

Instruction Form Enduring Power of Attorney for Property

Refer to last page for general information relating to EPA for Property

Your Details (as Donor):

Title: _____
Full Legal Name: _____
Address: _____
Occupation: _____
Email Address: _____
Phone Number: _____

Previous EPAs:

Do you have existing EPAs? Yes No

Attorney One:

Title: _____
Full Legal Name: _____
Address: _____
Occupation: _____
Email Address: _____
Phone Number: _____
Relationship to You: _____

Do you wish to appoint a second Attorney? Yes No

Attorney Two:

Title: _____
Full Legal Name: _____
Address: _____
Occupation: _____
Email Address: _____
Phone Number: _____
Relationship to You: _____

When your Enduring Power of Attorney comes into effect:

- Only if I become mentally incapable
- While I am mentally capable, and continues in effect if I become mentally incapable

What Your Attorney Can Act On

- All property affairs
 - Particular asset(s) only (list below)
- _____
- _____

Do you want to place conditions or restrictions on your Attorney?

- No conditions or restrictions
 - Conditions and/or restrictions (list below)
-
-

Successor Attorney Details (Optional):

Do you wish to appoint one or more Successor Attorneys? Yes No

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First Successor Attorney:

Title:

Full Legal Name:

Address:

Occupation:

Email Address:

Phone Number:

Relationship to You:

Second Successor Attorney:

Title:

Full Legal Name:

Address:

Occupation:

Email Address:

Phone Number:

Relationship to You:

How Your Attorneys Must Act

- Jointly
 - Severally
 - Jointly & Severally
-

New Will

Authority to sign a new Will: Yes No

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Are you happy for your Attorney to be reimbursed for out-of-pocket expenses they may incur on your behalf?

- Yes
 - No
-

Is your Attorney authorised to otherwise act for their own benefit (in other words, use your funds for their own personal purposes?)

- Yes
 - No
-

Do you want your Attorney to consult with and/or provide information to another person?

No

Yes (Complete details below)

Attorney AND Successor Attorney Successor Attorney Only

Consult With Provide Information To

Title: _____

Full Legal Name: _____

Address: _____

Occupation: _____

Email Address: _____

Phone Number: _____

Relationship to You: _____

Do you want any celebratory gifts given to family members, or charitable donations to continue if you lose capacity?

Yes (list gifts and/or donations below)

No

Power of Attorney in Relation to Property

You can appoint either one or two people to act as your Attorneys (i.e., the people who will make decisions on your behalf).

Matters covered by the Power of Attorney in Relation to Property can be limited to one specific matter, such as the sale or purchase of a property or the operation of a bank account, or it can be in relation to all of your property affairs. Property includes all matters such as real estate, shares, bank accounts, investments etc.

You can grant to your Attorney a general authority to act on your behalf in relation to all matters in relation to property, or you can limit it in a particular fashion. For example, you may choose to limit the operation of a bank account up to an amount not exceeding \$1,000.

You will also need to decide when the Power of Attorney is to take effect. It can take effect immediately, or only if you become mentally incapable. If you choose the latter, then a Certificate will need to be obtained from a Medical Practitioner by your Attorney, certifying that you are mentally incapable of managing your own affairs.

The matters set out below are those that you may include in your Power of Attorney. If you prefer, you can delete one or all of these.

1. You may place conditions and restrictions on your Attorney.
2. If you have appointed two Attorneys, you may decide that they are to act jointly or severally. Jointly means that both must agree upon a matter before it is effective. If you choose severally, this means that either Attorney can decide and the decision of both of your Attorneys is not required. If you do not select an option, decisions will be made both jointly and severally. **Important Note:** if you only select one Attorney they pass away, the Power of Attorney will cease to be in effect (unless you have specified a Successor Attorney is to act in their place).
3. You can appoint a successor Attorney to succeed one or either of your Attorneys. This could be useful if one of your Attorneys became mentally incapable themselves or died.
4. You may require that your Attorney consult with others, including you, prior to making a decision. For example, you may decide that in relation to decisions as to your investment portfolio, that your Attorney is to consult with your financial advisor or Accountant.
5. You may include a provision that your Attorney may execute a Will on your behalf. You could specifically prohibit them from being able to execute a Will on your behalf.
6. You may provide for your Attorney to benefit both you and others when exercising your Power of Attorney. For example, you may permit them to purchase Christmas presents for both themselves and each of your family members, within a certain limit, for example up to \$50 per person.
7. You may place other limits on your Attorney, such as making payments to themselves for their professional fees or advancing funds to a Trust.
8. You can require that your Attorney provide specific information to particular people named by you who request it. For example, if you wanted the details of any financial transactions undertaken by your Attorney disclosed to your Accountant, then this could be provided for.
9. You can require that your Attorney seek advice from (consult with) particular people named by you before making decisions. You can record whether this is to apply to both your Attorney and your Successor Attorney, or only to your Successor Attorney, and can be in relation to all property affairs or limited to a particular property matter.