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Your Reference: Medical Power of Attorney
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Tuesday, 13 April 2022

Steven Galanos
4 Alfred Drive
West Launceston TAS
Australia

Build this legal document at
<https://www.legalconsolidated.com.au/medical-power-of-attorney-intro/> -
telephone us, we can help you
complete the questions.

Adj Professor, Dr Brett Davies - Partner

Medical Power of Attorney

Thank you for instructing us to prepare your attached Instrument Appointing Enduring Guardian(s) for Tasmania (TAS Medical POA).

How to print your document

When you are satisfied that the document is according to your instructions please:

1. Download the PDF (Don't print directly from the browser.)
2. Print the PDF Printer settings: A4 paper
100% scale (turn off 'fit to page')
3. Print single sided (NOT duplex).
4. Once signed keep this covering letter with the document
(However, do not staple the covering letter to the document.)

What is a Medical Power of Attorney?

This document is designed to empower you to decide how your future personal, lifestyle and healthcare decisions are made, if you become unable to make those decisions yourself.

Wouldn't my spouse make my decisions for me?

The Medical Power of Attorney gives greater rights. If you wish your spouse, de facto partner, children or others you choose to make your decisions if you become unable, then you should name them as your guardian. If you want it to be someone else, name them instead.

When does the document come into effect?

This document ONLY comes into effect when you have lost capacity to make decisions for yourself such as being in an accident. There are no circumstances where it would be used while you are still able to make reasonable judgements about the matters covered by this document.

Get a Doctor's Certificate to say you are of sound mind.

Get a Doctor's Certificate to say you are of sound mind. You must have full legal capacity to sign this document. Ask your doctor to give you a written note to say you are of sound mind. Keep the Doctor's note with the Medical Power of Attorney. Without a Doctor's note your Medical Power of Attorney may not be valid.

What decisions can the person receiving my Medical Power of Attorney make?

The person or persons you have appointed can make personal, lifestyle and health care decisions.

Some of these decisions can include:

- where you live, whether permanently or temporarily
- who you live with
- whether you work and under what circumstances
- consent to or refuse any medical, surgical or dental treatment or other health care – this includes palliative care and life-sustaining measures
- what education and training you receive

What are the duties of my Attorney?

Your Attorney must exercise their power to protect your interests. This is to ensure that you enjoy a good standard of living. Your Attorney preserves accurate records and accounts of all dealings and transactions made under the POA.

Does my Power of Attorney have to be registered?

Your POA has no effect in Tasmania until it is registered and reviewed by the Guardianship and Administration Board of Tasmania. You lodge:

1. Appointment of Enduring Guardian Registration Application
2. Instrument Appointing Enduring Guardian(s)
3. the fee

Lodge the documents and fee in person at a Service Tasmania outlet. A list of outlets can be found at: <https://www.service.tas.gov.au/>

The current fees are available on: http://www.guardianship.tas.gov.au/new_fee_structure

Upon registration the Board will return copies of the Instrument to you. You should provide a copy to your guardian(s), your care providers and to your medical practitioner.

Does my Medical Power of Attorney work outside Tasmania?

This Medical Power of Attorney only works in the State of Tasmania. If there are assets in another State, then build and sign Medical Power of Attorneys for that State as well.

Who can witness my POA?

The 2 witnesses must be present in the room when you sign your Medical Power of Attorney. The steps are:

1. Find 2 people that are: over 18 years of age, of sound mind and (if possible) have an address in Australia. The witnesses can't be related to you or have any chance of being related to you (eg it can't be your son's girlfriend because your son could

marry that person and then you would be related to the witness). Obviously, the witness can't be one of your Attorneys. The best witnesses are 'strangers' or the 'next door neighbour'.

2. Attorneys you have appointed must leave the room.
3. Get your 2 witnesses and yourselves in a room with at least 2 identical blue pens. Lock all the doors so that none of you leave the room. If you or either of your witnesses leave the room during the signing process then tear up the Medical Power of Attorney and print out another copy of the POA and start the POA signing process again.
4. If you or either of your witnesses need reading glasses, then don't sign the Medical Power of Attorney until you or your witnesses put on those glasses.
5. With a blue pen you sign your Medical Power of Attorneys. After you have signed your Medical Power of Attorney both witnesses (WITH THE SAME BLUE PEN) sign the Medical Power of Attorney. If you signed with different coloured pens (eg a dark blue and a light blue) then tear up the Medical Power of Attorneys. Print out new Medical Power of Attorneys and start the process again.
6. Date the Medical Power of Attorney the date the Medical Power of Attorney is signed.
7. If you have issues reading English, then let me know. An interpreter may be required.

Who needs a copy of my Medical Power of Attorney?

Don't let the original Medical Power of Attorney out of your hands. Ask whoever needs it to take a copy. You should provide a copy to:

- (a) your guardian(s),
- (b) your care providers, and
- (c) to your medical practitioner.

They can then "certify" (confirm it is a true copy) the document and keep the copy on file. Get your original document back.

Can the person receiving my Medical Power of Attorney override my wishes?

By law it can only be used for your best interests. It can't be used to benefit anyone else. It is in place to protect you. If you lose confidence in your guardian then you need to revoke the Medical Power of Attorney, if you are still of sound mind.

Can I revoke this document?

While you are of sound mind you can revoke this document at any time. If you are of unsound mind then, obviously, you can't make any such decisions. While you are of unsound mind you can't revoke a legal document such as this one. Your document is revoked at death. Conversely, your Will only takes effect at death. The court system can also revoke this document.

How do I revoke this document?

Firstly, tear up as many copies (originals and photocopies) as you can get your hands on. Build a Revocation of a Power of Attorney and letter at our website. You then complete and sign the letter and send it registered mail to your Guardian telling them that the Power of Attorney is revoked and ask for all copies to be posted back to you (if any). It is then illegal if they use your Medical Power of Attorney.

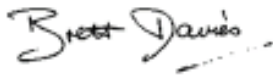
What happens if I separate, divorce or get married?

Changing your status does not affect the Medical Power of Attorney.

Can the person receiving my Medical Power of Attorney resign?

Yes they can, but only if you are still of sound mind. If you are of unsound mind then it is too late for them to resign.

Yours sincerely,



Adj Professor, Dr Brett Davies, CTA, AIAMA, BJuris, LLB, LLM, MBA, SJD
National Taxation Partner
LEGAL CONSOLIDATED BARRISTERS & SOLICITORS

This is a sample of the document you are building on our law firm's website.

Depending how you answer the questions the document and our letter may be different.

We have a 100% money back guarantee. For any reason you can return the document to us for a full refund.

*Dr Brett Davies
Partner
Legal Consolidated Barristers & Solicitors*

Build the legal document at <https://www.legalconsolidated.com.au/medical-power-of-attorney-intro/> - telephone us. We can help you answer the questions.

On our law firm's website, you:

1. Retain legal professional privilege
2. Receive legal advice
3. Get a signed letter on our law firm's letterhead with the legal document
4. We take responsibility for the legal document

Only a law firm provides the above. We also offer a 100% money back guarantee on every document you build.

Adj Professor, Dr Brett Davies - Partner



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Instrument Appointing Enduring Guardian(s) – Tasmania (Medical Power of Attorney)

Steven Galanos

Instrument Appointing Enduring Guardian(s)

For Tasmania

Section 1: Your details

I, (your full name): Steven Galanos

Of (your address): 4 Alfred Drive, West Launceston TAS 7250, Australia

Occupation: _____

Date of birth: 14 April 1975

Phone No.: _____

Section 2: Choosing your guardian

Appoint (guardian's name): George Demopoulos

Of (guardian's address): 12 Third Street, West Moonah TAS

Phone No.: _____

Guardian's occupation: _____

to be my guardian.

Optional section:

Section 3: Choose your alternative guardian (Optional)

In the event that my guardian (or one of my joint guardians) becomes incapable or unavailable to exercise this appointment, I appoint

(Alternative guardian's name): _____

(Alternative guardian's address): _____

Phone No.: _____

Alternative guardian's occupation: _____

Write your name, address, occupation and date of birth here.

Occupation examples:
Carpenter; Retiree; Home duties

Write your guardian's details here.

If you only want to appoint one person as your guardian, complete this section, then go to Section 3. If you want to appoint joint guardians, write the first guardian's details here.

If you want to appoint joint guardians, write the second person's details here. See the info sheet for more information on joint guardians.

Who looks after you, when you can't? The government, retirement home or doctors? Should they control your body? Do you trust your family more? If so make an Australian Medical POA.

By executing this instrument appointing an enduring guardian, I hereby revoke any and all former instruments made by me which appoint any enduring guardians or alternative guardians and such instruments shall cease to have effect upon the registration of this instrument made by me pursuant to Part 5 of the Guardianship and Administration Act 1995.

Subject to any conditions specified below in Section 4, I authorise my guardian, in the event that I become unable by reason of a disability to make reasonable judgments in respect of matters relating to my personal circumstances to exercise the powers of a guardian under Section 25 of the Guardianship and Administration Act 1995.

Section 4: Conditions upon appointment

I require my guardian to observe the following conditions in exercising, or, in relation to the exercise of, the powers conferred by this instrument:

The Guardianship POA allows you to appoint loved ones. If you lose mental capacity then they decide your:

- personal lifestyle
- where you live
- medical treatment

But only if you can't make decisions yourself.

Optional section: If you want to give specific directions to your guardian, write your own decisions about your medical care or personal decisions here. These are called conditions.

If you need more space, add a separate sheet and sign and date it at the bottom of the page.

See the info sheet for examples of conditions and how to write them.

If you do not impose any conditions, a guardian will have full powers should you lose capacity.

Included in the cost of your Power of Attorney is free advice for your attorneys. Your attorneys are not alone:

- there is information about how to use the POA in our covering letter. The letter comes with the POA.
- our law firm helps them and shows them how to use the POA. We are always available to them.

Section 5: Signatures

You sign here, but before you sign, you must arrange for two witnesses to watch you sign this form.

This is an appointment of an enduring guardian *Guardianship and Administration Act 1995*. I acknowledge this document and is available for public scrutiny.

The witnesses cannot be related to you or your guardian(s), or be people whom you have named as guardian(s).

Signed: _____
Date: _____

As witnesses we certify that

- (a) the person has signed this instrument freely and voluntarily in our presence;
- and
- (b) the person appears to understand the effect of this instrument.

Your first witness signs here, and writes their full name and address.

Signature of witness 1
Signed: _____
Name: _____
Address: _____

Your second witness signs here, and writes their full name and address.

Signature of witness 2
Signed: _____
Name: _____
Address: _____

Your first guardian writes their full name and signs here to say they accept the appointment as your guardian. This should be the person whose name you wrote on the first part of Section 2. They do not need a witness for their signature.

I, (guardian's name): George Demopoulos
accept appointment as guardian under this instrument and undertake
to exercise the powers conferred honestly and in accordance with the provision of the
Guardianship and Administration Act 1995.

Signed: _____

If you have appointed two joint guardians who must act together, your joint guardian writes their full name and signs here. They do not need a witness for their signature.

I, (joint guardian's name):
accept appointment as guardian under this instrument and undertake
to exercise the powers conferred honestly and in accordance with the provision of the
Guardianship and Administration Act 1995.

Signed: _____

If you have appointed an alternative guardian in case your first guardian cannot assume the role, your alternative guardian signs here. They do not need a witness for their signature.

I, (alternative guardian's name):
accept appointment as guardian under this instrument and undertake
to exercise the powers conferred honestly and in accordance with the provision of the
Guardianship and Administration Act 1995.

You can build this document here:
<https://www.legalconsolidated.com.au/medical-power-of-attorney-intro/>

Signed: _____

How to register this form

Step 1: Ensure you have signed the form in front of two witnesses who must also sign the document. The proposed guardians must also sign the document.

Lodge this form at any Service Tasmania Shop with the registration fee or apply for a waiver of the fee on grounds of financial hardship.

The Board will register the document and send you copies for yourself, your enduring guardian and your family doctor.

You may wish to make extra copies for other members of your family, hospitals and your lawyer.

Note: This document is not legally binding unless it is registered.