

A Guide to Advice For the Elderly

one in a series of comprehensive guides to assist you in managing your affairs

Wills, Trusts & Probate

For more information ask to speak to a member of the team at:

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Thinking of the elderly

Dealing with the legal rights and requirements of older people demands a special understanding and training. In later life, the decline of physical ability and mental capacity inevitably results in a greater dependence on others, this in turn leading to potential vulnerability. That is why it is so important to plan in advance before it is too late and prevent future problems from arising.

BHP Law have a dedicated team which specifically focuses on areas of concern for the elderly and their families. This team draws together the experience of several members of the firm from both our Wills, Trusts & Probate and our associated company BHP Financial Management Ltd.

Some considerations

Our specialist team can provide advice and guidance on areas such as –

Benefits

Are you receiving all the benefits to which you are entitled?

Independent Financial Advice – Assets

Are your monies invested to the best advantage? We have links with fully qualified teams of independent financial advisers who we can refer you to, who can provide you with a free initial consultation without fee or obligation aimed at protecting your assets for now and in the future. They can also provide advice on areas such as pensions and funding for residential care.

Tax

We can assist you with your tax returns.

Gifts

Are you aware of the advantages and disadvantages of gifting to children in your lifetime?

Trusts

Does your Will include a Trust which could protect against loss of family inheritance? Trusts are not just for the wealthy.

Wills

If you die without a Will your assets will be divided according to the letter of the law. By making a Will your wishes take effect and your estate will go where you want not where the law dictates.

Lasting Powers of Attorney

As from October 2007 it's no longer possible to set up an Enduring Power of Attorney. Instead, a Lasting Power of Attorney is now created. A Lasting Power of Attorney allows you (the Donor) to choose someone (the Attorney) to make decisions on your behalf.

Your Attorney(s) can only use the completed document after it has been registered with the Office of the Public Guardian. In addition to property and affairs, Donors can also delegate decisions affecting their personal welfare (including healthcare) to cover the time when the Donor lacks capacity to make these decisions themselves.

Living Wills

Living Wills are not Wills at all but simply directions to request or refuse certain treatments in certain circumstances, if you are unable to communicate your wishes at that time.

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