# POWER OF ATTORNEYS

*Please read these notes carefully*

Please always check with the receiving jurisdiction (those who are receiving and dealing with the Power of Attorney) about what needs to be included in any Power of Attorney

# WHAT IS A POWER OF ATTORNEY (POA)?

* You are giving powers to act on your behalf to do certain acts.
* The POA will need to be accepted by authorities in that country
* The POA should always be drafted by a lawyer
* The POA should have specific things that you are allowing the attorney to do.
* The POA should be limited in time
* The POA must be by deed. This means we must add the words “By Deed” to make it valid
* You will need to ask if the POA needs to be Apostilled (also called stamped in accordance with the Hague Convention) or have additional consular legalisation.

# WHAT DOES A POA DO?

A POA should specify what powers you are giving to the person you are appointing as your attorney. This could include the authority to:

* Make financial decisions, such as managing your bank accounts and investments
* Sell or buy property
* Represent you in legal matters

# WHAT DOES THE POA SAY?

You should read the POA carefully to check the following:

* Is it wide enough to do what you need it to do?
* Is it too wide, does it need to be restricted in time (say one year) or scope?
* Do you understand it?
* Do you trust the person you are giving the power of attorney?
* Are you delegating any powers – This means that the person you are giving the power of attorney can delegate to anyone he/she chooses.

# How do I revoke a POA?

This needs to be done by deed, that also needs to be notarised.

# What do I need to check before I come in?

Check the instructions given by the receiving party in the country you are dealing with, there are different requirements for different Authorities.

1. Does it need an apostille (Foreign & Commonwealth (FCDO) certificate)?
2. Does it need to be sealed by the Indian Consulate – Check what they require?

# What do I need to bring with me to the appointment?

1. Passport
2. Utility or council tax bill not older than 3 months
3. The Power of attorney, please make sure there is sufficient space for all the signatories, witnesses (if any), the photograph and Notarial certificate, stamps and Seal, and about half a page blank for the consulate.

# What can be the reasons for the rejection by the receiving party?

For various reasons and which may not been made clear in the instructions and therefore you must obtain an email or guidance before you start

# What are the consequences of rejection of the Power of Attorney?

1. Delay
2. Cost of re- notarising the document
3. Cost of reapplying for the apostille

If a POA is rejected, it may mean that you will not be able to complete the transaction or activity that you intended to do. This could lead to delays, additional costs, and other problems. We suggest you send this to your lawyers or agent to check before you finalise it.

*Please read this in conjunction with my terms of business*