

## Registering a British Lasting Power of Attorney (LPA) in Jersey

Service area / [Private Client](#)

Legal jurisdiction / [Jersey](#)

Date / [July 2024](#)

Where a person holds assets in Jersey, they should consider whether they wish to appoint someone who can manage those assets in the event that they should lose capacity to do so themselves. Often, these considerations form part of a person's wider estate planning.

It is not currently possible for a non-Jersey resident to put a local, Jersey lasting power of attorney in place to cover their Jersey based assets. Instead, the Jersey Court will recognise a power of attorney (or equivalent document such as a guardianship or deputy order) issued by another jurisdiction provided that power of attorney is properly registered with the Royal Court of Jersey. Once registered, the Attorney appointed under the foreign document has the legal authority to deal with the assets in Jersey and this is confirmed by way of a formal Act of Court document issued by the Royal Court and appended to the foreign lasting power of attorney document.

Article 13 of the Capacity and Self Determination (Jersey) Law 2016 states that where a power of attorney is first registered in a jurisdiction of the British Islands (other than Jersey) it may have effect here in Jersey provided evidence of the original registration is provided to the Royal Court and for as long as the original registration continues to validly exist.

Applications for the registration of a British-registered LPA must be supported by a Representation and the following documents application will also be required:

- The original LPA or a certified copy made by an authorised person (which can be a lawyer qualified in the law of the place of execution of the LPA);
- The results of a search of the Register of the Office of the Public Guardian (or equivalent office) which first registered

the LPA confirming that the original registration continues to be valid and has not been revoked;

- Details of the Jersey situs assets;
- Certified proof of identity for both the donor and the attorney(s);

There is a registration fee payable to the Royal Court upon application of £330.

Once the British LPA has been registered, an Act of Court will be issued which confirms the same and it is this document that provides the attorney(s) with proper authority and is registered with the relevant asset holder(s).

In the event that a British Court Order has been issued, which appoints someone as Deputy, then a different procedure applies and a full application has to be made directly in court which requires a Jersey Advocate to present the application for approval.

Carey Olsen can assist with the registration of British LPAs in Jersey – please contact our team for more information.

### OFFSHORE LAW SPECIALISTS

## Key contacts

For further information or professional advice please contact our lawyers below:



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