



New South Wales

Powers of Attorney Amendment (Form) Regulation 2014

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*.

ANDREW CONSTANCE, MP
Minister for Finance and Services

Explanatory note

The object of this Regulation is to ensure that certain provisions relating to prescribed witnesses in the prescribed form for creating a valid enduring power of attorney are in accordance with the requirements in respect of such witnesses set out in the *Powers of Attorney Act 2003*.

This Regulation is made under the *Powers of Attorney Act 2003*, including sections 8 and 53 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Powers of Attorney Amendment (Form) Regulation 2014*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Powers of Attorney Regulation 2011

[1] Schedule 2 Prescribed forms for power of attorney

Insert after paragraph (c) in clause 6 of Form 2:

(d) I am not an attorney under this power of attorney.

[2] Schedule 2, Form 2

Re-number existing paragraph (d) of clause 6 as paragraph (e).

[3] Schedule 2, Form 2

Insert “of the Commonwealth or of any State or Territory” after “Solicitor/barrister” in clause 6.

[4] Schedule 2, Form 2

Insert “who has successfully completed a course of study approved by the Minister” after “Licensed Conveyancer” in clause 6.

[5] Schedule 2, Form 2

Insert “who has successfully completed a course of study approved by the Minister” after “NSW Trustee and Guardian employee” in clause 6.

[6] Schedule 2, Form 2

Insert at the end of clause 6:

- Legal Practitioner qualified in a country other than Australia who is instructed and employed independently of any legal practitioner appointed as an attorney under this power of attorney.