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DO YOU HAVE A POWER OF ATTORNEY IN PLACE?

If you ever reach the stage where, unfortunately, you are unable to manage your legal affairs, who will do this for you?

If you do not nominate someone, or several people, you may risk facing the situation that a Government tribunal will choose who conducts your legal affairs (such as banking, paying bills and other financial tasks).

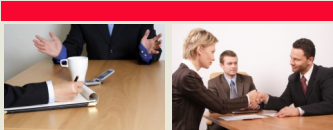
Most people understand that once they reach 18, the law in Australia gives them the right to conduct their business affairs and otherwise enter into legal relations. That is, an adult can do their own banking, sign their own taxation returns, sign contracts and attend to other legal matters.

It is important, therefore, that if you are in a situation where you are not able to attend to these matters yourself, you have in place an Enduring Power of Attorney that would enable someone you nominate to “step into your shoes” and perform the necessary activities on your behalf. For example, if you are planning an extended journey overseas you may appoint someone you trust to be your attorney, so that he or she can



look after your legal affairs, pay your bills and sign other documents that you cannot sign because you are overseas.

A Power of Attorney is a formal legal document that authorises a person to act on behalf of another and enables them to sign legally binding documents on behalf of the person who made the Power of Attorney. It is also important to ensure that the Power of Attorney is an enduring one. This means that, provided the Power of Attorney has been validly created and witnessed by an authorised witness, the powers given by the Power of Attorney will continue, or endure, even when the person who has made the Power of Attorney no longer has the legally required mental capacity to manage their own affairs (for example, if the person develops dementia or Alzheimer’s disease).



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