



SIG-08 Signing by an Attorney under (Enduring) Power of Attorney

Version 1 - 16/06/2017

The information provided in this guide is not intended to amount to legal advice. Professional assistance may be required to determine the most appropriate action to protect your legal rights. Please read our [Terms of Use](#) on the Land Titles Registration policy and procedure guides web page. Landgate accepts no responsibility where parties print this guide and seek to rely on information that is out of date.

1 Overview

A person or corporation may appoint an Agent to do and sign documents on their behalf in the form of a Power of Attorney. A document executed by an attorney will not be accepted for registration unless the power of attorney under which the attorney acts is lodged and noted in this Office, except where the attorney is signing as transferee on the donor’s behalf. In that case, a registrable power of attorney need only be produced for inspection.

The proper style of execution by an attorney is shown below but in practice any form of attestation will be accepted provided it is clear that the attorney is signing as attorney.

As part of the registration process, the attestation by an attorney is checked to ensure that the attorney has the express power to carry out the intention of the instrument.

Execution under Power of Attorney/Enduring Power of Attorney should comply with the Transfer of Land Act 1893 (TLA) witnessing requirements. It is preferable that each Attorney’s signature is independently witnessed.

2 Examples of Signing/Execution Clauses

A proper execution by an attorney is:

Signed by (Name of Attorney) as

Attorney for (Name of Donor) in)

the presence of) (Signature of Attorney)

Witness

) P/A number

(Full Name, Address and Occupation)

3 Also see

[- SIG-01 Signing of Documents](#)
