

# Office of the Public Guardian: amendments to secondary legislation

## List of questions for response

We would welcome responses to the following questions set out in this consultation paper. Please email your completed form to: **David.Oshea@publicguardian.gsi.gov.uk** or fax to: **020 7664 7165** Thank you.

Question 1. Do you think it appropriate that the OPG makes the change to reduce the security bond discovery period, after the client's death or recovery, from 7 years to 2 years? If you do not think this is appropriate, please explain why.

Comments: Yes

Question 2. Having read the proposal to expand the list of benefits that would qualify a customer for exemption from payment of OPG fees, do you think there are benefits that should be added to or removed from this list?

Comments: No

Question 3. Do you think it appropriate that the OPG makes the change to allow the Public Guardian to investigate EPA attorneys together with other interested parties? If you do not think this is appropriate, please explain why.

Comments: Yes

Question 4. Do you think it appropriate that the OPG makes the change to clarify that certified copies of EPA forms will be accepted for registration only if the applicant verifies that the original form has either been lost or destroyed? If you do not think this is

appropriate, please explain why.

Comments: Yes

Question 5. Having read the proposal to amend form EP2PG 'Application to register an Enduring Power of Attorney', do you think it appropriate that the OPG makes the change to clarify that certified copies of EPA forms can be included with the form only if the original has either been either lost or destroyed? If you do not think this is appropriate, please explain why.

Comments: Yes

Question 6. Having read the proposed change to the 'Notice of intention to apply for registration of an Enduring Power of Attorney' form and to the EPA form guidance notes, do you think it appropriate that the OPG requires that all attorneys who will be empowered to act under the registered EPA are named on the application to register the EPA, thereby allowing the notifiable people the opportunity to object to all or any of the proposed appointments if they wish to do so? If you do not think this is appropriate, please explain why.

Comments: Yes

Question 7. Having read the proposal for the introduction of optional attorney Supervision, what kinds of supervision do you feel would be appropriate? How frequently would you wish to see visits/account reviews taking place? Would you support the creation of different levels of supervision with more robust supervision charged a higher rate?

Comments: OPG annual visit would be an appropriate safeguard

Question 8. Having read the proposal for an LPA checking service, would you consider using it?

Comments: Yes

Question 9. Having read the proposal for discounted LPA registrations, do you consider it to be appropriate? Would you consider making additional applications, if a discount was

offered? What other forms of promotional pricing do you think the OPG could offer?

Comments: Yes – discount not relevant – should be based on necessity.

Question 10. Having read the proposal for LPA delivery options, do you consider this to be appropriate? If you do not think so, please explain why.

Comments: Yes

## About you

Please use this section to tell us about yourself

<b>Full name</b>	Dr Crawford George MacDougall Fernie
<b>Job title</b> or capacity in which you are responding (e.g. member of the public etc.)	Registrar
<b>Date</b>	18/02/10
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	London □
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If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

**If you are a representative of a group**, please tell us the name of the group and give a summary of the people or organisations that you represent.

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