

## **POWERS OF ATTORNEY**

### **General Power of Attorney**

A General Power of Attorney is provided by the Donor to an Attorney or Attorneys (this can be any adult and does not have to be a legal practitioner) and gives them the authority to perform certain tasks on behalf of the Donor. The authority can be limited to specific tasks such as accessing the Donor's bank account, or it can provide the Attorney(s) with the authority to handle the Donor's affairs for whatever reason the Donor is unable to do so.

### **Enduring Power of Attorney**

As in the case of a General Power of Attorney, an Enduring Power of Attorney also gives the Attorney(s) the authority to perform certain tasks on behalf of the Donor. Whereas a General Power of Attorney would cease to be effective if the Donor has lost mental capacity, an Enduring Power of Attorney commences to be effective either immediately (whether temporarily or permanently) or at some defined time or upon some event. The most important distinction between the two types of Powers of Attorney is that the first is terminated when a Donor suffers mental incapacity and the other endures through any such mental incapacity.

A typical example of the use of an Enduring Power of Attorney is where the Donor is an elderly person who wishes to have a relative or close friend to take care of their affairs (such as paying bills, banking etc) in the event that the Donor suffers a potentially mentally debilitating event such as a stroke.

For further information about Powers of Attorney including quotes to prepare Powers of Attorneys please call David Ward at MorganWard Solicitors on 8272 5066.

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