



## Enduring Power of Guardianship (“EPG”) Instruction Checklist

Please provide us with the following information to assist in the drafting of your EPG. Also please advise us if you have a current EPG, and provide us with a copy for our review.

This information comprises part of your instructions to Murfett Legal and is therefore the subject of Solicitor/Client privilege. This information remains confidential and will be destroyed or returned to you at your request.

1	<b>EPG Maker</b>
	<i>Full Name:</i>
	<i>Address:</i>
	<i>Telephone Number: (H) (W) (Mobile)</i>
	<i>Facsimile Number: (H) (W)</i>
	<i>Date of Birth:</i>
	<i>Occupation:</i>
2	<b>Your EPG – What is it?</b>
	Unlike a Will, an EPG can and will only be valid whilst you are alive. An EPG enables you to give another person the legal authority to make personal, lifestyle and treatment decisions on your behalf. It only takes effect if you lose capacity.
3	<b>Your Enduring Guardian</b>
	Your Enduring Guardian must act in accordance with the <i>Guardianship and Administration Act</i> (1990) which requires them to act in your best interests. This involves being an advocate for you and to act in such a way which: <ul style="list-style-type: none"><li>(a) encourages you to live and participate in the general community;</li><li>(b) encourages and assists you to become capable of caring for yourself;</li><li>(c) protects you from abuse, neglect and exploitation;</li><li>(d) maintains any supportive relationships you have and your familiar cultural, linguistic and religious environment; and</li><li>(e) takes into account your wishes and is least restrictive of your rights.</li></ul> Your Enduring Guardian is not permitted to vote for you in an election, consent to an adoption, consent to a marriage involving you or a person under 18 years of age, consent to you being sterilised without the approval of the State Administrative Tribunal or make or change your Will without an order from the Supreme Court.

	<p>You must appoint someone who you trust, as an EPG is a powerful instrument. Your Enduring Guardian will be responsible for your personal, lifestyle and treatment decisions and as such you should have faith in their ability to be able to make these decisions for you.</p> <p>Your Enduring Guardian may be any legally competent person/s over the age of 18 years.</p> <p>You can appoint any person of your choice (or more than one person) to be your Enduring Guardian.</p> <p>There is no restriction on the number of Enduring Guardians that you can appoint. However, if you appoint more than one Enduring Guardian then they must act jointly on all decisions. You should therefore ensure that if you do appoint more than one Enduring Guardian then they will be able to jointly make decisions on your behalf.</p> <p>Please indicate your choice of a person (or persons) who you wish to appoint as your Enduring Guardian.</p> <p><i>Full Name of Enduring Guardian 1:</i></p> <p><i>Address:</i></p> <p><i>Occupation:</i></p>
4	<b>Joint/Alternative Enduring Guardian</b>
	<p>Please indicate whether you wish to appoint a second person to be:</p> <p>(a) Joint Enduring Guardian (ie Enduring Guardian at the same time with the person you named in section 3); or</p> <p>(b) Alternative Enduring Guardian (ie if the person you named in section 3 is unable or unwilling to perform their duties for any reason).</p> <p>Note: Please Tick Joint <b>or</b> Alternative Enduring Guardian:</p> <p>Joint: <input type="checkbox"/></p> <p>Alternative: <input type="checkbox"/></p> <p><i>Full Name Enduring Guardian 2:</i></p> <p><i>Address:</i></p> <p><i>Occupation:</i></p>
5	<b>Substitute Enduring Guardian</b>

	<p>Please indicate whether you wish to appoint a third person to be a Substitute Enduring Guardian (ie they are your Enduring Guardian if the persons named in sections 3 or 4 are unable to perform their duties for any reason).</p> <p><i>Full Name of Substitute Enduring Guardian:</i></p> <p><i>Address:</i></p> <p><i>Occupation</i></p>
6	<b>Signing your EPG</b>
	<p>Please make an appointment at our office to sign your EPG and we will arrange for your EPG to be witnessed.</p> <p>Alternatively, if you do not want to sign your EPG at our office, you <b><u>must</u></b> sign your EPG in the presence of two authorised, independent witnesses in accordance with the <i>Oaths, Affidavits and Statutory Declarations Act 2005</i> ("the Act").</p> <p>Please see the <b><u>attached</u></b> list of persons who can witness your EPG and note that, if your EPG is not witnessed in accordance with the Act, it will be <b><u>invalid</u></b>.</p>
7	<b>Revoking your EPG</b>
	<p>If you no longer require your EPG to apply, you must inform your Enduring Guardians and Substitute Enduring Guardians and all other relevant agencies in writing of your revocation of your EPG.</p>

## LIST OF WITNESSES

Item	Witness Formal Description	Informal Description
1.	<p>A member of the academic staff of an institution established under any of the following Acts:</p> <ul style="list-style-type: none"> <li><i>Curtin University of Technology Act 1966;</i></li> <li><i>Edith Cowan University Act 1984;</i></li> <li><i>Murdoch University Act 1973;</i></li> <li><i>University of Notre Dame Australia Act 1989;</i></li> <li><i>University of Western Australia Act 1911;</i></li> <li><i>Vocational Education and Training Act 1996.</i></li> </ul>	Academic (post-secondary institution)
2.	<p>A member of any of the following bodies:</p> <ul style="list-style-type: none"> <li><i>Association of Taxation and Management Accountants (ACN 002 876 208);</i></li> <li><i>CPA Australia (ACN 008 392 452);</i></li> <li><i>The Institute of Chartered Accountants in Australia (ARBN 084 642 571);</i></li> <li><i>National Institute of Accountants (ACN 004 130 643);</i></li> <li><i>National Tax &amp; Accountants' Association Limited (ACN 057 551 854).</i></li> </ul>	Accountant
3.	A person who is registered under the <i>Architects Act 2004</i> .	Architect
4.	An Australian Consular Officer within the meaning of the <i>Consular Fees Act 1955</i> of the Commonwealth.	Australian Consular Officer
5.	An Australian Diplomatic Officer within the meaning of the <i>Consular Fees Act 1955</i> of the Commonwealth.	Australian Diplomatic Officer
6.	A bailiff appointed under the <i>Civil Judgments Enforcement Act 2004</i> .	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 <i>Banking Act 1959</i> 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 <i>Pharmacy Act 1964</i> .	Chemist
10.	A chiropractor within the meaning of the <i>Chiropractors Act 1964</i> .	Chiropractor
11.	A person registered as an auditor or a liquidator under the <i>Corporations Act 2001</i> 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.	<p>A member of the Australian Defence Force who is:</p> <ul style="list-style-type: none"> <li><i>an officer within the meaning of the Defence Force Discipline Act 1982 of the Commonwealth;</i></li> </ul>	Defence force officer

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	<ul style="list-style-type: none"> <li>• a non-commissioned officer within the meaning of that Act with 5 or more years of continuous service; or</li> <li>• a warrant officer within the meaning of that Act.</li> </ul>	
14.	A dentist within the meaning of the <i>Dental Act 1939</i> .	Dentist
15.	A medical practitioner within the meaning of the <i>Medical Act 1894</i> .	Doctor
16.	A person appointed under the <i>Parliamentary and Electorate Staff (Employment) Act 1992</i> section 4(1)(b)(i) or (2)(b)(i)	Electorate officer of a member of State Parliament
17.	A member of the Institution of Engineers, Australia, other than at the grade of student.	Engineer
18.	<p>The secretary of an organisation of employees or employers that is registered under one of the following Acts:</p> <ul style="list-style-type: none"> <li>• <i>Industrial Relations Act 1979</i>;</li> <li>• <i>Workplace Relations Act 1996 of the Commonwealth</i>.</li> </ul>	Industrial organisation secretary
19.	A member of the National Insurance Brokers Association of Australia (ACN 006 093 849).	Insurance broker
20.	A Justice of the Peace.	Justice of the Peace
21.	A legal practitioner within the meaning of the <i>Legal Practice Act 2003</i> .	Lawyer
22.	The chief executive officer or deputy chief executive officer of a local government.	Local government CEO or deputy CEO
23.	A member of the council of a local government within the meaning of the <i>Local Government Act 1995</i> .	Local government councillor
24.	A member of the Australasian Institute of Chartered Loss Adjusters (ACN 074 804 167).	Loss adjuster
25.	An authorised celebrant within the meaning of the <i>Marriage Act 1961</i> of the Commonwealth.	Marriage celebrant
26.	A member of either House of Parliament of the State or of the Commonwealth.	Member of Parliament
27.	A minister of religion registered under Part IV Division 1 of the <i>Marriage Act 1961</i> of the Commonwealth.	Minister of religion
28.	A nurse within the meaning of the <i>Nurses Act 1992</i> .	Nurse
29.	A registered optometrist within the meaning of the <i>Optometrists Act 1940</i> .	Optometrist
30.	A registered patent attorney under the <i>Patents Act 1990</i> of the Commonwealth.	Patent attorney

Item	Witness Formal Description	Informal Description
31.	A physiotherapist within the meaning of the <i>Physiotherapists Act 1950</i> .	Physiotherapist
32.	A podiatrist within the meaning of the <i>Podiatrists Registration Act 1984</i> .	Podiatrist
33.	A police officer.	Police officer
34.	The person in charge of an office established by, or conducted by an agent of, Australia Post within the meaning of the <i>Australian Postal Corporation Act 1989</i> of the Commonwealth.	Post office manager
35.	A registered psychologist within the meaning of the <i>Psychologists Registration Act 1976</i> .	Psychologist
36.	A public notary within the meaning of the <i>Public Notaries Act 1979</i> .	Public notary
37.	An officer of the Commonwealth public service.	Public servant
38.	A person who is employed under the <i>Public Sector Management Act 1994</i> Part 3.	Public servant (State)
39.	The licence holder under the <i>Real Estate and Business Agents Act 1978</i> .	Real estate agent
40.	The holder of a licence under the <i>Settlement Agents Act 1981</i> .	Settlement agent
41.	The Sheriff of Western Australia and any deputy sheriff appointed by the Sheriff of Western Australia.	Sheriff or deputy sheriff
42.	A licensed surveyor within the meaning of the <i>Licensed Surveyors Act 1909</i> .	Surveyor
43.	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
44.	A member, registrar or clerk, or the chief executive officer, of any tribunal of the State or the Commonwealth.	Tribunal officer
45.	A registered veterinary surgeon within the meaning of the <i>Veterinary Surgeons Act 1960</i> .	Veterinary