

Uniform Powers of Attorney Act

(1978 Proceedings, page 33)

1.—(1) Where the authority under a power of attorney is terminated, an act in pursuance of the power by the attorney in favour of a person who does not know of the termination of the authority is valid and binding in favour of the person and in favour of a person claiming under him.

Termination
of authority
under power
of attorney

(2) Where the authority under a power of attorney is terminated, the attorney is not liable to the donor of the power or the estate of the donor for an act in pursuance of the power where the attorney did not know, and with the exercise of reasonable care would not have known, of the termination of the authority.

Idem

2.—(1) The authority of an attorney given by a written power of attorney that,

Enduring
power of
attorney

- (a) provides that the authority is to continue notwithstanding any mental infirmity of the donor; and
- (b) is signed by the donor and a witness, other than the attorney or the spouse of the attorney, to the signature of the donor,

is not terminated by reason only of subsequent mental infirmity that would but for this Act terminate the authority.

(2) Subject to section 1, the authority of an attorney under a power of attorney referred to in subsection (1) terminates on the appointment of a committee (or other method by which a committee is established for the estate of the donor in the enacting jurisdiction).

Effect of
appointment
of a
committee

