



Australian Capital Territory

# **Powers of Attorney Regulation 2007 (No 2)**

**SL2007-11**

made under the

**Powers of Attorney Act 2006**

**Republication No 1**

**Effective: 30 May 2007 – 5 September 2007**

Republication date: 30 May 2007

Last amendment made by SL2007-12  
(republishing for new regulation and  
amendments by SL2007-12)

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Powers of Attorney Regulation 2007 (No 2)*, made under the *Powers of Attorney Act 2006* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 30 May 2007. It also includes any amendment, repeal or expiry affecting the republished law to 30 May 2007.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Powers of Attorney Regulation 2007 (No 2)

made under the

**Powers of Attorney Act 2006**

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30/05/07

Powers of Attorney Regulation 2007 (No 2)  
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Australian Capital Territory

# **Powers of Attorney Regulation 2007 (No 2)**

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made under the

**Powers of Attorney Act 2006**

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**1 Name of regulation**

This regulation is the *Powers of Attorney Regulation 2007 (No 2)*.

**3 Modification of Act, ch 20, new section 152A—Act, s 156**

The Act, chapter 20 (Transitional provisions) is modified by inserting the following:

**152A Transitional—powers of attorney forms under previous Act, sch 1**

- (1) This section applies to a general power of attorney or enduring power of attorney made on or after the commencement day and before 1 December 2007 using a form under the previous Act, schedule 1.
- (2) This Act applies to the power of attorney.
- (3) However, if the power of attorney when made complied with the previous Act, the power of attorney—
  - (a) is not taken to be invalid only because it does not comply with a provision of this Act about the making of powers of attorney; and
  - (b) to remove any doubt, operates to the extent that it is not otherwise inconsistent with this Act.
- (4) This section is a law to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.

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**4            Modification of Act, ch 20, new sections 152B and 152C—  
Act, s 156**

The Act, chapter 20 (Transitional provisions) is modified by inserting the following:

**152B        Transitional—powers of attorney to consent to body part  
donations etc under previous Act**

- (1) This section applies to an enduring power of attorney in force immediately before the commencement day if the power of attorney includes a power to consent to a donation under the previous Act, section 13 (1) (b) (ii).
- (2) Despite section 35 (b) (Things that cannot be lawfully done by attorneys), the power of attorney continues to authorise the attorney to consent to the donation.
- (3) This section is a law to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.

**152C        Meaning of *health care matter***

Section 12 applies as if example 2 were omitted and the following example substituted:

- 2    donations (other than donations of non-regenerative tissue) under the *Transplantation and Anatomy Act 1978* by the principal to someone else

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

**Powers of Attorney Regulation 2007 (No 2) SL2007-11**

notified LR 24 May 2007

s 1, s 2 commenced 24 May 2007 (LA s 75 (1))

remainder commenced 30 May 2007 (s 2)

as amended by

**Powers of Attorney Amendment Regulation 2007 (No 1) SL2007-12****s 4**

notified LR 29 May 2007

s 1, s 2 commenced 29 May 2007 (LA s 75 (1))

s 4 commenced 30 May 2007 (s 2)

### 4 Amendment history

**Commencement**

s 2 om LA s 89 (4)

**Modification of Act, ch 20, new sections 152B and 152C—Act, s 156**

s 4 ins SL2007-12 s 4

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