

GENERAL POWER OF ATTORNEY

Under the *Powers of Attorney Act 2006*, Section 92, for section 13

[Explanation:

“principal” means the person making this power of attorney.

“attorney” means the person who is authorised to act for the principal.]

Instructions and information:

- This power of attorney may be registered at the Registrar-General’s Office. If the attorney is to act in relation to a land transaction, this power of attorney must be registered.
- Any part of the form that is crossed out must be initialled by the principal.
- It is recommended that the principal, or a person who is directed by the principal to sign, initials at the bottom of each page of this power of attorney.

1. Appointment of attorney/attorneys

I, *[insert name]*

of *[insert address]*

appoint:

[insert name]

of *[insert address]*

and

[insert name]

of *[insert address]*

to be my attorney/attorneys.

NOTE: If you are appointing only one attorney, cross out the word “and”, and the two lines after it.

* See Notes at the end of this form.

2. Multiple Attorneys

I appoint my attorney or attorneys to act:

- together
- separately
- in the following manner:

.....
Indicate whether you want the attorneys to act together and separately, in any combination, or in any other manner (such as different attorneys to act in different circumstances, on the happening of different events or in relation to

different matters).

NOTE: Cross out the options that do not apply.

* See Notes at the end of this form.

3. Directions, Limitations and conditions

My attorney/attorneys shall only exercise power under this power of attorney, subject to the following directions, limitations and conditions:

.....
.....
.....

NOTE: If this section does not apply, cross out.

4. Commencement

This power of attorney commences

- Immediately
- From(specify date or the happening of an event)

NOTE: Cross out whichever that does not apply.

5. Statement of Understanding and Signature

I fully understand that, by making this power of attorney, I authorise my attorney/attorneys to act on my behalf in accordance with the terms set out in this power of attorney. I also understand the nature and effect of making a power of attorney. [* see Notes at the end of this form.]

(a) Signature.....Date.....

[Signature of principal]

OR

(b) I directed:

Name

Address

to sign this power of attorney on my behalf.

[Signature of another person signing in the presence of and by the direction of the principal.]

* See Notes at the end of this form.

6. Certificate of witness

Only one witness can be a relative of the principal or the attorney. [A child, the person signing this power of attorney for you or the attorney cannot be a witness.]

Witness 1

I,

[insert full name and occupation]

of

[insert address]

AND

Witness 2

I,

[insert full name and occupation]

of

[insert address]

certify that the principal:

- a) signed this power of attorney in my presence voluntarily; and
- b) at the time the principal signed this power of attorney, the principal appeared to me to understand the nature and effect of making it.

OR (if a person signed on behalf of the principal)

- c) the principal directed the person to sign the power of attorney for the principal;
- d) the principal gave the direction voluntarily in my presence and the person signed this power of attorney in the presence of the principal and me;
- e) the person signed the power of attorney in the presence of the principal and me; and
- f) the principal appeared to me to understand the nature and effect of making this power of attorney.

NOTE: Cross out (a) and (b) if a person signed on behalf of the principal. Otherwise, cross out (c), (d), (e) and (f).

Witness 1

Signature.....Date.....

Witness 2

Signature.....Date.....

NOTE: Obligations of the attorney include the following:

- a) Unless authorised expressly under this power of attorney, you must avoid transactions which result, or may result, in conflict between your duty to the principal; and either the interests of you, or your relative, business associate or close friend of the attorney; or another duty of you may have.
- b) You must notify other attorneys when you resign as attorney or your authority is revoked. You must notify other attorneys and any one who has had dealings with you as the principal's attorney, about any court or tribunal matter that has effect on your authorisation.

NOTES

Section 1, Appointment of attorney/attorneys

- You may appoint an adult or an entity other than an individual (e.g. a corporation) as an attorney.
- If you want to appoint more than one attorney and you want your attorneys to have the same functions, then you should fill out this form by inserting the names of all of your proposed attorneys in the place indicated.

Section 2, Multiple Attorneys

- This section relates to the appointment of two or more attorneys. If you are only appointing one attorney, then cross out this section and put your initials beside any writing you have crossed out.
- If you want to appoint more than one attorney and you want your attorneys to have the same functions, then you should also indicate whether you want them to act:
 - together - they will only be able to act if they all agree on the course of action; or
 - separately - each of them will be able to act independently.
- You may appoint attorneys to act together and separately or in any combination, and you may also authorise different attorneys to act in different circumstances, on the happening of different events, or in relation to different matters.

Section 3, Directions, Limitations and conditions

- If you want your attorney to exercise power for any specified purpose or specified purposes, indicate it in this section.
- You may also indicate in this section whether you want this power of attorney to end on a particular date or event.

Section 5, Statement of Understanding and Signature

Understanding the nature and effect of making a power of attorney includes understanding each of the following:

- (a) that the principal may, in the power of attorney, state or limit the power to be given to an attorney;
- (b) that the principal may, in the power of attorney, instruct the attorney about the exercise of the power;
- (c) when the power under the power of attorney can be exercised;
- (d) that, if the power under a power of attorney can be exercised for a matter, the attorney has the power to make decisions in relation to, and will have full control over, the matter subject to terms or information about exercising the power that are included in the power of attorney; and
- (e) that the principal may revoke the power of attorney at any time the principal is capable of making the power of attorney.

Section 6, Certificate of witness

If needed, you can direct a person to sign the document on your behalf. This person must be at least 18 years of age, not a witness to this form of appointment, and not someone you are appointing as your attorney. You should give this direction to sign on your behalf in the presence of the witnesses.