

Who can Witness an Enduring Power of Attorney

The Australasian Lawyers Group Pty Ltd trading as Butlers, Barristers & Solicitors

The Enduring Power of Attorney must be signed by the Donor in the presence of two independent witnesses, one of whom falls within one the categories listed below.

The witnesses must state and stamp/write in the Enduring Power of Attorney document their full name, address and occupation.

Those authorised to witness an Enduring Power of Attorney are as follows:-

Item	Formal Description	Informal Description
1.	<p>A member of the academic staff of an institution established under any of the following Acts :-</p> <p><i>Curtin University of Technology Act 1966;</i></p> <p><i>Edith Cowan University Act 1984;</i></p> <p><i>Murdoch University Act 1973; University of Notre Dame Australia Act 1989;</i></p> <p><i>University of Western Australia Act 1911;</i></p> <p><i>Vocational Education and Training Act 1996.</i></p>	Academic (post-secondary institution)
2.	<p>A member of any of the following bodies :-</p> <p>Association of Taxation and Management Accountants (ACN 002 876 208);</p> <p>CPA Australia (ACN 008 392 452);</p> <p>The Institute of Chartered Accountants in Australia (ARBN 084 642 571);</p> <p>National Institute of Accountants (ACN 004 130 643);</p> <p>National Tax & Accountants' Association Limited (ACN 057 551 854).</p>	Accountant



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3.	A person who is registered under the Architects Act 2004.	Architect
4.	An Australian Consular Officer within the meaning of the Consular Fees Act 1955 of the Commonwealth.	Australian Consular Officer
5.	An Australian Diplomatic Officer within the meaning of the Consular Fees Act 1955 of the Commonwealth.	Australian Diplomatic Officer
6.	A bailiff appointed under the Civil Judgments Enforcement Act 2004.	Bailiff
7.	A person appointed to be in charge of the head office or any branch office of an authorised deposit-taking institution carrying on business in the State under the Banking Act 1959 of the Commonwealth.	Bank manager
8.	A member of Chartered Secretaries Australia Limited (ACN 008 615 950).	Chartered secretary
9.	A pharmaceutical chemist within the meaning of the Pharmacy Act 1964.	Chemist
10.	A chiropractor within the meaning of the Chiropractors Act 1964.	Chiropractor
11.	A person registered as an auditor or a liquidator under the Corporations Act 2001 of the Commonwealth.	Company auditor or liquidator
12.	A judge, master, magistrate, registrar or clerk, or the chief executive officer, of any court of the State or the Commonwealth.	Court officer
13.	A member of the Australian Defence Force who is :- an officer within the meaning of the Defence Force Discipline Act 1982 of the Commonwealth; a non-commissioned officer within the meaning of that Act with 5 or more years of continuous service; or a warrant officer within the meaning of that Act.	Defence force officer
14.	A dentist within the meaning of the Dental Act 1939.	Dentist

15.	A medical practitioner within the meaning of the Medical Act 1894.	Doctor
16.	A member of the Institution of Engineers, Australia, other than at the grade of student.	Engineer
17.	The secretary of an organisation of employees or employers that is registered under one of the following Acts :- Industrial Relations Act 1979; Workplace Relations Act 1996 of the Commonwealth.	Industrial organisation secretary
18.	A member of the National Insurance Brokers Association of Australia (ACN 006 093 849).	Insurance broker
19.	A Justice of the Peace.	Justice of the Peace
20.	A legal practitioner within the meaning of the Legal Practice Act 2003.	Lawyer
21.	The chief executive officer or deputy chief executive officer of a local government.	Local government CEO or deputy CEO
22.	A member of the council of a local government within the meaning of the Local Government Act 1995.	Local government councillor
23.	A member of the Australasian Institute of Chartered Loss Adjusters (ACN 074 804 167).	Loss adjuster
24.	An authorised celebrant within the meaning of the Marriage Act 1961 of the Commonwealth.	Marriage celebrant
25.	A member of either House of Parliament of the State or of the Commonwealth.	Member of Parliament

26.	A minister of religion registered under Part IV Division 1 of the Marriage Act 1961 of the Commonwealth.	Minister of religion
27.	A nurse within the meaning of the Nurses Act 1992.	Nurse
28.	A registered optometrist within the meaning of the Optometrists Act 1940.	Optometrist
29.	A registered patent attorney under the Patents Act 1990 of the Commonwealth.	Patent attorney
30.	A physiotherapist within the meaning of the Physiotherapists Act 1950.	Physiotherapist
31.	A podiatrist within the meaning of the Podiatrists Registration Act 1984.	Podiatrist
32.	A police officer.	Police officer
33.	The person in charge of an office established by, or conducted by an agent of, Australia Post within the meaning of the Australian Postal Corporation Act 1989 of the Commonwealth.	Post office manager
34.	A registered psychologist within the meaning of the Psychologists Registration Act 1976.	Psychologist
35.	A public notary within the meaning of the Public Notaries Act 1979.	Public notary
36.	An officer of the Commonwealth public service.	Public servant (Commonwealth)
37.	A person who is employed under the Public Sector Management Act 1994 Part 3.	Public servant (State)

38.	The holder of a licence under the Real Estate and Business Agents Act 1978.	Real estate agent
39.	The holder of a licence under the Settlement Agents Act 1981.	Settlement agent
40.	The Sheriff of Western Australia and any deputy sheriff appointed by the Sheriff of Western Australia.	Sheriff or deputy sheriff
41.	A licensed surveyor within the meaning of the <i>Licensed Surveyors Act 1909</i> .	Surveyor
42.	A person employed as a member of the teaching staff within the meaning of the <i>School Education Act 1999</i> or as a teacher of a non-government school within the meaning of that Act.	Teacher
43.	A member, registrar or clerk, or the chief executive officer, of any tribunal of the State or the Commonwealth.	Tribunal officer
44.	A registered veterinary surgeon within the meaning of the <i>Veterinary Surgeons Act 1960</i> .	Veterinary surgeon

Please note that no person under the age of 18 years is qualified to witness any form of Statutory Declaration or Power of Attorney, whether or not they fall within one of the categories listed above.