

2002 No. 1944

**POWERS OF ATTORNEY, ENGLAND AND WALES
MENTAL HEALTH, ENGLAND AND WALES**

**The Court of Protection (Enduring Powers of Attorney)
(Amendment No. 2) Rules 2002**

Made - - - - - *23rd July 2002*

Laid before Parliament *26th July 2002*

Coming into force - - - *31st August 2002*

The Lord Chancellor, in exercise of the powers conferred upon him by sections 106 and 108 of the Mental Health Act 1983(a), makes the following Rules:

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Court of Protection (Enduring Powers of Attorney) (Amendment No. 2) Rules 2002 and shall come into force on 31st August 2002.

(2) In these Rules references to a rule by number alone mean the rule so numbered in, and references to a Schedule by number alone mean the Schedule so numbered to, the Court of Protection (Enduring Powers of Attorney) Rules 2001(b).

Amendments to Court of Protection (Enduring Powers of Attorney) Rules 2001

2. For rule 3(2)(c) there shall be substituted—

“(c) a form referred to by a letter alone means—

- (i) the form so designated in Schedule 1 (“the core form”); or
- (ii) a form published by the court which differs in immaterial respects, in wording or layout (or both), from the core form; or
- (iii) a form to the same effect as the core form or as a form satisfying sub-paragraph (ii) above with such variations as circumstances may require and the court may approve; or
- (iv) a Welsh translation of the core form or of a form satisfying sub-paragraph (ii) or (iii) above.”.

3. In Schedule 1, for Form EP2 there shall be substituted the form set out in the Schedule to these Rules.

(a) 1983 c. 20.

(b) S.I. 2001/825; there are no relevant amending instruments.

Transitional provisions

4. In relation to an application to register an enduring power of attorney which is received by the court on or after 31st August 2002 but before 28th February 2003 the reference in rule 7 to Form EP2 shall be treated as including a form which would have satisfied the requirements of Form EP2 if these Rules had not been made.

Irvine of Lairg, C

23rd July 2002

SCHEDULE
NEW FORM EP2

Rule 3

Page 1 of 6

Form EP2

Court of Protection
Enduring Powers of Attorney Act 1985



Application for Registration

IMPORTANT: Please complete the form in **BLOCK CAPITALS** using a **black ballpoint pen**. For circled options please completely fill-in the appropriate choice.

Part One - The Donor

Please state the full name and present address of the donor. State the donor's first name in 'Forename 1' and the donor's other forenames/initials in 'Other Forenames'. If the donor's address on the enduring power of attorney is different give that one too. If necessary, complete several parts of the address on each Address line shown.

Mr Mrs Ms Miss Other If Other, please specify here:

Last Name:

Forename 1:

Other Forenames:

Address 1:

Address 2:

Address 3:

Town/City:

County:

Postcode:

Address on the enduring power of attorney (if different from above):

Address 1:

Address 2:

Town/City:

County: Postcode:

You can find the donor's date of birth in Part B of the enduring power of attorney.

Donor Date of Birth: If the exact date is unknown please state the year of birth
D D M M Y Y Y Y

Part Two - Attorney One

Please state the full name and present address of the attorney. If applicable, include the Company Name in 'Address 1'.

Mr Mrs Ms Miss Other If Other, please specify here:

Last Name:

Forename 1:

Other Forenames:

Continued overleaf

Part Two - Attorney One cont'd

Address 1:

Address 2:

Address 3:

Town/City:

County:

Postcode: DX No. (solicitors only):

DX Exchange (solicitors only):

Attorney Date of Birth: Occupation:
 D D M M Y Y Y Y Daytime (STD Code):

Email Address: Tel No.:

Relationship to donor: Other No Other
 Spouse Child Relation Relation Solicitor Professional If 'Other Relation' or 'Other Professional', specify relationship:

Part B of the enduring power of attorney states whether the attorney is to act jointly, jointly and severally, or alone.

Appointment (please fill the appropriate circle): Jointly Jointly and Severally Alone

Part Three - Attorney Two

Please state the full name and present address of the second attorney. If applicable, include the Company Name in 'Address 1'.

Mr Mrs Ms Miss Other *If Other, please specify here:*

Last Name:

Forename 1:

Other Forenames:

Address 1:

Address 2:

Address 3:

Town/City:

County:

Postcode: DX No. (solicitors only):

DX Exchange (solicitors only):

Continued overleaf

Part Three - Attorney Two cont'd

Attorney Date of Birth: Occupation:
 D D M M Y Y Y Y Daytime Tel No.:
 Email Address:

Relationship to donor: Other No Other
 Spouse Child Relation Relation Solicitor Professional If 'Other Relation' or 'Other Professional', specify relationship:

Part Four - Attorney Three

Please state the full name and present address of the third attorney. If applicable, include the Company Name in 'Address 1'.

Mr Mrs Ms Miss Other If Other, please specify here:

Last Name:

Forename 1:

Other Forenames:

Address 1:

Address 2:

Address 3:

Town/City:

County:

Postcode: DX No. (solicitors only):

DX Exchange (solicitors only):

Attorney Date of Birth: Occupation:
 D D M M Y Y Y Y Daytime Tel No.:

Email Address:

Relationship to donor: Other No Other
 Spouse Child Relation Relation Solicitor Professional If 'Other Relation' or 'Other Professional', specify relationship:

If there are additional attorneys, please complete the above details in the 'Additional Information' section (at the end of this form).

Part Five - The Enduring Power of Attorney

The date is the date that the donor signed the enduring power of attorney.
 You can find this in Part B of the enduring power of attorney.

I (We) the attorney(s) apply to register the enduring power of attorney made by the donor under the above Act, the original of which accompanies this application.

I (We) have reason to believe that the donor is or is becoming mentally incapable.

Date of enduring power of attorney: To your knowledge, has the donor made any other enduring power of attorney? Yes No

D D M M Y Y Y Y

If 'Yes', please give details below including registration date if applicable:

Part Six - Notice of Application to Donor

Notice must be given personally to the donor. It should be made clear if someone other than the attorney(s) gives the notice.

I (We) have given notice of the application to register in the prescribed form (EPI) to the donor personally.

If someone other than the attorney gives notice to the donor please complete the name, address and date details below:

Full Name:

Address 1:

Address 2:

Town/City:

County: Postcode:

On this date:

D D M M Y Y Y Y

Part Seven - Notice of Application to Relatives

If there are no relatives entitled to notice please ensure that the circle is filled below.

Please fill-in the circle if no relatives are entitled to notice:

I (We) have given notice to register in the prescribed form (EPI) to the following relatives of the donor:

Name	Relationship to Donor	Address	
<input type="text"/>	<input type="text"/>	<input type="text"/>	Date notice given: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	D D M M Y Y Y Y
<input type="text"/>	<input type="text"/>	<input type="text"/>	Date notice given: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
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<input type="text"/>	<input type="text"/>	<input type="text"/>	D D M M Y Y Y Y

Continued overleaf

EXPLANATORY NOTE

(This note is not part of the Rules)

These rules amend the Court of Protection (Enduring Powers of Attorney) Rules 2001 (S.I. 2001/825) so as to substitute a new version of Form EP2, the form prescribed for an application to the court to register an enduring power of attorney. They also permit the court to publish versions containing immaterial variations from those set out in Schedule 1 to the 2001 Rules.

2002 No. 1944

**POWERS OF ATTORNEY, ENGLAND AND WALES
MENTAL HEALTH, ENGLAND AND WALES**

The Court of Protection (Enduring Powers of Attorney)
(Amendment No. 2) Rules 2002

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