



A refund for power of attorney

You may be due a refund if you have registered a power of attorney in recent years.

It is not often the government offers a refund because of overcharging, but last month it emerged that the Office of the Public Guardian (OPG) had been levying excessive fees for four years. The fees related to the cost of registration of a power of attorney, whether it was an enduring power of attorney or either of its lasting power of attorney successors – dealing with health and welfare or property and financial matters.

The OPG was meant to cover its costs with attorney registration charges, but instead ended up with an £89 million surplus. As such, this sum is being returned to those who registered a power in England or Wales between 1 April 2013 and 31 March 2017. The maximum refund is £54, and most claims can be made via an online form at www.gov.uk/power-of-attorney-refund.

If the person who granted the power of attorney has died, then that individual's executor must make a claim by email. Figures obtained via a Freedom of Information request show that up to 1.8 million people may be due a refund.

If you have never registered a power of attorney, either for yourself or perhaps an elderly parent, the refund still has relevance as reminder to do so. Enduring powers of attorney address the question, 'Who deals with my affairs – personal and financial – when I cannot do so?' Although often thought of in terms of the elderly going into care, enduring powers of attorney have a much wider relevance. Unfortunately, accidents can and do happen at all ages.

Enduring powers of attorney are frequently dealt with alongside wills as part of estate planning – in some respects they can be regarded as a form of living will. If you have not reviewed your estate planning for a while and you have no powers of attorney in place, you could make plans now. You never know when an accident might happen.

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