

## Enduring powers of attorney – the living will

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Sometimes referred to as “the living Will”, the Enduring Power of Attorney (EPOA) gives another person power to make decisions on your behalf.

“Enduring” simply means that the attorney’s powers continue even after you lose capacity to make decisions yourself.

With an EPA you can nominate people (attorney/s) to act on your behalf in certain situations.

- If you lose physical or mental incapacity;
- If you go overseas trip;
- Even if it is just convenient.

If you want certainty about who will make decisions on your behalf when you need it most and you are over 18 then you should have an EPA.

### **Who should you appoint as your attorney?**

You should always choose somebody you trust. People generally choose their spouse first and then maybe an adult child as a successive, or reserve, attorney.

Consideration should always be given to your attorney’s ability to handle your affairs. This is particularly relevant for those of you who are employers and or those who have complex financial situations.

### **What happens if you don’t have an Enduring Power of Attorney?**

If you do not have an Enduring Power of Attorney, financial decisions may be made by The Public Trustee and personal/health decisions would be decided by your statutory health attorney.

It is easy to imagine the difficulties this situation would cause you, your family and your business if you are not able to make decisions yourself and nobody had been appointed as your Attorney.

### **Contact us**

If you need any further information about this topic please contact:

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