



Revoking the power of attorney document:

If you gave someone a Power of Attorney (**POA**), there may be all sorts of reasons why you might want to revoke it. A power of attorney can be revoked (that is, cancelled) at any time as long as you still have mental capacity.

It is clearer for everyone if you revoke the enduring power of attorney in writing, especially if it is registered at Land and Property Services NSW.

There is no set or prescribed form for revoking a power of attorney – a letter will do. However, a suggested form for Revocation of Power of Attorney is attached at the end of this fact sheet – provided by Land and Property Information Division (LPI).

Whether you use a form or just a letter you must give a copy to the attorney to ensure that they know that the power of attorney has been revoked. There is no obligation to register the revocation, but if the power of attorney has been registered it is advisable to register the revocation. You should also inform your bank, and anyone else who might be expected to act on the faith of the power of attorney, that it has been revoked.

Can't I just tear up the POA?

You could. But your Attorney may have retained a copy that you are not aware of. Your Attorney could still use it even though you don't want them to anymore.

The Revocation document puts it beyond doubt that the Power of Attorney has been revoked. You need to send a copy of the Revocation to your Attorney to make them aware that the POA has been withdrawn from them. It would then be illegal for them to keep using it, and all copies of the POA should be destroyed.

Your Attorney could also have lodged your POA for registration at the Department of Land and Property Information NSW, if there was an anticipated need to sell and/or deal with land.

Even if you never registered it yourself, or you are not sure whether your Attorney registered it, it may be a good idea to lodge the copy of the Revocation. This is to make sure that your Attorney cannot go and register the Power of Attorney later, even though you revoked it.

For more information about registration contact Land and Property Information NSW:

1300 052 637 or (02) 9228 6666 or visit the website at www.lpi.nsw.gov.au

E: GeneralEnquiry@lpi.nsw.gov.au

Revocation of Power of Attorney

I.....
(Name of principal)

hereby revoke the Power of Attorney Dated: ____/____/____
(Insert the date of the power of attorney)

appointing.....
(Insert the name(s) of the attorney(s))

Registration number of the power of attorney is:

BookNo.....
(Complete only if the power of attorney is registered)

Signature of principal: Dated: ____/____/____

Signature of witness:

Name of witness:

Address of witness:

.....

Notes

1. You must give a copy of this revocation to your attorney to notify him or her that the power of attorney has been revoked.
2. Any adult may witness the principal's signature. The witness does not have to be a justice of the peace, solicitor or other 'prescribed witness'.
3. There is no requirement to register this revocation, but if the power of attorney being revoked has been registered it is advisable to do so. If you wish to register this revocation, you must lodge it at Land and Property Information (LPI), Queens Square, 1 Prince Albert Rd, Sydney 2000 together with a completed Deed Index Particulars form (attached).

PLEASE CONTACT LPI, before sending documents to find out what the costs of registration will be; how to make payments; and what original documents need to accompany the application form.

If you require further information contact LPI's Customer Service Centre T: 1300 052 637 or visit the LPI website www.lpi.nsw.gov.au

