



WHO WOULD MAKE DECISIONS ABOUT YOUR HEALTH AND MANAGE YOUR FINANCES IF YOU LOST MENTAL CAPACITY IN SPAIN?

Your partner/spouse/family do not have the right to manage your finances in Spain unless you legally put in place a Power of Attorney for finance.

In addition, if you have bought a property in Spain you probably had to give your bank or lawyer dealing with the purchase of your property Power of Attorney at that time and that Power will still be in place unless you have legally revoked it.

You should therefore now arrange your Spanish Power of Attorney for Property and Finance appointing who YOU want and trust to act on your behalf when you can't, not a stranger or a representative of the Spanish Government. Having done this will be essential if any of your accounts/assets are frozen should you lose mental capacity in the future for example.



At the same time, you are strongly recommended to also arrange your Health and Welfare Power of Attorney/Advance Directive in Spain, which sets out your wishes as to what type of health treatment you would wish to have if you were ever unable to speak for yourself. Things you can determine in advance range from whether you would wish to be resuscitated (if the prognosis was that you would not have any quality of life), if you would be prepared to take experimental drugs, right up to whether you would wish, under certain specific circumstances, to opt for euthanasia (which has been legal in Spain since 2021). By arranging this important legal document you will help your partner/spouse/family and those looking after you to make the correct choices that you would have made yourself had you been able to speak.

Option 1

Power of Attorney for Property and Finance

199€ including IVA

Option 2

Power of Attorney for Health and Welfare/Advance Directive

99€ including IVA*

Option 3

Power of Attorney for Property and Finance and a Health and Welfare/Advance Directive

284€ including IVA*

*Please note: The Power of Attorney for Health and Welfare/Advance Directive will need to be registered at the patient services desk (Servicio de Atención e Información al Paciente - SAIP) of your local hospital within 3 months of it being signed. Either the grantor or one of their attorneys can do this. Please bear in mind that the staff in these departments invariably only speak Spanish. Two trips will be required, the first to deliver the documents for registration and the second to collect them once registered.

If we witnessed a client's signature on their document, **we are able to take that client to a local hospital and conduct the above registration process in Spanish for them if required**, the fee for which is 115€ including IVA.

All Powers of Attorney for Property and Finance must be notarised. You can use your own notary or we can arrange one for you. The typical fee charged by a notary for their service is between 120€ and 150€ including IVA.

If you have bank accounts and/or other assets in the UK - read over the page



LEGAL & FINANCIAL EXPAT ASSISTANCE

ARE YOUR FINANCES IN THE UK ALSO BEING LEFT TO CHANCE, LIKE THE ROLL OF THE DICE?

If you have assets in the UK, even just a bank account, it is essential that you also have a Power of Attorney for Finance in place registered with the Office of the Public Guardian (OPG).

Without a registered Power of Attorney in place in the UK covering finance, If you were ever to suffer an accident and subsequently be confined to bed or hospital, contract an illness or have a more serious accident that permanently incapacitated you, or simply became mentally incapacitated as a result of old age or for some other reason, the **ONLY** way your financial affairs in the UK could then be managed would be by an application (by a relative or someone close to you) being made to the Court of Protection for Deputyship.



The applicant to court would need to provide personal information about themselves, their family, their own finances and the relationship they had with you. Medical evidence would also need to be obtained. This process costs a considerable amount of money and can take anywhere between 12 weeks and 10 months to complete by which time your finances could be seriously impacted and even worse, a Judge (who would make the final decision as to who was appointed as the Deputy) may not choose someone that you would have wished to manage your affairs and that appointment does not even have to be a family member with many judges preferring to appoint a Panel Deputy who is usually a retired Solicitor or Barrister working for the OPG or a Local Authority.

Without having in place then, a registered Power of Attorney covering your assets in the UK if you ever lost mental capacity in the future, your family would have the added stress of having to deal with officials every time a decision needed to be made so, **it is therefore vitally important that you arrange your registered UK Power of Attorney for finance while you still have capacity to do so.**

We charge just 313€ to arrange your Power of Attorney for Financial decisions in the UK and that includes IVA, the Office of the Public Guardian's fee for registration and couriering the registered stamped document over to Spain once the process is complete.

Clients who have Priority Client Cover in place will only pay 197.50€ including Iva to arrange their Registered UK Power of Attorney so we strongly recommend take out this valuable cover also.

We share 5€ from each sale between the 3 charities highlighted below every time someone buys this Package

Call: **865 756 058** or complete the contact form on our website



www.thywill.es

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