

Steps for Creation and Registration of an Enduring Power of Attorney (EPA) with the DSS under Part 7 of the Assisted Decision-Making (Capacity) Act 2015 (as amended).

A person who wishes to put in place a decision support arrangement, to include an EPA, may create a verified MyDSS account on the DSS portal in order to complete and submit an application online, together with supporting documentation.

The EPA instrument once approved and registered by the DSS is retained on the DSS register in a digital format only.

The quickest way involving fewest steps to create a MyDSS account is by using MyGovID to verify identity. When the account is created, the person is able to commence making an application and in turn to generate required supporting documentation for completion and submission to the DSS. Automated step by step guidance is available on the DSS system.

Alternative means of verifying identity other than MyGovID are also accepted by the DSS. When a person's identity has been verified by alternative means, the DSS can create an account for the person. On request, the DSS can also supply documentation for completion prefilled with the person's details and unique account number.

A 'how to' guide on making and registering an EPA is available here:

[Guidance Materials | Decision Support Service.](#)

A step-by-step guide to using the MyDSS portal to make an application to register an EPA is also available here:

[MyDSS online Portal Help | Decision Support Service.](#)

When a solicitor is instructed in respect of the creation and registration of an EPA:

The DSS has stated that it is the prerogative of any donor to instruct a solicitor in relation to the creation and registration of an EPA. In our guidance, we state that a donor should consider doing so particularly when complex matters are involved.

1. If a solicitor is instructed by a donor in respect of the creation of the EPA instrument, the solicitor can write to the DSS with a letter of authority signed by the donor in order to be recorded as an authorised contact.

The template letter that a solicitor may send to the DSS is available here: [Forms | Decision Support Service.](#)

2. If the donor is not in a position to create an online account for whatever reason, then, along with the letter of authority, the solicitor can supply a form to verify the identity of the donor.

This form to verify identity is also available on our website here:

[Forms | Decision Support Service](#).

3. In response the DSS will write to inform the solicitor that the donor's identity has been verified and that the solicitor has been added to the DSS system as an authorised contact in respect of the EPA, in accordance with the letter of authority.

If the donor is unable to use the MyDSS portal at this point, the DSS will also enclose an EPA paper application form unique to the donor.

4. The solicitor returns the completed application form to the DSS by post or email.
5. On receipt of the completed application form, the DSS will create an online entry on the system for the EPA application.

The DSS then generates the supporting documents. These are:

- ❖ EPA instrument template
- ❖ Donor declaration
- ❖ Attorney declaration
- ❖ Legal practitioner statement
- ❖ Statement of capacity
- ❖ Notice form
- ❖ Notice party details form

6. The DSS sends these documents to the solicitor to be completed.
7. The solicitor returns the completed documentation to the DSS for processing, review and registration as per the provisions of the 2015 Act. The fee for registration is payable at this point.
8. At any point during the manual process as described, the application may instead be progressed on online with the necessity for fewer steps and exchange of correspondence.

For further guidance, a suite of specimen completed documentation is available on the website here: [Forms | Decision Support Service](#).

The DSS is available to answer queries on queries@decisionsupportservice.ie, or by calling (01) 2119750.

Decision Support Service
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