

# Power of Attorney Additional Information

## You have finished creating your Power of Attorney. What's next?



### Review the Document

Your Power of Attorney is an important document. Before you sign your Power of Attorney, you should look over the document to ensure that you understand and agree with the powers you have given to your Attorney.



### Speak to your Attorney

It is important to speak with the person(s) that you have given authority to in order to make sure that they understand the breadth and limits of their ability to act on your behalf.



### Sign your Power of Attorney

You will need to gather your Witness(es) and have them sign on the applicable page in front of you and if your Power of Attorney includes a Notary Acknowledgment, a Notary Public. The Notary will then acknowledge and sign the document. As part of the signing process, the Witness(es) and the Notary should also initial each page of the document.

In the presence of your Notary and Witness(es), you must also sign on the applicable page and initial each page of the document.

If your province/territory requires any further documentation that needs to be signed and witnessed, you will find it in the "Additional Documents" section after you have created your Power of Attorney. For example, if you live in British Columbia and have granted your Attorney the power to make real estate decisions on your behalf, you will need to complete a Certification for Land Title Purposes and a Statutory Declaration of Attorney for Land Titles.

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### Storing or Recording your Power of Attorney

If you have granted the power to act on your behalf in Real Estate transactions, your Attorney will likely need to have the document recorded in order for the Power of Attorney to be recognized. This typically takes place at the land registry office in the jurisdiction where the property is located. Otherwise, you should store your original document in a safe place and provide a copy for your Attorney so that they will be able to use the powers you have granted them.

### Additional Tips

- Remember that your witness(es) cannot be your spouse, partner, child, Attorney (including alternate choices) or their spouse.
- Your witness(es) must be of legal age in your jurisdiction, have capacity, and be mentally capable of managing their property and making their own decisions.

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### Complete your Estate Plan

You need more than a Power of Attorney to fully manage and protect your estate. A good estate plan also includes a Last Will and Testament, Living Will, and in some cases, a Living Trust. All these documents, along with explanatory help, are available for free at [LawDepot](#).



### Related Documents

The following are documents that you may find useful as you finish building your estate plan:

- **Gift Deed**  
Transfer ownership of real estate, personal property, or intellectual property without receiving anything of value in return.  
<http://www.lawdepot.com/contracts/gift-deed/>
- **Bill of Sale**  
Transfer ownership of personal property.  
<http://www.lawdepot.com/contracts/bill-of-sale/>
- **Last Will and Testament**  
Manage your estate and provide instructions for the distribution of your property at death.  
<http://www.lawdepot.com/contracts/last-will-and-testament-usa/>
- **Revocation of Power of Attorney**  
Revoke your Power of Attorney.  
<http://www.lawdepot.com/contracts/revocation-of-power-attorney/>
- **Living Will (Health Care Directive)**  
Indicate your medical wishes in case you become incapacitated or otherwise unable to consent to your health care treatment.  
<http://www.lawdepot.com/contracts/living-will-personal-directive/>

Know someone who could use free legal resources?

Tell your friends using the links below:



## CONTINUING POWER OF ATTORNEY

**THIS CONTINUING POWER OF ATTORNEY** is given by me,

\_\_\_\_\_, presently of

\_\_\_\_\_, on the \_\_\_\_\_

of \_\_\_\_\_, \_\_\_\_\_

### **Nature of Power**

1. THIS IS A CONTINUING POWER OF ATTORNEY and the authority of my Attorney shall not terminate if I become disabled or incapacitated or in the event of later uncertainty as to whether I am dead or alive.

### **Previous Power of Attorney**

2. I REVOKE any previous power of attorney granted by me.

### **Attorney**

3. I APPOINT \_\_\_\_\_, of \_\_\_\_\_, to act as my Attorney.

### **Alternate Attorney**

4. On the death, refusal or inability of \_\_\_\_\_ to act or continue to act, I APPOINT \_\_\_\_\_, of \_\_\_\_\_ to act as my alternate Attorney.

### **'My Attorney'**

5. I will refer to my Attorney and my alternate Attorney as 'my Attorney'.

### **Governing Legislation**

6. My Attorney will act in accordance with the *Substitute Decisions Act* of the Province of Ontario, as may be amended from time to time.

### **Effective Date**

7. This Power of Attorney will start immediately and will continue notwithstanding my mental incapacity or mental infirmity which may occur after my execution of this Power of Attorney.

**Powers of Attorney**

- 8. My Attorney has authority to do anything on my behalf that I may lawfully do by an attorney (the 'general power').

**Specific Powers**

- 9. Without restricting its generality in any way, the following powers are specifically included within the foregoing general power:

**Additional Powers**

- a. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**Attorney Compensation**

- 10. My Attorney will be compensated as follows:
  - a. My Attorney will be reimbursed for all out of pocket expenses associated with the carrying out of my wishes; and
  - b. \_\_\_\_\_  
\_\_\_\_\_

**Co-owning of Assets and Mixing of Funds**

- 11. My Attorney may not mix any funds owned by him or her in with my funds and all assets should remain separately owned if at all possible.

**Personal Gain from Managing My Affairs**

- 12. My Attorney is not allowed to personally gain from any transaction he or she may complete on my behalf.

**Attorney Restrictions**

13. This Power of Attorney is subject to each of the following conditions or restrictions:

a. \_\_\_\_\_

**Severability**

14. If any part of any provision of this instrument is ruled invalid or unenforceable under applicable law, such part will be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provisions or the remaining provisions of this instrument.

**Acknowledgment**

15. I, \_\_\_\_\_, being the Grantor named in this Power of attorney hereby acknowledge:

- a. I have read and understand the nature and effect of this Power of attorney;
- b. I am of legal age in the Province of Ontario to grant a Power of attorney; and
- c. I am voluntarily giving this Power of attorney.

**IN WITNESS WHEREOF** I hereunto set my hand and seal at the City of \_\_\_\_\_ in the Province of Ontario, this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.

**SIGNED, SEALED, AND DELIVERED**  
in the presence of:

Witness: \_\_\_\_\_ (Sign)

Witness Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Witness: \_\_\_\_\_ (Sign)

Witness Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Grantor)

**NOTARY ACKNOWLEDGMENT**

The Province of Ontario

City/Town \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same as and for his/her respective act and deed for the purposes expressed therein.

In witness whereof I hereunto set my hand and seal.

\_\_\_\_\_  
A Notary Public in and for the Province of Ontario

My commission expires: \_\_\_\_\_