



NORTHERN TERRITORY OF AUSTRALIA

P	A	No:
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IMPORTANT NOTICE
Please Note Privacy Statement Overleaf

ENDURING POWER OF ATTORNEY

The donor appoints the donee as his or her enduring power of attorney and authorises him or her to execute all or any instruments that may be necessary for giving effect to any dealing with any property of the donor, including any land, estate or interest of which the donor is or may become the registered proprietor, with such specific additional powers as are set out or referred to on the back of this document and declares that such appointment shall continue notwithstanding any legal incapacity within the meaning of the *Powers of Attorney Act* on the part of the donor, occurring after the execution of this instrument.

(NOTES 1 - 2)

DONOR OF POWER

Name:	
Address:	

(NOTE 3)

DONEE OF POWER
(ATTORNEY)

Name:	
Address:	

(NOTE 4)

SPECIMEN SIGNATURE
OF DONEE

.....

(NOTE 5)

..... SIGNED by the Donor on (Date)
In the presence of: Qualified Witness:

(NOTES 6 & 7)

FORM OF ACCEPTANCE OF ENDURING POWER OF ATTORNEY (NOTE 8)

I,, **the donee** of the power of attorney created by the instrument on which this acceptance is endorsed, acknowledges that

- (a) the power of attorney is an enduring power; that is, it may, if registered, be exercised by me notwithstanding any legal incapacity, within the meaning of the *Powers of Attorney Act*, of, **the donor** of the power of attorney, occurring after the execution of that instrument; and
- (b) I will, by accepting this power of attorney, be subject to the requirements of part III of the *Powers of Attorney Act*.

.....
(Signature of Donee of the power of attorney)

(NOTE 9)

SPECIFIC POWERS

- 1. To comply with provisions contained in a Memorandum of Common Provisions recorded in the Register as No:.....
- 2. Additional Powers.

SCHEDULE OF NOTES

- 1. This form may be lodged in duplicate. The original must be printed, typed or completed in ink and contain the signatures of all parties and their witnesses, if any, in ink, as shall any duplicate. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties. This form has been developed taking into account the provisions under the *Powers of Attorney Act*.
- 2. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
- 3. Insert the donor of the power's full name and an address, which may be a postal address, for the service of notices.
- 4. Insert the donee of the power's full name and an address, which may be a postal address, for the service of notices. If more than one donee state whether they will be signing jointly or severally.
- 5. The power of attorney shall contain a specimen signature of the donee, except if the donee is specified by reference to a named position. Where the power of attorney purports to have been signed by a body corporate, it shall be authenticated by or on behalf of the corporation in manner permitted by law.
- 6. An instrument creating an enduring power shall be executed in the presence of a witness who is not the donee of the power or a near relative of the donee (section 14) of the *Powers of Attorney Act*.
- 7. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Directions.

- 8. The form of acceptance for an enduring power of attorney must be completed.
- 9. A power of attorney may incorporate any common provision contained in a Memorandum of Common Provisions retained by the Registrar, by reference to the provision in a way sufficient to clearly identify it - eg. by reference to the number of the memorandum. If not all the provisions of that memorandum are to apply, the numbers of the provisions that are to apply should be specified.

The Memorandum of Common Provisions are a guide only and may be added to or deleted.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Powers of Attorney Act* to collect the information on this form for the establishment and maintenance of the Register of Powers of Attorney, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.