

Preparation checklist *Form 16—Request to register power of attorney* and *Form 1—General power of attorney*

This checklist contains general information to assist practitioners complete a basic request to register power of attorney and associated general 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* and *Form 1 — general power of attorney*, refer to Part 16 of the Land Title Practice Manual available at

[Land Title Practice Manual \(LTPM\) - Titles Queensland \(titlesqld.com.au\)](http://titlesqld.com.au)

Form 1—General power of attorney

Clauses

Clause 1

- ☐ Are the principal's full name and address shown?
- ☐ If the principal is acting as a trustee, is the full name of the trust shown after the principal's name?
- ☐ Are the full names of each attorney shown?

Clause 2

- ☐ If more than one attorney appointed, is the relevant box ticked?

Clause 3

- ☐ If more than one attorney appointed, is the relevant box ticked indicating how the attorneys are to make decisions?
- ☐ If as a majority, are specific directions included?
- ☐ If box for other is ticked, are specific directions included?

Clause 4

- ☐ If the power of attorney is limited to certain terms, is the word 'limited' or words 'restricted to' used to describe the terms? **Note:** if these are not used, the Registrar will consider the terms as additional terms.

Clause 5

- ☐ Is only one box ticked?
- ☐ If required, is a specific date or circumstance on which the attorney's powers are to commence shown?

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Clause 6

- ☐ Is the form signed by the principal?
- ☐ Is the principal's signature witnessed by a witness authorised by Schedule 1 of the *Land Title Act 1994*?
- ☐ If executed under a common seal, is it legible and capable of being copied?
- ☐ If executed without a common seal, are the company name and ACN/ARBN shown?
- ☐ Are the designations of the signatories for a company shown?
- ☐ Is the form dated?

Form and evidence

- ☐ Is the correct form used?
- ☐ If other than a purchased pre-printed form is used, are the form number, relevant section of the *Powers of Attorney Act 1998* and general notes regarding powers of attorney shown in the power of attorney?
- ☐ If a copy of the power of attorney, certified pursuant to s. 14 of the *Powers of Attorney Act 1998* is being lodged, is—
 - 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; and
 - the last page of the copy certified to the effect that the copy is a true and complete copy of the original; and
 - the certification by a person authorised by the above section?
- ☐ Is any supporting documentation required to be deposited — for example trust documents or evidence of incorporation?

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?
- ☐ If the principal is acting as trustee or responsible entity, is this shown?
- ☐ If the principal is acting as trustee, is the full name of the trust shown?
- ☐ 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?
- ☐ If the principal is a trustee or authorised by a mortgage, a lease or an agreement, has the clause in that documentation authorising the appointment of an attorney, been stated here?

Item 4

- ☐ Is the request executed?
- ☐ If executed under a common seal, is it legible and capable of being copied?
- ☐ If a company and executed without a common seal, are the company name and ACN/ARBN shown?
- ☐ Are the designations of the signatories for a company shown?
- ☐ If signed by a solicitor, is the full name legibly printed below the signature?