



**LEGAL**  
CONSOLIDATED  
BARRISTERS & SOLICITORS

National Law Firm

Head Office  
39 Stirling Highway  
Nedlands WA 6009

T: 1800 141 612

[legalconsolidated.com.au](http://legalconsolidated.com.au)

Your Reference: Enduring Power of Attorney  
Enquiries: Adj Professor, Dr Brett Davies  
Direct Telephone: 1800 141 612  
Email: [brett@legalconsolidated.com](mailto:brett@legalconsolidated.com)

Monday, 12 April 2022

Meredith Volante  
9 Barnes Street  
Burwood VIC 3125  
Australia

Dear Meredith,

*Build this legal document at*

*<https://www.legalconsolidated.com.au/>*

*[enduring-poa-introduction/](#) –*

*telephone us, we can help you  
complete the questions.*

*Adj Professor, Dr Brett Davies - Partner*

## **Enduring Power of Attorney**

Thank you for instructing us to prepare the attached Victorian Enduring Power of Attorney.

### **How to print your document**

When you are satisfied that the document is according to your instructions please:

1. Download the PDF (Don't print directly from the browser.)
2. Print the PDF Printer settings: A4 paper  
100% scale (turn off 'fit to page')
3. Print single sided (NOT duplex).
4. Once signed keep this covering letter with the document  
(However, do not staple the covering letter to the document.)

### **Free and ongoing advice for your attorney**

The advantages of having our law firm prepare your POA:

1. Included in the cost of your document is free advice for your attorney. They are not alone. Our law firm forever and as often as needed, helps your attorneys and shows them how to use the POA. We give you and your family ongoing support.
2. When a parent loses mental capacity, the children are welcome to telephone us for help and assurance. There is no additional cost.
3. Many homemade POAs are incorrect. Sadly, it is only after they are needed does this become apparent. Your POA is protected by our law firm's professional indemnity insurance.
4. There is information on how to use the document in this covering letter. (Keep this letter with the POA after you sign the POA.)
5. Finally, there are unlimited updates on the POA. The POA can be updated as often as you wish.

**This POA only works in the State of Victoria. If there are assets in another State, then you need to also build and sign POAs for that State as well.**

**Do my attorneys need to sign with me – at the same time?**

Your attorneys can sign on another day, in another country and with any coloured pen. They don't need to sign with you. And they also don't need to be together when they sign.

**Does my Power of Attorney have to be lodged or registered anywhere?**

You do not need to submit your POA anywhere.

However, it is best to give your attorneys a certified copy of the POA.

The Power of Attorney does not need to be lodged at the title's office. Sometimes a bank may wrongly ask for the title's office lodgement number. Lodging at the title's office is not required. One day you may decide to buy or sell land. You may want your POA to do that. Only at that time do you need to lodge your Victorian POA at the title's office. Lawyers and the titles office charge for lodging each POA.

**Does the Power of Attorney need to be stamped?**

Your POA is not dutiable. It does not need to be lodged at the local stamp duty office.

**Making copies**

Don't let the original POA out of your hands. Ask the bank (or whoever needs it) to take a copy. The bank can then "certify" (confirm it is a true copy) the POA and keep the copy on the bank's file.

**Can the Power of Attorney override your wishes?**

Your attorneys (and any backups) must act in your best interests. Your POA cannot be used to benefit anyone else. It does not help spouses or children. It is to protect you. The POA can only be used to help you. If you lose confidence in persons you appoint, then you revoke the POA. If the person you appoint does not act in your best interests then both civil and criminal actions may be taken against them.

**Can I revoke a Victorian Power of Attorney?**

Yes, you can. Telephone us to revoke this Power of Attorney.

**Does this Victorian POA revoke old Victorian POAs?**

Yes, we have prepared your POA so that all old Powers of Attorney in the State of Victoria are revoked. However, if you wish for any of the old Powers of Attorney to continue, then you can do so. Just go to the first page of the POA and put in the old POA details. You hand write this in with the same coloured pen that you use to sign the POA. All you need is the date of each old POA. You will see the blank box under these words:

*"I specify that the following existing enduring power of attorney or parts of an existing enduring power of attorney made by me are not revoked by this enduring power of attorney (specify date made, if known)"*

**What happens if I separate, divorce or get married?**

Telephone us immediately if your circumstances change.

## How do the persons I nominate use the Power of Attorney?

Here are some examples:

**Example 1 - Using your bank account:** The persons you appoint walk into the bank and present to the bank clerk with your Savings Account book and an original POA. The bank clerk stares blankly at them. The bank clerk goes to see the bank manager. The bank manager explains to the bank clerk that those persons "now stand in your shoes". They can do whatever you could do with the bank account. The bank manager asks to take a copy of the POA for future reference. The bank manager tries to keep the original POA but the persons you nominate decline and get back the original POA. The transaction on the bank account takes place.

**Example 2 – Signing your legal documents:** You have asked the persons that you nominated, to sign a lease agreement as you are on holidays overseas and email is unavailable. They contact the landlord and tell the landlord that there is a POA. They tell the landlord that they are signing the lease on your behalf. They sign in their usual signature area and write under the signature "signed as attorney for \*your name\* under a POA dated ## Month, year". You are now bound to the lease. The landlord may photocopy the POA to attach to the lease.

## Who are my best attorneys?

An attorney is normally a family member or friend. It is someone that you trust. It is a huge responsibility and usually only a family member or close friend would want to take on the onerous obligation.

While you can appoint a child under 18 years of age, they cannot accept (sign) the POA until they turn 18.

An attorney cannot be an insolvent under administration. They cannot be a current bankrupt.

You cannot appoint:

- your care worker
- your health provider, or
- your accommodation provider.

If your attorney for financial matters is convicted or found guilty of an offence involving dishonesty, they must tell you and have it recorded on the POA. Ring us if this is the case.

## What are the limits of a Power of Attorney?

The POA is an "economic" document. It won't allow the persons you nominate to vote or make a Will for you. They can, however, open and close bank accounts, pay debts, and buy and sell land. Your attorney cannot use your POA to:

1. vote in elections;
2. make a Will or sign another POA; or
3. control your body (you need to build Victorian medical POA on our website).

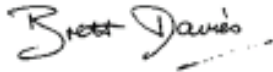
The POA will also allow the persons you nominate to handle personal matters on your behalf that relate to your personal or lifestyle affairs but **do not** include matters that relate

to medical treatment. These powers are granted under the Appointment of medical treatment decision maker Victoria. Your attorney may decide on matters such as:

1. access to support services; or
2. where and with whom you live.

This now concludes the matter. Thank you for your instructions.

Yours sincerely,



Adj Professor, Dr Brett Davies, CTA, AIAMA, BJuris, LLB, LLM, MBA, SJD  
National Taxation Partner  
LEGAL CONSOLIDATED BARRISTERS & SOLICITORS

*This is a sample of the document you are building on our law firm's website.*

*Depending how you answer the questions the document and our letter may be different.*

*We have a 100% money back guarantee. For any reason you can return the document to us for a full refund.*

*Dr Brett Davies  
Partner  
Legal Consolidated Barristers & Solicitors*



## How to sign your Victorian Enduring Power of Attorney

Your witnesses are:

1. independent
2. not involved with you or your family
3. not your attorney or a backup attorney
4. not related to you, your attorney or backup
5. not your care worker or accommodation provider

Persons getting your POA can accept another time.

You need two witnesses. One witness is someone over 18.

The other witness is a doctor (medical practitioner) or authorised to witness affidavits:

- Public notary
- Australian lawyer
- Police officer of or above the rank of sergeant or in charge of a police station
- Victorian Public Service level 4 or above. E.g. VPS5 policy officer or VPS4 adviser
- Prescribed affidavit takers, including:
  - Transport Accident Commission officers and employees level 4 or above
  - State Trustees officers and employees level of 4 or above
  - Victorian Institute of Teaching Investigators level of 4 or above
  - Country Fire Authority officers and employees level of 7
- Judicial officer E.g. a judge or magistrate or honorary justice
- Associate to a judicial officer
- Prothonotary or a deputy prothonotary of the Victorian Supreme Court
- Registrar of probates or an assistant registrar of probates
- Principal registrar, a registrar or a deputy registrar of the Magistrates' Court, Children's Court or VCAT. Plus a VCAT member.
- Principal registrar or a registrar of the Coroners Court
- Member & former member of either VIC house of Parliament or Commonwealth
- Senior officer of a Victorian municipal Council meeting:
  - Chief Executive Officer and Member of Council staff with management responsibilities and reporting directly to the Chief Executive Officer
- Registrar or a deputy registrar of the County Court
- Patent attorney
- Fellow of the Institute of Legal Executives (Victoria)
- Acting judicially. E.g. arbitrator or authority to hear, receive & examine evidence
- Officer or person empowered, authorised or permitted under an Act or Court rules or tribunal rules to take affidavits

Build the legal document at <https://www.legalconsolidated.com.au/ending-poa-introduction/> – telephone us. We can help you answer the questions.

On our law firm's website, you:

1. Retain legal professional privilege
2. Receive legal advice
3. Get a signed letter on our law firm's letterhead with the legal document
4. We take responsibility for the legal document

Only a law firm provides the above. We also offer a 100% money back guarantee on every document you build.

*Adj Professor, Dr Brett Davies – Partner*



**LEGAL**  
CONSOLIDATED  
BARRISTERS & SOLICITORS

National Law Firm

Head Office  
39 Stirling Highway  
Nedlands WA 6009

T: 1800 141 612

[legalconsolidated.com.au](https://www.legalconsolidated.com.au)

---

## **Enduring Power of Attorney – Victoria (Financial Power of Attorney)**

**Meredith Volante**

# Enduring Power of Attorney Appointment

This enduring power of attorney is made under Part 3 of the Powers of Attorney Act 2014 and has effect as a deed under section 81 of the Act.

## Section 1: Principal (You)

The person making this enduring power of attorney is known as the 'principal'. Whenever you see the word 'principal' in this form, it means you.

### Name of principal

Meredith Volante

### Residential address

9 Barnes Street, Burwood VIC 3125, Australia

Date of Birth: 10 April 1980

### Revocation of previous enduring powers of attorney

Under section 55 of the Powers of Attorney Act 2014 any existing enduring power of attorney previously made by you will be revoked on making this enduring power of attorney, unless you specify otherwise.

An existing enduring power of attorney is taken to include an enduring power of attorney made under the Powers of Attorney Act 2014 or the Instruments Act 1958 and an appointment of an enduring guardian made under the Guardianship and Administration Act 1986.

Complete the section below if you have an existing enduring power of attorney or want part of an existing enduring power of attorney to continue.

I specify that the following enduring power of attorney or part of an enduring power of attorney made by me (or this enduring power of attorney made, if known)

An Enduring Power of Attorney (POA) is a legal document. It allows you to appoint a person to make decisions about your assets. The POA deals with your assets e.g. real estate and bank accounts.

## Section 2: Your attorney

The next two pages allow you to appoint an attorney and an alternative attorney(s) (if required). You also need to specify what decisions your attorney can make.

I appoint the person listed below as my attorney.

### Name of attorney

Insert your attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Jenny Chan

### Residential or business address

12 Rowell Drive, Camberwell VIC 3124,  
Australia

Date of Birth: 15 September 1980

The POA is an "economic" document. Your POA does not deal with your health, medical treatment or lifestyle. To do this, instead build a [Medical POA](#) on our website.

### What decisions can this attorney make?

I authorise my attorney to do anything on my behalf that I can lawfully do

by an attorney (including both personal and financial matters) .....

OR

I authorise my attorney to do anything on my behalf that I can lawfully do by an attorney for:

► *Please select any that apply*

personal matters only .....

*personal matters are matters that relate to your personal or lifestyle affairs but do not include matters that relate to medical treatment, or to medical research procedures. Common examples include access to support services and where and with whom you live.*

financial matters only .....

*financial matters are matters (including legal matters) that relate to your financial or property affairs. Common examples include paying expenses, making investments, undertaking a real estate transaction and carrying on a business.*

the following specified matters .....

*– please specify each matter (such as, one or more personal and financial matters) that you want to authorise*

Not Applicable.



Do you want to appoint an alternative attorney(s) for this attorney?

No .....  Go to next page

Yes .....  Provide details

I appoint the person(s) listed below as my alternative attorney(s).

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

Not Applicable.

Do you want to appoint another alternative attorney for this attorney?

No .....  Go to 'When can your alternative attorney(s) act?' in the next column

Yes .....  Provide details

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

Do you want to appoint another alternative attorney for this attorney?

No .....  Go to 'When can your alternative attorney(s) act?' below

Yes .....  Provide details

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

Also, the person receiving your EPA cannot:

- vote in any elections
- make a [Will](#) (but you can [build a Will for your parents](#))
- sign another POA
- act as a [Trustee](#)
- control your body (instead, you need a [Medical POA](#))

**When can your alternative attorney(s) act?**

You can specify below when your alternative attorney(s) can act. If you do not specify, an alternative attorney can only take the place of the attorney if:

- the attorney is unable or unwilling to act
- the appointment of your attorney is revoked (cancelled) because they are no longer eligible to be your attorney

As above.

The next two pages allow you to appoint a second attorney and an alternative attorney(s) (if required). You also need to specify what decisions your attorney can make.

Do you want to appoint a second attorney?

No .....  Go to [‘How must the alternative attorneys act?’](#) on page 7

Yes .....  Provide details

I appoint the person listed below as my attorney.

**Name of attorney**

Insert your attorney’s name or, if appointing a company, the business name.  
Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

However, the person receiving your Enduring Power of Attorney, can open and close bank accounts, pay debts, and buy and sell land. This is provided it is in your ‘best interests’ to do so.

**What decisions can this attorney make?**

I authorise my attorney to do anything on my behalf that I can lawfully do

by an attorney (including both personal and financial matters) .....

OR

I authorise my attorney to do anything on my behalf that I can lawfully do by an attorney for:

▶ Please select any that apply

personal matters only .....

*personal matters are matters that relate to your personal or lifestyle affairs but do not include matters that relate to medical treatment, or to medical research procedures. Common examples include access to support services and where and with whom you live.*

financial matters only .....

*financial matters are matters (including legal matters) that relate to your financial or property affairs. Common examples include paying expenses, making investments, undertaking a real estate transaction and carrying on a business.*

the following specified matters .....

– please specify each matter (such as, one or more personal and financial matters) that you want to authorise

Not Applicable.

Do you want to appoint an alternative attorney(s) for this attorney?

No .....  Go to 'Do you want to appoint another attorney?' at the end of this page

Yes .....  Provide details

I appoint the person(s) listed below as my alternative attorney(s).

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

Not Applicable.

Do you want to appoint another alternative attorney for this attorney?

No .....  Go to 'When can your alternative attorney(s) act?' in the next column

Yes .....  Provide details

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

Do you want to appoint another alternative attorney for this attorney?

No .....  Go to 'When can your alternative attorney(s) act?' below

Yes .....  Provide details

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

**When can your alternative attorney(s) act?**

You can specify when your alternative attorney(s) can act. If you do not specify, an alternative attorney can only take the place of the attorney if:

- the attorney is unable or unwilling to act
- the appointment of your attorney is revoked (cancelled) because they are no longer eligible to be your attorney

As above.

Do you want to appoint another attorney?

No .....  Go to next page

Yes .....  Go to [Section A2](#) on page 18

With our power of guardianship you are protected for the rest of your life

- you and the attorneys you appoint are protected by our law firm
- read the hints, watch the training videos and speak with us as you build the Power of Attorney

## Section 3: How your attorneys can act

You can choose how your attorneys are to act when they make a decision for you. You can also choose whether they act differently for personal and financial matters.

### How must the attorneys act?

Only complete this section if you have appointed more than one attorney.

If you do not complete this section, and you have more than one attorney, it is assumed that you have appointed your attorneys always to act as joint attorneys.

Please select one option.

**Act as joint attorneys (together):** The attorneys must make decisions together and they must all agree. ....

**Act as several attorneys (separately):** Each attorney must make decisions separately.

**Act as joint and several attorneys (act together, or act separately):** The attorneys make decisions separately but if they make a joint decision, they must all agree.

**Act by majority attorneys:** Where there are more than two attorneys, decisions are only made when more than half of the attorneys agree. For example, if there are three attorneys, then two out of the three must agree to a decision. ....

If different attorneys are appointed for different matters, specify below how you wish the attorneys to act (jointly, severally, jointly and severally or by majority) and for which matters.

Not Applicable.

- unlimited number of updates for the rest of your life for the Power of Attorney
- for the rest of your life telephone the law firm anytime for help using Power of Attorney.
- your attorneys telephone us for help using Power of Attorney

## How must the alternative attorneys act?

Only complete this section if you have appointed more than one alternative attorney for any attorney.

You can choose to specify below how you want the alternative attorneys to act in place of the attorney(s), that is, whether they must act:

- jointly;
- severally;
- jointly and severally; or
- by a majority.

If you want your alternative attorneys to act differently for personal and you want them to act for each matter.

Refer to the previous page for descriptions of how attorneys can act.

Not Applicable.

- *your Power of Attorney is on a monitoring service, if the POA or legislation change we notify you immediately*
- *the Power of Attorney comes with a letter on how to sign and use the Power of Attorney*

## Section 4: Start date

If you do not complete this section, your attorney(s) can start making decisions immediately on the making of this enduring power of attorney.

When can the attorney(s) start making decisions?

OR

**At the same time**

**for all matters** .....

Please choose one option.

Immediately on the making of this enduring power of attorney .....

When I cease to have decision making capacity for the matter(s) .....

From the time, in the circumstance or on the occasion .....  *Specify*

Not Applicable.

**At different times**

**for different matters** .....

Complete all that apply.

Immediately on the making of this enduring power of attorney,

for these matters .....  *Specify*

No You can build Enduring Power of Attorney here:  
<https://www.legalconsolidated.com.au/enduring-poa-introduction/>

When I cease to have decision making capacity for these matters .....  *Specify*

Not Applicable.

From the time, in the circumstance or on the occasion, for these matters .....  *Specify*

Specify the time, circumstance or occasion:

Not Applicable.

Specify the matters:

Not Applicable.

## Section 5: Conditions and instructions (optional)

Your attorney(s) is required to consider any conditions and/or instructions that you specify when making decisions for you. You do not have to place conditions or give instructions unless you want to.

The exercise of power under this enduring power of attorney is subject to the conditions and/or instructions set out below.

### Conflict transactions (optional)

Only fill in this section if an attorney has been appointed for financial matters

Sometimes there may be a conflict between the duty of your attorney(s) to you, or of a relative, business associate or close friend. You can authorise your attorney to enter into transaction(s) even if there is a conflict of interest.

I authorise my attorney(s) to enter into the following conflict transaction(s)

Not Applicable.

*Included in the cost of your Power of Attorney is free advice for your attorneys. Your attorneys are not alone:*

- there is information about how to use the POA in our covering letter. The letter comes with the POA.*
- our law firm helps them and shows them how to use the POA. We are always available to them.*

### Gifts (optional)

Only fill in this section if an attorney has been appointed for financial matters

An attorney for financial matters can use your money or other financial assets to make a gift or donation. Gifts must be of a seasonal nature or for a special event and be made to family members or close friends. An attorney can also give a gift to themselves, their relatives, close friends or organisations with which they have a connection. The donation must be the type of donation made when you had capacity or that you might reasonably be expected to make. All gifts and donations must be reasonable in the circumstances, particularly having regard to your financial situation.

Specify any conditions or restrictions that you want to place on the making of gifts or donations.

Not Applicable.

## Maintenance of your dependants (optional)

Only fill in this section if an attorney has been appointed for financial matters.

You can specify in your enduring power of attorney if you want your attorney for financial matters to use your money or other financial assets to provide for the needs of one or more of your dependants (for example, one of your children). The amount made available by your attorney to maintain your dependants must not be more than what is reasonable having regard to all the circumstances, in particular your financial circumstances, unless you specify otherwise in your enduring power of attorney.

Specify if you want to authorise your attorney for financial matters to provide for the maintenance of your dependant(s) from your money or other financial assets and, if so, whether you want to authorise an amount that is more than what is reasonable in the circumstances.

Not Applicable.

*We give you and your family ongoing support on the POA. Often when a parent loses mental capacity the children telephone us for help and assurance. For free, we explain how to use the Enduring POA and what they need to do.*

## Payments to attorney(s) (optional)

An attorney is not allowed to be paid to act as your attorney, unless payment is authorised by your enduring power of attorney or by law.

You can authorise your attorney(s) to be paid by specifying below how your attorney(s) can be paid and any limits on how much they can be paid.

Not Applicable.

## Additional conditions or instructions (optional)

You may want to set out additional conditions and/or instructions to guide your attorney(s). You may also want to specify a person(s) to be notified by the attorney, when the attorney starts acting for you, when you no longer have decision making capacity.

Enter conditions and instructions below.

Not Applicable.



## Section 6: Principal's signature

You need to sign and date this form by hand. You must sign the form in front of two witnesses. They must then sign and date the form in front of you and each other. One witness must be a medical practitioner, or be a person who is authorised to witness affidavits. A list of people who are authorised to witness an affidavit can be found at [justice.vic.gov.au/affidavit](http://justice.vic.gov.au/affidavit)

If you need someone to sign for you due to a physical disability, do not fill out this section. Fill out [Section A1](#) on page 17.

In this section, the words 'I', 'my' or 'me' refer to a witness. The word 'principal' means the person making this enduring power of attorney.

### Name of principal

Meredith Volante

### Residential or business address

9 Barnes Street, Burwood VIC 3125, Australia

Date of Birth: 10 April 1980

### Signature



### Date

--	--	--

### Witnesses

Each witness certifies that:

- the principal appeared to freely and voluntarily sign this instrument in my presence, and
- at that time, the principal appeared to me to have decision making capacity in relation to making this enduring power of attorney, and
- I am not an attorney under this enduring power of attorney, and
- I am not a relative of the principal or of an attorney under this enduring power of attorney, and
- I am not a care worker or accommodation provider for the principal.


### Name of authorised witness

--

### Residential or business address

--

### Signature


--

### Qualification (as a person authorised

--

### Date

--	--	--

### Name of other witness

--

### Residential or business address

--

### Signature


---

### Date

--	--	--

You can update your POA for free. If you ever want to update your POA just email us and we send you a voucher. With the voucher, you can change the POA as you want. You can update your POA as often as you wish for free.

## Section 7: Statement of acceptance of appointment by attorney

This section needs to be read and signed by each attorney being appointed. A witness must also sign the witness certificate for each attorney.

This section can be completed at the same time as the principal completes their section or at a later time.

### Attorney

I accept my appointment as attorney for the principal under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

Name of attorney

Jenny Chan

Position

*(if appointed as the occupant of a position)*

Not Applicable.

Residential or business address

12 Rowell Drive, Camberley  
Australia

Date of Birth: 15 September

Signature



Date

Witness

I witnessed the signing of the statement of acceptance by the attorney.

Name of witness

Residential or business address

Signature



Date

There is no legal requirement for an attorney to accept your POA within any time frame. An attorney can accept your POA many years later. And if you have appointed more than one attorney they can accept many years apart from each other.

## Attorney

I accept my appointment as attorney for the principal under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

## Name of attorney

Not Applicable.

## Position


*(if appointed as the occupant of a position)*

Not Applicable.

## Residential or business address

Your attorneys may be living outside of Australia in different countries. However, your POA won't come into operation for that attorney until that attorney does sign. But the signing can be done when the POA is actually needed.

## Signature



## Date

--	--	--

## Witness

I witnessed the signing of the statement of acceptance by the attorney.

## Name of witness

## Residential or business address

## Signature



## Date

--	--	--

## Appointed more than two attorneys?

If you have appointed more than two attorneys, each attorney must sign [Section A3: Acceptance by attorneys](#) on pages 22–23.

## Section 8: Statement of acceptance of appointment by alternative attorney

This section needs to be read and signed by each alternative attorney you are appointing. A witness must also sign the witness certificate for each alternative attorney.

This section can be completed at the same time as the principal completes their section or at a later time.

### Alternative attorney

I accept my appointment as an alternative attorney under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney, and
- I understand the circumstances in which the alternative attorney is authorised to act under the Powers of Attorney Act 2014, and
- I am prepared to act in place of the attorney for whom I am appointed, if still eligible to act as attorney, when authorised to do so under the Powers of Attorney Act 2014.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

### Name of alternative attorney

Not Applicable.

### Position

*(if appointed as the occupant of a position)*

Not Applicable.

### Residential or business address

Not Applicable.

### Signature



### Date

### Witness

I witnessed the signing of the statement of acceptance by the attorney.

### Name of witness

### Residential or business address

### Signature



### Date

After you build your POA, you print off two copies. You sign both copies. Both copies are originals. There is no legal requirement to hand over one of your original POAs to any of your attorneys. You may, however, wish to do so.

## Appointed more than two attorneys?

If you have appointed more than two attorneys, each attorney must sign [Section A3: Acceptance by attorneys](#) on pages 22–23.

### Alternative attorney

I accept my appointment as an alternative attorney under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney, and
- I understand the circumstances in which the alternative attorney is authorised to act under the Powers of Attorney Act 2014, and
- I am prepared to act in place of the attorney for whom I am appointed, if still eligible to act as attorney, when authorised to do so under the Powers of Attorney Act 2014.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

#### Name of alternative attorney

Not Applicable.

#### Position

*(if appointed as the occupant of a position)*

Not Applicable.

#### Residential or business address

#### Signature



#### Date

--	--	--

#### Witness

I witnessed the signing of the statement of acceptance by the attorney.

#### Name of witness

#### Residential or business address

#### Signature



#### Date

--	--	--

# Continuation sections

Only use these continuation sections if you are told to in the enduring power of attorney form. Many people make an enduring power of attorney without needing to use a continuation sheet.

## **Section A1: Signed at the direction of the principal**

Use this section if you need someone to sign for you.

## **Section A2: Appointments of attorneys**

Use this section if you need to appoint more than two attorneys.

## **Section A3: Acceptance by attorneys**

Use this section if you used Section A2 to appoint more than two attorneys. This is where the additional attorneys can sign and accept their appointment.

## **Section A4: Acceptance by alternative attorneys**

Use this section if you have more than two alternative attorneys. This is where the additional alternative attorneys can sign and accept their appointment.

## Section A1: Signed at the direction of the principal

If you need someone to sign for you, at your direction, they must be 18 years or older. They cannot be an attorney under this enduring power of attorney or a witness to the signing of this form.

I sign this enduring power of attorney at the direction of and in the presence of the principal.

**Name of principal**

Not Applicable.

**Name of person signing  
at the direction of the principal**

Not Applicable.

**Residential or business address**

Not Applicable.

**Signature**



**Date**

--	--	--

**Witnessed by:**

Each witness certifies that:

- in my presence, the principal appeared to freely and voluntarily direct the person to sign for the principal and that person signed this instrument in my presence and in the presence of the principal, and
- at that time, the principal appeared to me to have decision making capacity in relation to making this enduring power of attorney, and
- I am not an attorney under this enduring power of attorney, and
- I am not a relative of the principal or of an attorney under this enduring power of attorney, and
- I am not a care worker or accommodation provider for the principal, and
- I am not the person who is signing at the direction of the principal.

**Name of authorise witness**

Not Applicable.

**Residential or business address**

Not Applicable.

- speak to your potential attorneys to make sure they are happy to take on the onerous job of holding the attorney position

**Signature**



**Qualification (if not an attorney or person authorized to act as an attorney)**

Not Applicable.

**Date**

--	--	--

**Name of other witness**

Not Applicable.

**Residential or business address**

Not Applicable.

**Signature**



**Date**

--	--	--

## Section A2: Appointment of attorneys

The next two pages allow you to appoint a third attorney and an alternative attorney(s) (if required). You also need to specify what decisions your attorney can make.

I appoint the person listed below as my attorney.

### Name of attorney

Insert your attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

### Residential or business address

- let them know where the POA is kept "at my home in my grey filing cabinet and when it is needed you can get the POA and accept it then"

### What decisions can this attorney make?

I authorise my attorney to do anything on my behalf that I can lawfully do

by an attorney (including both personal and financial matters) .....

OR

I authorise my attorney to do anything on my behalf that I can lawfully do by an attorney for:

▶ Please select any that apply

personal matters only .....

*personal matters are matters that relate to your personal or lifestyle affairs but do not include matters that relate to medical treatment, or to medical research procedures. Common examples include access to support services and where and with whom you live.*

financial matters only .....

*financial matters are matters (including legal matters) that relate to your financial or property affairs. Common examples include paying expenses, making investments, undertaking a real estate transaction and carrying on a business.*

the following specified matters .....

– please specify each matter (such as, one or more personal and financial matters) that you want to authorise

Not Applicable.

Any attorney appointed in Section A2 will also need to sign a statement of acceptance. This can be completed in [Section A3](#) on pages 22–23. Only print and keep this continuation section with the form if you have used this section.



**Do you want to appoint an alternative attorney(s) for this attorney?**

No .....  *Go to next page*

Yes .....  *Provide details*

I appoint the person(s) listed below as my alternative attorney(s).

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

Not Applicable.

**Do you want to appoint another alternative attorney for this attorney?**

No .....  *Go to 'When can your alternative attorney(s) act?' in the next column*

Yes .....  *Provide details*

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

**Do you want to appoint another alternative attorney for this attorney?**

No .....  *Go to 'When can your alternative attorney(s) act?' below*

Yes .....  *Provide details*

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

Not Applicable.

**Residential or business address**

- you may wish to email them a soft copy and the covering letter that we provide so they can understand how it can be used in the future (it can be signed or unsigned, it is just a soft copy). If they need a hand, later on, they can telephone us for advice.

**When can your alternative attorney(s) act?**

You can specify below when your alternative attorney(s) can act. If you do not specify, an alternative attorney can only take the place of the attorney if:

- the attorney is unable or unwilling to act
- the appointment of your attorney is revoked (cancelled) because they are no longer eligible to be your attorney

As above.

Any alternative attorney appointed in Section A2 will also need to sign a statement of acceptance. This can be completed in [Section A4](#) on pages 24–26. Only print and keep this continuation section with the form if you have used this section.

The next two pages allow you to appoint a fourth attorney and an alternative attorney(s) (if required). You also need to specify what decisions your attorney can make.

### Do you want to appoint another attorney?

No .....  Return to [Section 3](#) on page 6

Yes .....  Provide details

I appoint the person listed below as my attorney.

#### Name of attorney

Insert your attorney's name or, if appointing a company, the business name. Insert the name of the occupant of a position.

Not Applicable.

#### Residential or business address

Not Applicable.

People think when you appoint someone under a POA you give them 'power'. It is quite the opposite. Your enduring attorney is in a fiduciary relationship with you.

### What decisions can this attorney make?

I authorise my attorney to do anything on my behalf that I can lawfully do

by an attorney (including both personal and financial matters) .....

OR

I authorise my attorney to do anything on my behalf that I can lawfully do by an attorney for:

▶ Please select any that apply

personal matters only .....

*personal matters are matters that relate to your personal or lifestyle affairs but do not include matters that relate to medical treatment, or to medical research procedures. Common examples include access to support services and where and with whom you live.*

financial matters only .....

*financial matters are matters (including legal matters) that relate to your financial or property affairs. Common examples include paying expenses, making investments, undertaking a real estate transaction and carrying on a business.*

the following specified matters .....

– please specify each matter (such as, one or more personal and financial matters) that you want to authorise

Not Applicable.

Any attorney appointed in Section A2 will also need to sign a statement of acceptance. This can be completed in [Section A3](#) on pages 22–23. Only print and keep this continuation section with the form if you have used this section.

Do you want to appoint an alternative attorney(s) for this attorney?

No .....  Return to [Section 3](#) on page 6

Yes .....  Provide details

I appoint the person(s) listed below as my alternative attorney(s).

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

**Residential or business address**

Do you want to appoint another alternative attorney for this attorney?

No .....  Go to 'When can your alternative attorney(s) act?' in the next column

Yes .....  Provide details

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

**Residential or business address**

Do you want to appoint another alternative attorney for this attorney?

No .....  Go to 'When can your alternative attorney(s) act?' below

Yes .....  Provide details

**Name of alternative attorney**

Insert your alternative attorney's name or, if appointing a company, the business name. Insert position, if appointing the occupant of a position.

**Residential or business address**

Fiduciary relationships are where the person acts in your best interest. They put your interest above their own. A financial planner, accountant, lawyer, director and trustee all bear that difficult burden.

**When can your alternative attorney(s) act?**

You can specify below when your alternative attorney(s) can act. If you do not specify, an alternative attorney can only take the place of the attorney if:

- the attorney is unable or unwilling to act
- the appointment of your attorney is revoked (cancelled) because they are no longer eligible to be your attorney

As above.

Return to [Section 3](#) on page 6

Any alternative attorney appointed in Section A2 will also need to sign a statement of acceptance. This can be completed in [Section A4](#) on pages 24–26. Only print and keep this continuation section with the form if you have used this section.

## Section A3: Acceptance by attorneys

This section needs to be read and signed by each attorney being appointed. A witness must also sign the witness certificate for each attorney.

This section can be completed at the same time as the principal completes their section or at a later time.

### Attorney

I accept my appointment as attorney for the principal under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

### Name of attorney

Not Applicable.

### Position

*(if appointed as the occupant of a position)*

Not Applicable.

### Residential or business address

You can build Enduring Power of Attorney here:

<https://www.legalconsolidated.com.au/enduring-poa-introduction/>

### Signature



### Date

--	--	--

### Witness

I witnessed the signing of the statement of acceptance by the attorney.

### Name of witness

--

### Residential or business address

--

### Signature



### Date

--	--	--

## Attorney

I accept my appointment as attorney for the principal under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

### Name of attorney

Not Applicable.

### Position

*(if appointed as the occupant of a position)*

Not Applicable.

### Residential or business address

Not Applicable.

### Signature



### Date

--	--	--

### Witness

I witnessed the signing of the acceptance by the attorney.

### Name of witness

--

### Residential or business address

--

### Signature



### Date

--	--	--

Your enduring attorney does not profit from their role as your enduring attorney. They cannot gain a personal benefit. They cannot benefit to a third party.

## Section A4: Acceptance by alternative attorneys

This section needs to be read and signed by each alternative attorney you are appointing. A witness must also sign the witness certificate for each alternative attorney.

This section can be completed at the same time as the principal completes their section or at a later time.

### Alternative attorney

I accept my appointment as an alternative attorney under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney, and
- I understand the circumstances in which the alternative attorney is authorised to act under the Powers of Attorney Act 2014, and
- I am prepared to act in place of the attorney for whom I am appointed, if still eligible to act as attorney, when authorised to do so under the Powers of Attorney Act 2014.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

Name of alternative attorney

Not Applicable.

Position

*(if appointed as the occupant of a position)*

Not Applicable.

Residential or business

Australia is a federation of States. Each State has its own Enduring POA. For example, a Victorian POA only works while you are in the State of Victoria.

Signature



Date

--	--	--

Witness

I witnessed the signing of the statement of acceptance by the alternative attorney.

Name of witness

--

Residential or business address

--

Signature



Date

--	--	--

## Alternative attorney

I accept my appointment as an alternative attorney under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney, and
- I understand the circumstances in which the alternative attorney is authorised to act under the Powers of Attorney Act 2014, and
- I am prepared to act in place of the attorney for whom I am appointed, if still eligible to act as attorney, when authorised to do so under the Powers of Attorney Act 2014.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

## Name of alternative attorney

Not Applicable.

## Position

*(if appointed as the occupant of a position)*

Not Applicable.

## Residential or business address

Not Applicable.

If you live in two States then you need to build two POAs. Build the first POA for one state. Then, build the second POA, as a second document, for the other state. You should have a POA in each State that you have land in.

## Signature



## Date

--	--	--

## Witness

I witnessed the signing of the statement of acceptance by the alternative attorney.

## Name of witness

--

## Residential or business address

--

## Signature



## Date

--	--	--

## Alternative attorney

I accept my appointment as an alternative attorney under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney, and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations, and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney, and
- I understand the circumstances in which the alternative attorney is authorised to act under the Powers of Attorney Act 2014, and
- I am prepared to act in place of the attorney for whom I am appointed, if still eligible to act as attorney, when authorised to do so under the Powers of Attorney Act 2014.

*If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty*

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty. ....

## Name of alternative attorney

Not Applicable.

## Position

*(if appointed as the occupant of a position)*

Not Applicable.

## Residential or business address

Not Applicable.

## Signature



## Date

## Witness

I witnessed the signing of the statement of acceptance by the alternative attorney.

## Name of witness

## Residential or business address

## Signature



## Date

Usually an out-of-State POA is not recognised. You need an Enduring POA in every State and every country in which you own assets. For example, if you have assets in Double Bay in NSW and the Gold Coast in QLD then you need two POAs. One for NSW. And another for QLD.



*You can build this document here:*

[https://www.legalconsolidated.com.au/  
enduring-poa-introduction/](https://www.legalconsolidated.com.au/enduring-poa-introduction/)

You have reached the end of this form. You do **not** need to submit this form anywhere.

You need to complete it, make sure it is signed and witnessed properly, and then keep the original in a safe place. You should give your attorney(s) a certified copy of this form.