

Guidance notes for completing form EP2PG: Application to register an Enduring Power of Attorney

Please complete every section of the form clearly in **BLOCK CAPITALS** using **BLACK** ink.

Part One – The Donor

- This section of the form covers the information we need to know about the Donor of the Enduring Power of Attorney (EPA). The Donor is the person who appointed the Attorney or Attorneys when the EPA was set up.
- Place a cross in the box that relates to the Donor's title or write it in the space provided.
- Last Name: The Donor's last name is their surname.
- Forename 1 and Other Forenames: Put the Donor's first name next to Forename 1, and put their second name and any other middle names next to Other Forenames.
- Company Name: If the Donor is living in, for example, a hospital or care home, write the name of that place in this section. If not, write 'not applicable'.
- Address 1- Address 3: When filling in the Donor's address, ensure that you don't write the town/city, county or postcode in this section.
- Town/City, County, Postcode: Ensure you only write the relevant information on each line.
- If the Donor's address on the EPA is different to the one you wrote on the EP2PG form, explain why this is the case under Part Twelve – Additional Information – the final section of the form.
- Donor Date of Birth: Complete the boxes requesting the Donor's date of birth, including the day, month and year. If you do not know this, you can find it in the EPA itself, under the Donor's name and address. If the date of birth you enter here is different from that on the EPA itself, explain the reason for the difference in Part Twelve – Additional Information and provide a copy of the birth certificate as evidence.

Part Two – Attorney One

This section covers the information required about the first Attorney. This is someone who has accepted responsibility for financial management or personal welfare given to them in the 'power' under the EPA.

The reader of this guidance may be an Attorney or someone advising an Attorney – however you should note that only an Attorney or somebody acting on their behalf can actually register an EPA and sign this form.

- As the Attorney, write your title, Last Name, Forename 1 and Other Forenames in the relevant boxes of the form.
- If you are a professionally appointed Attorney, put the name of your firm next to Company Name, and insert your company address details.
- The boxes entitled DX Exchange are for those wishing to use this as an alternative to the postal service.
- Attorney One's Date of Birth should be entered in the boxes provided, including the day, month and year.
- Attorney One's Daytime Tel No, Email Address and Occupation, if applicable, must be entered on the form.
- It is important to explain Attorney One's Relationship to the donor by putting a cross in the appropriate square, or entering other details if applicable in the space provided.
- Part B of the Enduring Power of Attorney states whether the attorney is to act jointly, jointly and severally, or alone.
- Attorneys appointed 'jointly' must always act together. They must all agree before taking any action.
- Attorneys appointed 'jointly and severally' can act independently and can act together. This means that any one Attorney can decide on a particular issue independently of the others.

You should place a cross in the box next to the option that is applicable to Attorney One.

Part Three – Attorney Two

- Part Three of the form is for inputting details about the second Attorney, if one has been appointed.
- Refer to Part Two for guidance on completing this section.

Part Four – Attorney Three

- Part Four of the form is for inputting details about the third Attorney, if one has been appointed.
- Refer to Part Two for guidance on completing this section.
- If there are more than three Attorneys you should enter their details at Part 12 – Additional Information, or attach additional sheets of paper to the form.

Part Five – The Enduring Power of Attorney

- Part Five is to record the date the Donor signed the original EPA. Please enter the day, month and year in the relevant boxes.
- If you know that the Donor has made other EPAs, put a cross in the relevant square.

Part Six – Notice of Application to Donor

- Part Six of the form covers the requirement to personally notify the Donor that you are registering the EPA. It asks you to record the details of when this happened, using the notice in form EP1PG.
- If someone other than the Attorney personally notifies the Donor, enter that person's full name and address. Input the actual date (using the day, month and year boxes) that the Donor was given the notice in person.
- Please note that in certain circumstances the Court of Protection (the 'Court') may consider dispensing with the requirement to notify the Donor. This will normally only happen if a doctor certifies that it will cause the Donor harm or distress. You would then need to contact the Court to make an application to dispense with notice and pay the Court application fee.
- Part Six of the form must be completed unless the Court has agreed that you are not required to notify the Donor. If this is the case you must explain this in Part 12 – Additional Information.

Part Seven – Notice of Application to Relatives

- Part Seven of the form covers the details of the relatives that you must notify that you intend to register the EPA.
- Input their Full Names, Relationship to Donor and their Addresses in the spaces provided.
- Next to each person's contact details, input the actual date that notice was given to that person, including the day, month and year.
- If more relatives need to be notified than you can fit in this section, attach additional sheets of papers to the form with their details.
- In certain circumstances the Court may consider dispensing with the requirement to notify relatives. You would need to contact the Court to make an application and pay the Court application fee.

IMPORTANT: You must send us the EP2PG application to register the EPA within 10 working days of serving the last notice on the Donor and relatives.

Part Eight – Notice of Application to Co-Attorney(s)

- Part Eight of the form is to be used only if there is more than one Attorney and the other Attorney(s) are not making this application with you. The details of those Attorney(s) are to be entered in this section.
- This section does not apply if the Attorneys are appointed jointly – as this would mean that they would both (or all) have had to make the application with you because the Donor appointed you to act together.

Part Nine – Fees

- This section of the form covers fee information. There is separate guidance available from the Office of the Public Guardian (OPG) on fees, exemptions and remissions. If you wish to apply for a postponement, exemption or remission of the fee, you should fill in the appropriate box. You will also need to complete the relevant application form.
- If the OPG provided you with the EP2PG registration application form, you should have received our fees guidance at the same time. You can also download it from our website.

Part Ten – Declaration

- Part Ten is the Attorney(s) declaration. This is where you or the Attorney(s) certify that you have complied with the provisions of the Mental Capacity Act 2005 and all the relevant statutory instruments made under it. Please note that false declarations may make the signatory liable to criminal prosecution.
- Input the date that you signed the application, including day, month and year.

Part Eleven – Correspondence Address

- Part Eleven of the form requests the address for all correspondence. This information is vital to your application and care should be taken to ensure accuracy.
- The registered EPA will be returned to this address. If this section is left blank, all correspondence will be sent to Attorney One.
- The boxes entitled DX Exchange are for those wishing to use Document Exchange as an alternative to the postal service.
- The telephone number and email address should be completed if applicable.

Part Twelve – Additional Information

- Part Twelve is for any additional information. For instance if there are more than three Attorneys, the details of the additional Attorney(s) should be entered here.

Further Assistance

- The OPG publishes guidance about EPAs, Lasting Powers of Attorney (LPA) and the role of the Attorney. These are available to download from our website or you can call us for a hard copy.
- If you need further help in completing the EP2PG form please contact us.

Contact Us

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Disclaimer

OPG and Court staff can provide advice about OPG and Court processes only and cannot provide legal advice or services. We recommend that you seek independent legal advice where appropriate. Information in this publication is believed to be correct at the time of printing, however we do not accept liability for any error it may contain.

