

Powers of Attorney Regulation 2011

[2011-352]



New South Wales

Status Information

Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

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Powers of Attorney Regulation 2011



New South Wales

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

GREG PEARCE, MLC Minister for Finance and Services

1 Name of Regulation

This Regulation is the *Powers of Attorney Regulation 2011*.

2 Commencement

This Regulation commences on 1 September 2011 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the *Powers of Attorney Regulation 2004* which is repealed on 1 September 2011 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

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

(2) Notes included in this Regulation do not form part of this Regulation.

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.

5 Saving

Any act, matter or thing that, immediately before the repeal of the *Powers of Attorney Regulation 2004*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Persons who may endorse documents under section 44 (1) (a) (ii) of the Act

(Clause 4)

Part 1 Persons who 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

registrars of local courts or magistrates courts

solicitors

stockbrokers

veterinary surgeons

Part 2 Persons who 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