



GILLESPIE MACANDREW
LAW • PROPERTY • FINANCE

Protecting your future: Powers of Attorney

We specialise in helping you and your family to safeguard your future against loss of ability to make financial and welfare decisions.



Our other services and market sectors include:

Energy



Charities



Housebuilder
& construction



Private
client



Land & rural
business



Owner managed
& family
business



Protecting your future: Powers of Attorney

We specialise in helping you and your family with:

- Drafting Powers of Attorney to safeguard your future against loss of ability to make financial and welfare decisions
- Helping your elderly relatives to put their own affairs in order while they are still able to do so
- Supporting vulnerable individuals and using the options available under the Adults with Incapacity (Scotland) Act 2000
- Managing the transition to adulthood of children with additional needs
- Securing financial and welfare Guardianship for adults who are incapable of granting Powers of Attorney
- Preparing 'Living Wills'

Protected for the Unexpected

It may be unpleasant to consider the prospect that you might one day be incapable of making your own financial or welfare decisions, but who can honestly say that they do not have an elderly relative or friend in that position?

Much time, money and anxiety can be saved by granting a Power of Attorney, which would authorise someone you trust – typically family, friends or professionals – to act on your behalf if you later wanted or needed help managing your affairs.

You can even give different powers to different people, so that particular decisions could always be made by the most appropriate person.

What are these 'Powers'?

A 'Continuing' Power of Attorney allows you to appoint someone to deal with the financial side of your life – bank accounts, investments, property etc. A 'Welfare' Power of Attorney enables an appointed person to make decisions about your personal welfare, such as where you live, what care you require, or consenting to medical or dental treatment.

Don't delay!

We encourage every client over the age of 16 to sign Powers of Attorney, even though they might never be needed. Otherwise, if you later lost the necessary capacity, a 'Guardian' – a bit like a court-appointed Attorney – may need to step in. Guardianship applications can cost thousands of pounds and take months to complete, during which time your assets could be effectively frozen and unavailable to meet bills and other liabilities. There is also no guarantee that the person appointed by the court would have been your preferred choice.

A helping hand

At Gillespie Macandrew, we have extensive experience helping families safeguard their future against loss of ability to make financial and welfare decisions. Clients entrust us with the legal aspects of their most personal issues and we help them to achieve the best possible outcome. Our service is shaped by the law – but also by the care we take to understand the individual needs of each person.

Key contacts



Elspeth Paget is a Private Client partner, specialising in Elderly Client Law and she is head of the firm's Executry Team. She is a member of the Society of Trust and Executry Practitioners (STEP). Elspeth is one of the few Scottish Full Professional members of the nationwide organisation "Solicitors for the Elderly" which specialises in advice for elderly clients and their carers. She also advises charities and their members on the importance of estate planning, establishing powers of attorney and guardianship.
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Donald Winskill is an Associate and a qualified member of the Association of Taxation Technicians. He prepares custom-made Wills that save tax, minimise the impact of nursing fees, and ensure that his clients' wealth passes to the right beneficiaries. He understands the additional complexities that can arise from second marriages or where provision needs to be made for youngsters or vulnerable adults. Donald recently became the first Edinburgh-based solicitor to be accredited by the Law Society of Scotland as a specialist in Incapacity & Mental Disability Law.
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