

What is a Power of Attorney?

A Power of Attorney is a legal document authorising another person, such as a trusted friend or relative, to act on your behalf in your affairs. This person is known as your "attorney".

It is a convenient method of allowing someone to handle your affairs if you go overseas, take an extended holiday, suffer poor health or reach an age when you need greater assistance.

Knowing you have an attorney capable of dealing with your affairs when you are absent or infirm gives you peace of mind.

A Power of Attorney is just as important as a Will. Whilst a Will operates on your death, a Power of Attorney operates during your life.

Enduring Power of Attorney

Under an Enduring Power of Attorney, you may give your attorney the power to deal with all or any part of your financial, personal and health matters.

An Enduring Power of Attorney for financial matters comes into effect immediately it is signed or at your option on the date or even (eg incapacity) you elect, and continues to operate when you lose capacity to make decisions.

Your attorney can deal with your financial affairs at the same time as you unless you specify otherwise.

For personal and health matters, your Enduring Power of Attorney comes into effect on the date of incapacity.

Making an Enduring Power of Attorney

Speak to one of our experienced lawyers about:

- Your choice of attorney and number of attorneys
- The scope of power given to your attorney
- Any additional clauses (conditions/requirements) you may wish to add to the standard form
- When you would like the Enduring Power of Attorney to commence

We encourage you to consult with one of our experienced lawyers who will ensure that your Power of Attorney is properly drawn up and correctly signed and witnessed. To be valid, your Enduring Power of Attorney must be in the approved form and comply with strict witnessing requirements.

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