

GENERAL POWER OF ATTORNEY

Part 1: General

This power of attorney is made on the _____ day of _____ 2006

By **JOHN CITIZEN** ("the principal") of 1 Smith Street, Newcastle.

1. I appoint my wife **MARY CITIZEN** of 1 Smith Street, Newcastle to be my attorney or if she is unwilling or not capable of acting my brother **PETER CITIZEN** of 2 Bridge Street, Newcastle and my brother-in-law **ANTHONY CLARKE** of 3 Brown Street, Newcastle. My attorneys may exercise the authority conferred on my attorneys by Part 2 of the *Powers of Attorney Act 2003* to do on my behalf anything I may lawfully authorise an attorney to do. My attorneys' authority is subject to any additional details specified in Part 2 of this document.
2. This power of attorney operates - immediately
3. If I appoint more than one attorney, then I appoint them jointly.

Part 2: Additional powers and restrictions

4. I authorise my attorneys to give reasonable gifts as provided by section 11(2) of the *Powers of Attorney Act 2003*.
5. I authorise my attorneys to confer benefits on the attorneys to meet the attorneys' reasonable living and medical expenses as provided by section 12(2) of the *Powers of Attorney Act 2003*.

SIGNED SEALED and DELIVERED by)

the said **JOHN CITIZEN** in the presence of:)

)

.....

.....

Witness

Name:

Address:

SIGNED SEALED and DELIVERED by)
the said **JOHN CITIZEN** in the presence of:)
)

.....

.....

Witness

Name:

Address:

Certificate under Section 19 of the *Powers of Attorney Act 2003*

Note: This certificate is to be completed only if clause 2 is retained and you want to create an enduring power of attorney.

I JOHN WILLIAM HOLLLIER, Solicitor

(Name)

of Peter Evans & Associates, 4th Floor, 6 Bolton Street, Newcastle

(Address)

1. I explained the effect of this power of attorney to the principal before it was signed.
2. The principal appeared to understand the effect of this power of attorney.
3. I am a prescribed witness.
4. I am not an attorney under this power of attorney.
5. I have witnessed the signature of this power of attorney by the principal.

Dated: 2006

- Solicitor
- Barrister
- Licensed conveyancer
- Registrar of a Local Court
- Employee of the Public Trustee
- Employee of a trustee company within the meaning of the Trustee Companies Act 1964
- Other (specify)

Note: Delete inappropriate categories

Acceptance by Attorney

Note: To be used for enduring powers of attorney only. It must be signed before the power of attorney can be used by the attorney.

I accept my appointment as an attorney under this enduring power of attorney.

.....
Attorney

.....
Attorney

Dated: 2006

Dated: 2006

Important Information for Principals and Attorneys

6. A power of attorney is an important and powerful legal document. You should get legal advice before you sign it.
7. A power of attorney gives the attorney the authority to buy and sell real estate, shares and other assets for the principal, to operate the principal's bank accounts, to spend the principal's money on behalf of the principal and to exercise many other powers. It is not to be used after the principal dies.
8. A power of attorney cannot be used for health or lifestyle decisions. The principal should appoint an enduring guardian under the *Guardianship Act 1987* if the principal wants a particular person to make these decisions. For further information contact the Guardianship Tribunal (toll free 1800 463 928 or www.gt.nsw.gov.au) or the Public Guardian ((02) 9265 3184 or 1800 451 510 or www.lawlink.nsw.gov.au/opg).
9. Part 2 of the power of attorney will permit the attorney to use the principal's money and assets for the attorney or anyone else as provided by clauses 5, 6 and 7. If the principal does not want this to happen, then the principal should delete the powers from Part 2 that the principal does not want to give the attorney.
10. An attorney must always act in the best interests of the principal. Unless the attorney is expressly authorised, the attorney cannot gain a benefit from being an attorney.
11. This power of attorney is for use in New South Wales only. If you need a power of attorney for interstate or overseas, you may need to make a power of attorney under their laws. The laws of some other State and Territories in Australia may give effect to this power of attorney. However, you should not assume this will be the case. You should confirm whether the laws of the State or Territory concerned will in fact recognise this power of attorney.
12. An attorney should keep the attorney's own money and property separate from the principal's money and property, unless they are joint owners, or operate joint bank accounts. An attorney should keep reasonable accounts and records about the principal's money and property.
13. If the attorney is signing documents that affect real estate, the power of attorney must be registered at Land and Property Information NSW.

For information on powers of attorney, the attorney's duties and registration, contact Land and Property Information NSW ((02) 9228 6666 for a fact sheet or www.lpi.nsw.gov.au) or a solicitor, a trustee company or the Public Trustee (www.pt.nsw.gov.au).

**Lodged for registration at the Department of Lands,
Land and Property Information Division (LPI) by**

LODGED BY:

LPI Delivery Box No: