

LPA and EPA fees

with effect from 1 October 2013

	Full fee	Exemption or remission available
Lasting power of attorney (LPA) application fee	£110	If the donor qualifies, exemption or remission may be available (see details below)
Enduring power of attorney (EPA) application fee	£110	
Repeat LPA application fee	£55	
Office copy/certified copy of an LPA	£35	No exemption or remission available
Office copy/certified copy of an EPA	£25	

Exemption – when a donor doesn't have to pay because they get certain means-tested benefits

Remission – a 50% fee reduction based on a donor's financial circumstances or a reduction based on the donor receiving Universal Credit

Office copy/certified copy – official copies that are only supplied in exceptional cases

- You must pay an application fee when you apply to register a power of attorney. Fees are non-refundable, even if the power of attorney isn't registered.
- Application fees are paid by or on behalf of the donor – the person making the power of attorney. If they make both types of LPA they need to pay 2 fees.
- Office copy fees are paid by the person requesting the document.

Make a payment

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

On the phone by credit or debit card – if you want to pay this way, please say so in your application form (LPA002) or covering letter and we will contact you.

Cheque payment – please make your cheque payable to 'Office of the Public Guardian' and write the donor's full name on the back.

Exemption and remission of application fees

A donor may be entitled to an exemption or remission of application fees based on their financial circumstances. It's only the donor whose benefits and income matter.

To apply you must:

- fill in form LPA120A (which follows this information sheet) and sign the declaration
- gather supporting evidence – **without evidence we can't consider a claim** so make sure you read the sections on page 2 about acceptable supporting evidence
- send us form LPA120A and your evidence along with your LPA or EPA forms when you apply to register.

If you're registering 2 powers of attorney at the same time you only need to fill in 1 form LPA120A.

Make your LPA online

If you haven't already made your LPA you could **use the digital LPA tool**. It will:

- help you make your LPA
- guide you through to registration
- let you pay online or by cheque

www.gov.uk/lasting-power-of-attorney

Exemption

If the donor receives any of the following **means-tested benefits** when an application to register is made, they can apply for an exemption, or their attorney or solicitor can do so on their behalf:

- Income Support
 - Income-based Employment and Support Allowance
 - Income-based Jobseeker's Allowance
 - **Guarantee Credit element** of State Pension Credit
 - Housing Benefit
 - Council Tax Reduction/Support – also known by other names (not the 25% single person discount or the Class U exemption)
 - Local Housing Allowance
 - A combination of Working Tax Credit **and at least one of:**
 - Child Tax Credit
 - Disability Element of Working Tax Credit
 - Severe Disability Element of Working Tax Credit
- Not included:** Disability Living Allowance, Invalidation Benefit, Personal Independence Payment

Exception

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 above benefits, they won't qualify for exemption.

Supporting evidence for exemption

You need to **send copies of letters from a benefit provider** showing the donor received at least 1 of the listed benefits at the time you applied to register. Letters must confirm that the benefit was being paid to the donor and include their printed details (title, full name, address and postcode).

Contact OPG

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

DX: 744240 Birmingham 79

Telephone: 0300 456 0300
(+44 300 456 0300 outside the UK)

Textphone: 0115 934 2778

Fax: 0870 739 5780

Phone line open - Monday to Friday 9am to 5pm
(Wednesday 10am to 5pm)

Email: customerservices@publicguardian.gsi.gov.uk

Online: www.gov.uk/power-of-attorney

Remission based on income

If the donor's gross annual income is less than £12,000, they may be eligible for a 50% reduction of the fee. Gross annual income is income **before** tax. It may come from employment, non-means-tested benefits (such as Attendance Allowance, Disability Living Allowance or Personal Independence Payment), pensions, Pensions Savings Credit, interest from savings and investments, or the rent of property.

Supporting evidence for remission

You need to **send proof of the donor's gross annual income**. Evidence must relate to the time you sent the application to register. We can't accept bank statements. Evidence can be:

Paid employment – A P60 or 3 months' consecutive wage slips from current employment.

Non-means-tested benefits and pensions – an official letter or notice from the payer.

Interest from capital, stocks, shares or bonds – statements or vouchers showing gross income.

Self-employment – most recent self-assessment tax return and HMRC tax calculation, or audited account certified by a qualified accountant.

If the donor receives no income, they must send a signed statement explaining how they support themselves. If they don't have mental capacity their attorney or solicitor can supply and sign this statement.

Remission based on Universal Credit

A donor may qualify for remission if they receive Universal Credit.

Supporting evidence of Universal Credit

You need to send copies of letters showing the donor received Universal Credit at the time you applied to register. Letters must confirm that the benefit was being paid to the donor and include their printed details (title, full name, address and postcode).

Review

If an application for exemption or remission is unsuccessful, you can appeal within 4 weeks of the decision by writing to the Head of Corporate Services. If the original decision is upheld, it will be referred to the Public Guardian for confirmation.

Hardship

If the donor doesn't qualify for remission or exemption, but paying fees would cause hardship – for example, paying would mean they couldn't meet normal living costs – you can apply to have fees waived. To claim write to OPG explaining why payment would cause hardship, enclosing bank statements and other documents showing all savings, income and outgoings.

Application for exemption or remission of LPA/EPA application fees

LPA120A

Section 1 – About the case

Donor's full name

Donor's address

Case number/ref. (if known)

You will find this on our letters

Which fee does this application relate to?

- LPA application fee
 EPA application fee
 Repeat LPA application fee

Which powers of attorney have you enclosed for registration?

- LPA for health and welfare
 LPA for property and financial affairs
 EPA

Section 2 – About you

What is your relationship to the case?

- Donor Attorney Other (Please specify)

Title

- Mr Ms Miss Mrs Other

First name

Last name


Address (including postcode)

Telephone number

Daytime Mobile

Email address

If you have already paid the fee, who do you want the money paid to if your application for exemption/remission is successful?

continued overleaf 

Section 3 – Fee exemption based on permitted benefits

3a Does the donor receive any of the benefits listed?

- Income Support
 - Income-based Employment and Support Allowance
 - Income-based Jobseeker's Allowance
 - **Guarantee Credit element** of State Pension Credit
 - Housing Benefit
 - Council Tax Reduction/Support – also known by other names (not the 25% single person discount or the Class U exemption)
 - Local Housing Allowance
 - A combination of Working Tax Credit and **at least one of:**
 - Child Tax Credit
 - Disability Element of Working Tax Credit
 - Severe Disability Element of Working Tax Credit
- Not included:** Disability Living Allowance, Invalidity Benefit, Personal Independence Payment

Yes → **Go to question 3b**

No → **Go to Section 4**

3b Has the donor been awarded personal injury damages of more than £16,000 which were ignored when the donor was assessed for the benefit listed at question 3a?

Yes → **Go to Section 4**

No. The donor is eligible for exemption.

Section 4 – Fee remission based on gross annual income or Universal Credit

Is the donor's gross annual income less than £12,000?

Yes, I want to apply for a remission of 50% of the fee based on the donor's gross annual income. → **Evidence must be enclosed.**

No

Does the donor receive Universal Credit?

Yes, I want to apply for a remission based on the donor receiving Universal Credit. → **Evidence must be enclosed.**

No

Section 5 – Declaration

I declare that the information I have given is true to the best of my knowledge, and I enclose the required evidence to support the claim for a fee exemption or remission.

I understand that this application will be refused if I fail to provide evidence.

Signature

Date

Send your completed application to:

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

or

DX 744240 Birmingham 79