

Preparation checklist *Form 16—Request to register power of attorney* for Form 2 or Form 3—Enduring power of attorney

This checklist contains general information to assist practitioners complete a basic request to register power of attorney. It is not intended to be a complete guide. For further information about the requirements of a *Form 16—Request to register power of attorney*, refer to Part 16 of the Land Title Practice Manual available at: <https://www.titlesqld.com.au/manual-guides/land-title-practice-manual/>.

Note: An enduring power of attorney should not be used for capabilities such as a trustee, a business partnership, a director of a company, or a company. A Form 1 – General Power of Attorney is the appropriate form to record these capacities.

Form 2 (short form) or Form 3 (long form)—Enduring power of attorney

Form 9 – Enduring power of attorney explanatory guide

Refer to the [Form 9 – Enduring power of attorney explanatory guide](#) for information about the proper completion of the Form 2 (short form) and Form 3 (long form) enduring power of attorney form including instructions and examples.

Certified Copy pursuant to s 45 of the *Powers of Attorney Act 1998*

- For a certified copy made prior to 30 November 2020 is—
- each page of the copy on a single-sided A4 sheet of paper (for scanning purposes);
 - each page, other than the last page, of the copy certified to the effect that the copy is a true and complete copy of the corresponding page of the original;
 - the last page of the copy certified to the effect that the copy is a true and complete copy of the original;
 - the certification by a person authorised by section 45 (e.g. the principal, a Justice of the Peace or a lawyer); and
 - sufficient information included in the certification to identify the certifier and the position/qualification that makes them eligible to certify the copy?
- For a certified copy made on or after 30 November 2020 is—
- each page of the copy on a single-sided A4 sheet of paper (for scanning purposes);
 - each page either certified or signed/initialled by the certifier;
 - a suitable certification clause completed by the certifier included on the face of the copy that:
 - contains words to the effect that the document is a true and complete copy of the original; and
 - contains sufficient information to clearly identify the certifier and the position/qualification that makes them eligible to certify the copy; and
 - the certification by a person authorised by section 45 (e.g. the principal, a Justice of the Peace or a lawyer)?

For an example of a process to make a certified copy, refer to page 18 of the [Form 9 – Enduring power of attorney explanatory guide](#).

Form 16—Request to register power of attorney

Items

Item 1

- Does the principal's name agree with that stated in the power of attorney?
- Are the non-applicable words deleted or ruled through?

Item 2

- Does the attorney's name agree with that stated in the power of attorney?
- If more than one attorney, are the relevant words shown to indicate the way the attorneys are to act and does this agree with the power of attorney — for example jointly as a majority?

Item 3

- Are the non-applicable statements deleted or ruled through?

Item 4

- Is the request executed?
- If signed by a solicitor, is the full name legibly printed below the signature?