Powers of attorney: new prescribed forms

From 13 September 2013, two new prescribed forms for powers of attorney are available for use: a general power of attorney form and an enduring power of attorney form. These forms replace the single form that was previously used to create both general and enduring powers of attorney.

To coincide with the introduction of the new forms, LPI has published a fact sheet with detailed information on creating powers of attorney. Copies of the two new forms are included in the fact sheet.

LPI recommends that the new forms be used immediately for both types of power of attorney as they provide additional options to a person appointing an attorney, which are not available in the previous prescribed form. They include options to appoint a substitute attorney and to allow the power of attorney to continue despite a joint attorney vacating office. The new forms also contain useful information for the person appointing an attorney and alert attorneys to their responsibilities and duty to act in the principal's best interests.

Use of the new form to create an enduring power of attorney will become mandatory from 1 March 2014. Consequently LPI will only accept enduring powers of attorney created from 1 March 2014 onwards on the new form.

However LPI will continue to accept general powers of attorney made on the previous form. Powers of attorney executed before 28 February 2014 will also continue to be accepted for lodgment by LPI regardless of the form on which they are created.

The new forms have been drafted in consultation with the Elder Law Committee of the Law Society of NSW, the Guardianship Tribunal, the Attorney General’s Department, NSW Trustee & Guardian, the Planning for Later Life Forum and the Department of Family and Community Services.

The changes have been introduced as a result of a review of the Powers of Attorney Act 2003 and subsequent amendments to the Act and related regulation as set out in the Powers of Attorney Amendment Act 2013 No 23 and Powers of Attorney Amendment Regulation 2013.

Further information


Prescribed forms for general power of attorney and enduring power of attorney can be accessed directly on LPI’s website at: http://www.lpi.nsw.gov.au/land_titles/general_forms.