



 Powers
of Attorney





Powers of Attorney

**Want someone to
act on your behalf
but not sure how
to go about it?**

In life, there are bound to be times when you need someone to act on your behalf because you can't be there or for some other reason cannot deal with things yourself.

This might involve the person:

- signing a document while you're overseas;
- managing your business while you're travelling within the country but can't be contacted, or
- looking after your personal and financial affairs when you're too old, too ill or too incapacitated to do so yourself.

These, and similar situations, can be provided for by conferring a Power of Attorney on a person you know and trust. He or she can then manage your affairs as you would wish.

What is a Power of Attorney?

A Power of Attorney is a legal document naming a person whom you wish to act on your behalf. It details the exact nature of the duties you wish him or her to perform, when the Power of Attorney will commence and the period during which it will operate. Its primary purpose is to give you peace of mind when, for whatever reason, you cannot manage your affairs yourself.

A Power of Attorney can vary according to the situation

A Power of Attorney may be general – that is, the person can do on your behalf anything an attorney can lawfully do.

Alternatively, a Power of Attorney can operate for a specific purpose in limited circumstances only – as, for example, when you want to sell a house but cannot be there to sign the necessary documents.

Ordinary or enduring?

An **ordinary** Power of Attorney lapses if for some reason you become mentally incapacitated, while an **enduring** Power of Attorney is one that remains effective if, or because, you're no longer capable of managing your affairs yourself.

Revoking a Power of Attorney

You can revoke a Power of Attorney at any time you wish.

Frequently asked questions

We've noticed that when people are making a Power of Attorney they often have queries. Set out overleaf are some of the questions most frequently asked about Powers of Attorney.





Should I have a Power of Attorney?

If you're 18 or older, then yes. It covers you in the event of an accident or illness, or when you're not around and need things attended to in your absence.

Can anyone confer a Power of Attorney?

No. You must be older than 18 years and mentally competent to do so.

Whom can I name as my Power of Attorney?

Anyone older than 18 – and willing to assume this responsibility on your behalf – can be named as your attorney. Most people choose a family member.

I've just executed a Power of Attorney but now want to choose someone else. What should I do?

Revoke your existing Power of Attorney, write to your current attorney to say that you've done so, then execute a new Power of Attorney.

What happens if I die?

The Power of Attorney ceases to operate.

Can I create my own Power of Attorney document?

Some people do, but we advise against it unless you're trained to do so. Allion Legal have specialised in this area for more than 25 years. With the help of our professional legal advice, you can be sure your affairs will be properly managed and your assets protected.



Need to manage your assets in the best way possible?

Consult the experts – Allion Legal

There's simply no substitute for experience.

For more than 30 years Allion Legal have made Powers of Attorney a particular area of expertise. With the help of our professional legal advice, you can ensure that your affairs are always in order, no matter how or where you are.

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