

Are you due a refund on a Power of Attorney?

Have you checked to see whether you are one of the many thousands of people in the UK who are due a refund on their Power of Attorney fees after being overcharged for applications to the Office of the Public Guardian (OPG)?

Whilst the ability to be able to make a claim has been available for some 16 months, the government has revealed that more than 800,000 people are still eligible for a repayment. The ability to reclaim over paid fees will close by February 2021.

How did this come about?

A [Power of Attorney](#) (PoA) is a legal document where one person (the donor) gives their permission to others (the attorney/s) to make decisions on their behalf. These refunds apply to registered Enduring Power of Attorney (EPA) or Lasting Power of Attorney (LPA) which can either be a Property and Financial LPA or a Health and Welfare LPA.

The OPG is allowed to charge all applicants a fee to cover its running costs. However, between 1 April 2013 and 31 March 2017, the Ministry of Justice reduced the OPG's operating costs due to efficiencies in processing, but the application fee remained the same.

This meant the OPG generated an extra £89m surplus from overpayments, as people carried on paying the same price.

From 1st April 2017, the cost of applications was eventually reduced from £110 to £82, the level at which it remains today.

Am I due a refund?

You will be eligible to claim a refund if you registered a Power of Attorney application between 1 April 2013 and 31 March 2017 as either the donor or the attorney. However, the refund will only be paid to the donor.

The amount of money you'll get back depends on the amount of fees you paid at the time of your application. If you applied for both types of attorney, then your refund could be around £100.

An extra 0.5% interest will be added to each successful claim.

When you paid the fee	Refund for each Power of Attorney
April 2013 to September 2013	£54
October 2013 to March 2014	£34
April 2014 to March 2015	£37
April 2015 to March 2016	£38
April 2016 to March 2017	£45

If you are unsure of the exact date you paid your Power of Attorney fees, you can still make a claim and the OPG will check its records.

How to make a claim

Refund claims can be made online by completing a short form. You must have to hand the donor's UK bank account details.

Alternatively, you can make a claim by calling the Refunds Helpline on 0300 456 0300, but only if *the donor doesn't have a UK bank account, the donor has died or you're the court-appointed deputy.*

How long do claims take to process?

It takes up to 12 weeks for claims to be processed.

Once approved, the refund will be paid straight into the donor's bank account.