were given notice of the application to register the LPA
- |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|

2.5 Chewch chi ddim cyflwyno gwrthwynebiad i'r llys yn erbyn cofrestru AA ond am y rhesymau penoddedig a ragnodir yn y Ddeddf Gallu Meddyliol 2005.

Nodwch eich rhesymau dros wrthwynebu'r cofrestrriad arfaethedig:

- Nid yw'r pŵer yr honnir a gaiff ei greu gan yr offeryn\* yn ddilys fel Atwrneiaeth Arhosol (e.e. nid oedd gan y rhoddwr allu i wneud AA).
- Nid yw'r pŵer a grëwyd gan yr offeryn yn bodoli mwyach (e.e. mae'r rhoddwr wedi ei ddirymu ar adeg pan oedd ef/hi yn meddu ar allu i wneud hynny)
- Defnyddiwyd twyll neu bwysau gormodol i berswadio'r rhoddwr i wneud y pŵer.
- Mae'r atwrnai'n bwriadu ymddwyn mewn ffordd a fyddai'n mynd yn groes i'w awdurdod neu nad yw er pennaf les y rhoddwr.

*\* Mae'r offeryn yn golygu'r Atwrneiaeth Arhosol wnaed gan y rhoddwr.*

2.6 Rhaid i unrhyw dystiolaeth i gefnogi'ch cais gael ei ffeilio gyda'r ffurflen gais hon. Os ydych chi'n rhoi unrhyw dystiolaeth ysgrifenedig ynghlwm, defnyddiwch y ffurflen datganiad tyst COP24 os gwelwch yn dda.

Tystiolaeth ynghlwm

2.7 Rhaid i chi fod wedi hysbysu'r Gwarcheidwad Cyhoeddus o'ch bwriad i wneud cais i'r llys i wrthwynebu cofrestru'r AA. **(Gweler nodyn 1)**

Rwy'n cadarnhau fy mod wedi hysbysu'r Gwarcheidwad Cyhoeddus

2.5 You can only object to the court against the registration of the LPA on grounds which are prescribed in regulations under the Mental Capacity Act 2005.

Please indicate your grounds for objecting to the proposed registration:

- The power purported to be created by the instrument\* is not valid as a LPA. (e.g. the donor did not have capacity to make an LPA).
- The power created by the instrument no longer exists (e.g. the donor revoked it at a time when he or she had capacity to do so)
- 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.

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

2.6 Any evidence in support of your application must be filed with this application form. If you are attaching any written evidence please use the COP24 witness statement form.

Evidence attached

2.7 You must have notified the Public Guardian of your intention to apply to the court to object to the registration of the LPA. **(See note 1)**

I confirm that I have notified the Public Guardian

### Adran 3 - Mynychu gwrandawiadau llys

- 3.1 Os bydd y llys angen i chi fynychu gwrandawriad a fydd angen unrhyw gymorth neu gyfleusterau arbennig arnoch? **(Gweler nodyn 2)** Bydd Na fydd

Os Bydd, nodwch beth yw eich anghenion os gwelwch yn dda. Os bydd angen, efallai y bydd staff y llys yn cysylltu â chi ynghylch eich gofynion.

### Section 3 - Attending court hearings

- 3.1 If the court requires you to attend a hearing do you need any special assistance or facilities? **(See note 2)** Yes No

If Yes, please say what your requirements are. If necessary, court staff may contact you about your requirements.

### Adran 4 - Datganiad gwirionedd

Mae'r datganiad gwirionedd hwn i'w lofnodi gennych chi, eich twrnai neu eich cyfaill cyfreitha.

\*(Rwy'n credu)(Mae'r ceisydd yn credu) bod y ffeithiau a nodir yn y ffurflen gais hon a'i atodiad(au) yn wir.

#### Llofnodwyd

\*Ceisydd(cyfaill cyfreitha'r ceisydd)(twrnai'r ceisydd)

#### Enw

#### Dyddiad

#### Enw'r ffym

#### Safle neu swydd a ddelir

\*Dilëwch yr opsiynau mewn cromfachau nad ydynt yn berthnasol.

### Section 4 - Statement of truth

The statement of truth is to be signed by you, your solicitor or your litigation friend.

\*(I believe) (The applicant believes) that the facts stated in this application form and its annex(es) are true.

#### Signed

\*Applicant('s litigation friend)('s solicitor)

#### Name

#### Date

#### Name of firm

#### Position or office held

\* Please delete the options in brackets that do not apply.

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Yn awr darllenwch nodyn 3 ynghylch beth i'w wneud nesaf.

Now read note 3 about what you need to do next.

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# Nodiadau cyfarwyddyd

## Nodyn 1

### Hysbysu'r Gwarcheidwad Cyhoeddus

Mae angen i chi hysbysu'r Gwarcheidwad Cyhoeddus yn ddi-oed, gan ddefnyddio'r ffurflen LPA008 ynghylch eich cais i wrthwynebu. Pan dderbynnir hysbysiad, bydd Swyddfa'r Gwarcheidwad Cyhoeddus yn atal y cofrestrriad hyd nes y bydd y llys yn darparu cyfarwyddiadau pellach. Oni hysbysir y Gwarcheidwad Cyhoeddus mae perygl y caiff yr AA ei chofrestru.

Gallwch gael copïau o ffurflenni Swyddfa'r Gwarcheidwad Cyhoeddus drwy ffonio 020 7664 7000, drwy eu llawrlwytho oddi ar wefan y Gwarcheidwad Cyhoeddus, [www.publicguardian.gov.uk](http://www.publicguardian.gov.uk), neu drwy ysgrifennu at:

Gwasanaethau Cwsmeriaid  
Archway Tower  
2 Junction Road  
Llundain N19 5SZ

## Nodyn 2

### Mynychu gwrandawiadau llys

Os byddwch angen cymorth neu gyfleusterau arbennig ar gyfer anabledd neu nam, nodwch eich gofynion yn llawn os gwelwch yn dda. Mae'n bwysig eich bod yn hysbysu'r llys o'ch anghenion, er mwyn osgoi achosi unrhyw oedi.

Bydd staff y llys angen gwybod, er enghraifft, a ydych eisiau i ddogfennau gael eu darparu mewn fformat gwahanol, megis Braille neu brint bras. Byddant hefyd angen gwybod am unrhyw ofynion penodol allai fod gennych pe cynhelir gwrandawriad, megis mynediad i gadair olwyn, system dolen clyw, neu ddehonglydd iaith arwyddion.

## Nodyn 3

### Beth i'w wneud nesaf

Mae'r llys angen dau gopi (h.y. y gwreiddiol ac un copi) o bob ffurflen a dogfen a ffeilir gennych. Dychweler y ffurflenni gwreiddiol wedi'u llenwi a'r copïau at:

Y Llys Gwarchod  
Archway Tower  
2 Junction Road  
Llundain N19 5S

## Nodyn 4

### Beth sy'n digwydd nesaf?

Bydd y llys yn eich hysbysu pan fydd eich ffurflen gais wedi cael ei chyhoeddi a bydd y llys yn dychwelyd copi o'r ffurflen gais wedi'i selio, atoch. Bydd angen i chi gyflwyno copi i'r rhoddwr a phob atwrnai yn yr AA.

# Guidance notes

## Note 1

### Notifying the Public Guardian

You need to notify the Public Guardian, using the LPA008 form, without delay of your application to object. Upon notification the Office of the Public Guardian will suspend the registration until the court provides further directions. If the Public Guardian is not notified there is a risk that the LPA will be registered.

You can get copies of Office of the Public Guardian forms by calling 020 7664 7000, by downloading them from the Public Guardian website, [www.publicguardian.gov.uk](http://www.publicguardian.gov.uk), or by writing to:

Customer Services  
Archway Tower  
2 Junction Road  
London N19 5SZ

## Note 2

### Attending court hearings

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. It is important that you make the court aware of your needs to avoid causing any delays.

The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements should there be a hearing, such as wheelchair access, a hearing loop or a sign language interpreter.

## Note 3

### What you need to do next

The court requires two copies (i.e. the original plus one copy) of each form and document you file. Please return the original completed forms, documents and copies to:

Court of Protection  
Archway Tower  
2 Junction Road  
London N19 5SZ

## Note 4

### What happens next?

The court will notify you when your application form has been issued and will return a sealed copy of the application form. You will need to serve a copy on the donor and each attorney of the LPA.