
STATUTORY INSTRUMENTS

2015 No. 899

**The Lasting Powers of Attorney, Enduring Powers of Attorney
and Public Guardian (Amendment) Regulations 2015**

Transitional provisions

19.—(1) An application to register a lasting power of attorney in the form prescribed in Schedule 3 as though it had not been substituted by these Regulations that is executed and received by the Public Guardian before 1st January 2016 is capable of being valid, and regulation 11 applies to such applications as though that regulation had not been substituted by these Regulations.

(2) Paragraphs (3) and (4) apply in relation to repeat applications to register a lasting power of attorney where the original application to register received by the Public Guardian before 1st January 2016 is returned to the applicant as invalid.

(3) Where a repeat application is—

(a) in the form set out in Schedule 3A as though it had not been omitted by these Regulations;
and

(b) is executed and received by the Public Guardian before 1st January 2016,

that application is capable of being valid and regulation 11 applies to such applications as though that regulation had not been substituted by these Regulations.

(4) For the avoidance of doubt, where a party wishes to make a repeat application but the repeat application will not be executed and received by the Public Guardian before 1st January 2016, regulation 11(5) applies as it has been substituted by these Regulations.

(5) In this regulation, “repeat application” means an application where—

(a) the initial application for the registration of a lasting power of attorney is made on or after 1st October 2011;

(b) the initial application is returned to the applicant as invalid;

(c) the reduced fee repeat application is submitted for registration within three months of the date on which the initial application was returned to the applicant as invalid; and

(d) the reduced fee for such applications applies.