

NOTES

This form only needs to be completed if lodging an EPA with Landgate

FEE FOR LODGEMENT

Landgate charges the following fee(s) for lodgement:

\$85 (July 2007)

ADDITIONAL FEE(S) FOR INCORRECT LODGEMENT:

Please review the contents of this EPA against the checklist on the reverse of this form before lodging the form.

Where an EPA is lodged and Landgate identifies any correctable error or defect, the lodging party may be required to have the error or defect corrected within 14 days. This is usually done by Landgate issuing a Requisition Notice. A Requisition Fee (\$64 - July 2007), is usually charged in those cases where the requisition arises from a mistake that is clearly a matter of fact. Landgate's checklist on the reverse of this page has been developed from these errors or defects.

Where an erroneous or defective EPA has not been corrected within the time allowed, Landgate may reject the EPA and any balance of the lodgement fee paid is forfeited as a penalty.

If within the time allowed for correction of an error in an EPA, the lodging party by written request withdraws the EPA, the document will be returned and part of the fee retained.

At its Midland Square office, Landgate provides customers with free advice on completion and lodgement of an EPA. Generally, when an EPA is lodged at Midland, it is able to be recorded and returned to the lodging party at that time.

Note: Staff at Landgate offices in Perth and Bunbury are not qualified to provide advice. Additionally, an EPA lodged at these offices will usually be recorded and returned to the lodging party within 2 weeks.

Acknowledgment

I hereby acknowledge that I have read the **Notes** above and that I have reviewed the contents of the EPA against the **Checklist** on the reverse of this form, prior to lodging the form.

I also acknowledge that I am aware that Landgate may charge a fee should Landgate need to contact me in order to have any errors or defects corrected.

Lodging Party Signature:

EXAMINED

OFFICE USE ONLY

**ENDURING POWER OF ATTORNEY
COVERSHEET FOR LODGING AT LANDGATE**

LODGED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY

ADDRESS

PHONE No.

FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

- | | |
|----------|-----------------|
| 1. _____ | Received Items |
| 2. _____ | Nos. |
| 3. _____ | |
| 4. _____ | Receiving Clerk |

Deposited pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.



ENDURING POWER OF ATTORNEY COVERSHEET FOR LODGING AT LANDGATE

CHECKLIST

(Please check the list below and TICK each box prior to lodgement of your EPA form at Landgate)

ENDURING POWER OF ATTORNEY (EPA) FORM

Donor (Person giving the power)

- Date the EPA is made is included at the top of the form
- Name of the Donor is written in full (initials are not used)
- The address of the Donor is included in the form

Clause 1 - Attorney (also called Donee – person given the power)

- No more than two Attorneys have been appointed to act at any one time.
- If two Attorneys are appointed, then either the **jointly** or **jointly and severally** option is struck out.
- Full names and addresses of each Attorney are included (initials not to be used). These details are contained in the correct lines on the form.

Clause 1A – Substitute Attorney (optional)

- No more than two Substitute Attorneys may be appointed to act at any one time.
- If two Substitute Attorneys are appointed, then either the **jointly** or **jointly and severally** option is struck out.
- Full names and addresses of each Substitute Attorney (if applicable) are included (initials are not used). These details are contained in the correct lines on the form.

Substitute Events or Circumstances

- If a Substitute Attorney is being used, the event on which the substitution is to take place, such as death or incapacity, is included in the form (if no Substitute Attorney – leave blank)

Clause 3 Conditions or Restrictions

- If you chose to impose conditions or restrictions on the power you are giving your Attorney, you have done so here (otherwise leave blank)

Clause 4

- The Donor has struck out either 4(a) or 4(b). This determines when the EPA will be in force. The choice should be the same as in the corresponding clause in the Acceptance form

Signing

- The EPA form is signed by the Donor using their usual signature

Witnessing

- The EPA is witnessed by two **Authorised Witnesses** (refer list of "Witnesses to an EPA" in the EPA Information Kit)

Each Witness has:

- signed using their usual signature
- printed their full name on the line below their signature
- specified their address
- specified their occupation (and/or qualification as a witness)

ACCEPTANCE OF ENDURING POWER OF ATTORNEY FORM

Clause 1 – Attorney

- Full names of each Attorney are included

Clause 1A – Substitute Attorney (if applicable)

- Full names of each Substitute Attorney are included

Accept and of Appointment and Acknowledgement

- Ensure the Donor has selected either option 4(a) or 4(b) on the EPA form and has struck out the clause that does not apply. The Attorney must choose the same option on the Acceptance form and must strike out the one that does not apply.

Signed

- The form is signed by the Attorney (under either Clause 1 or Clause 1A using their usual signature).
- The date of Acceptance by the Attorney is included where indicated in the form. The date of acceptance cannot be earlier than the date the Enduring Power of Attorney was signed by the Donor.

ADDITIONAL INFORMATION

Errors in Completing the Form

- No alteration is made by erasure. If applicable the words rejected have been scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

Correcting Fluid

- Must not be used as it is not possible to determine who has made the correction, especially in the common circumstance where the correction is not initialled.

Photocopies not accepted by Landgate

- For the purposes of lodging an EPA with Landgate two original EPA forms are required. Each form has been **individually signed by all parties and witnesses**.

Statutory Declaration

- If the EPA is lodged more than 3 months after the EPA was signed a Statutory Declaration from the Attorney is also included with this EPA verifying that the appointment of the Attorney and the conditions and restrictions specified in the EPA still apply. (Refer to the EPA Information Kit).