A GUIDE TO SIGNING YOUR CONTINUING POWER OF ATTORNEY – HEALTH & WELFARE/PROPERTY & FINANCIAL AFFAIRS (Scotland)

LEGACY WILLS

Please follow this guide carefully to ensure your Continuing Power of Attorney (CPA) is signed correctly and is accepted by the Scottish Office of the Public Guardian.

Before signing, read your CPA in full to confirm all details and instructions are correct.

Common Errors to Avoid:

- **Unclear dates:** All dates must be clear and easy to read. If any number could be mistaken for another (for example, a 1 that looks like a 7), the document may be rejected. In some cases, the entire CPA may need to be completed again.

- **Inconsistent names or signatures:** Names must appear in the same format throughout the document (for example, if a middle name is used once, it must be used everywhere). Signatures must be consistent and clearly from the same person.

- **Backdating:** Never use an earlier date. Each page must be dated with the actual date it is signed.

- **Corrections:** Do not use correction fluid. Any mistakes must be corrected as explained at the end of this guide.

- **Attachments:** Do not attach anything to the document (no staples, paperclips, or additional pages).

General Signing Rules

- All required people must be present when signatures are added.
- Use **black ink only**, and the **same pen** throughout the entire document.

1. **Validity of Documents Page**

Client Sign & Date

Witness

- This page must be signed and dated by you (the client) and an independent witness.
- This page must be dated first in the document, and have the same date as the following pages; Schedule 1 and Declaration of Certifier.

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Your witness must:

- Be **16 or over**
- Have mental capacity
- See you sign the CPA
- Sign using their normal signature
- Print their **full name**
- Provide their **full address including postcode**

Your witness must not:

- Be related to you by birth or marriage
- Be your spouse or partner
- Be named as an attorney in this CPA, or be the spouse or partner of an attorney

2. Schedule 1 Page

Please date in box 2.

NOTE: This page must be dated the same date as the Validity of Documents page and the Declaration of Certifier page.

3. Declaration of Certifier

This page must be completed by a **medical practitioner or a solicitor** who confirms you have mental capacity at the time of completing the document.

Your Certifier must:

- Tick the relevant box; usually 'a'. If they tick 'b', they should also complete the requested details in the large box below
- Sign on the line provided
- Provide their name, profession, address and the date

NOTE: This page must be dated the same date as the Validity of Documents page and the Schedule 1 page.

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Attorney
Sign & Date

4. **Attorney Pages**
   These pages are titled 'Your Duties and Responsibilities as Attorney'.

   This is the person (or people) who you have named and trust to make decisions on your Health & Welfare and Property & Financial Affairs. This is **not** a solicitor / legal attorney.

   Your Attorney(s) must:
   - Be the person/people who you want to make decisions on your behalf
   - Sign your CPA using their normal signature on the relevant signature line
   - Date the page, they can date in any order as long as they all sign after you and your certifier

5. **Senders Details**

   Please complete your name, address and contact details.

If you make an error:
- Cross through the error with **one single line**
- Write the correction clearly above or below
- The correction must be **initialled by**:
  - You (the Grantor)
  - A Witness

Need Help?
If you are unsure about any part of the signing process, please view our step-by-step signing videos on our website or call us on **0345 260 0600**.
Once completed, return your CPA to us for checking. If everything is correct, we will return it to you so you can submit it to the Office of the Public Guardian (Scotland).

Office of the Public Guardian
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