

NORTHERN TERRITORY OF AUSTRALIA

POWERS OF ATTORNEY AMENDMENT REGULATIONS 2008

Subordinate Legislation No. 7 of 2008

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Powers of Attorney Amendment Regulations 2008

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Powers of Attorney Act*.

Dated 16 April 2008.

T. I. Pauling
Administrator

By His Honour's Command

C. B. Burns
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 23 April 2008.

1 Citation

These Regulations may be cited as the *Powers of Attorney Amendment Regulations 2008*.

2 Regulations amended

These Regulations amend the *Powers of Attorney Regulations*.

3 Commencement

These Regulations commence on the commencement of Part 6 of the *Justice Legislation Amendment Act 2008*.

4 Amendment of regulation 5 (Procedure for registration)

(1) Heading, after "**registration**"

insert

of local instrument

(2) Regulation 5(1A)(b)

omit

subject to subregulation (1B),

(3) Regulation 5(1A)(b)(iv), before "the original"

insert

in the case of a power of attorney that is a deed –

(4) Regulation 5(1B) and (2A)

omit

5 New regulation 5AA

After regulation 5

insert

5AA Procedure for registration of interstate instrument

(1) A party to an interstate instrument may apply to register the instrument by depositing with the Registrar-General:

(a) a duplicate or attested copy of the instrument; and

(b) the prescribed fee.

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- (2) The Registrar-General must not register the instrument unless the instrument has been certified:
- (a) by an Australian legal practitioner as having been executed or registered in compliance with the laws of the State or Territory in which the instrument was created; or
 - (b) by an interstate registering authority as having been registered by the authority.
- (3) In this regulation:

interstate instrument means an instrument mentioned in section 7(1A) of the Act.

interstate registering authority means an authority with the power under the laws of a State or another Territory to register an instrument creating a power of attorney.