

Guidance Notes

Enduring Power of Attorney

These Guidance Notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner or Registered Conveyancer.

An Enduring Power of Attorney “Do It Yourself” Kit providing more detailed information is available at Service SA. It may be ordered over the Internet at www.shop.service.sa.gov.au

All panels must be completed or struck through. If insufficient space, use approved annexure sheets. If more than one page is used, each must be numbered consecutively, e.g. 1-10, 2-10; 1/10, 2/10; or 1 of 10, 2 of 10.

All handwriting must be clear and legible in permanent, dense, rapid drying black or blue ink.

A Power of Attorney that contemplates some dealing with land under the *Real Property Act 1886*, is deposited with Land Services SA. If the dealing pertains to land under the general law the Power of Attorney is registered, then deposited in the G.R.O.

DONOR

Full name and current address to be stated.

It is acceptable to have multiple donors, but each will constitute a separate Power of Attorney and require separate fees and numbers.

DONEE

Full name and current address to be stated.

“Jointly” and / or “Jointly and Severally” must be struck through.

DECLARATION

Declare when Power is to operate from by striking through the inapplicable (i.e. either from the date the document is signed or only when the Attorney becomes legally incapacitated).

CONDITIONS, LIMITATIONS AND EXCLUSIONS

If any, they must be stated here. If none, write “Not applicable”.

EXECUTION

The attesting witness to the deed must be a person authorised by law to take affidavits

ACCEPTANCE

Write the full names of all donees. Donees sign the document and write the date it was signed.

FORM P2 (Version 3)