



# Powers of Attorney Regulation 2004

under the

Powers of Attorney Act 2003

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Powers of Attorney Act 2003*.

ANTHONY BERNARD KELLY, M.L.C.,

Minister Assisting the Minister for Natural Resources (Lands)

## **Explanatory note**

The object of this Regulation is to prescribe the classes of persons who may certify that a document is a true and complete copy of a power of attorney.

This Regulation is made under the *Powers of Attorney Act 2003*, including sections 44 (1) (a) (ii) and 53 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature.

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## **Powers of Attorney Regulation 2004**

under the

Powers of Attorney Act 2003

### **1 Name of Regulation**

This Regulation is the *Powers of Attorney Regulation 2004*.

### **2 Commencement**

This Regulation commences on 16 February 2004.

### **3 Definitions**

In this Regulation:

*the Act* means the *Powers of Attorney Act 2003*.

### **4 Certification of copy of power of attorney**

For the purposes of section 44 (1) (a) (ii) of the Act, the following classes of persons are prescribed:

- (a) in the case of any document endorsed within Australia, the classes of persons referred to in Part 1 of Schedule 1,
- (b) in the case of any document endorsed within a foreign country, the classes of persons referred to in Part 2 of Schedule 1.

## **2004 No 47**

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Schedule 1 Persons who may endorse documents under section 44 of the Act

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### **Schedule 1 Persons who may endorse documents under section 44 of the Act**

(Clause 4)

#### **Part 1 Persons that may endorse documents within Australia**

accountants

bank managers

barristers

chancellors, deputy chancellors or deans of faculties of universities

commissioned officers in the defence forces of the Commonwealth  
of Australia

commissioners for taking affidavits

dentists

judges

justices of the peace

licensed conveyancers

magistrates

mayors or general managers of local government councils

medical practitioners

members of parliament of the Commonwealth or of any State or  
Territory

members of the police force of the Commonwealth or of any State  
or Territory

ministers of religion

notaries public

officers in charge of police stations

pharmacists

postal managers of post offices

principals or deputy principals of schools or colleges

registered surveyors

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registrars of Local Courts

solicitors

stockbrokers

veterinary surgeons

**Part 2 Persons that may endorse documents within a foreign country**

Australian or British Consular Officers exercising functions in the country where the document is executed or witnessed

commissioned officers in the defence forces of the Commonwealth of Australia

commissioners for taking affidavits

judges

justices of the peace

legal practitioners

magistrates

mayors or general managers of local government corporations

medical practitioners

notaries public

officers in charge of police stations