

Signature and declaration – enduring power of attorney

Note: The notes in this form are provided by way of guidance only and do not constitute a statement of the law or the provisions under the Assisted Decision-Making (Capacity) Act 2015 (as amended) or any ancillary or related legislation.

1. Declarations and signature of attorney

Note: This section is completed by each person appointed as an attorney or replacement attorney under the enduring power of attorney. This section must be completed in front of the donor and witnesses in section 2. Where there is more than one attorney or replacement attorney(s) each person must complete a separate declaration.

I confirm that:

- I accept my appointment as an attorney for Joan Smith under this enduring power of attorney EPA-2023-000000-001
- I have read and understand the information in the enduring power of attorney and understand the implications of undertaking to be an attorney for the donor
- I understand and undertake to act in accordance with the functions of an attorney
- I understand and undertake to comply with the reporting requirements of an attorney
- I understand the requirements in relation to the registration and notification of the enduring power of attorney
- I understand and undertake the duty to act in accordance with the guiding principles set out in the Assisted Decision-Making (Capacity) Act 2015 (as amended)
- I understand and undertake to act in accordance with the code of practice for attorneys, as may be amended from time to time
- I understand and undertake to act in accordance with the code of practice on supporting decision-making and assessing capacity, as may be amended from time to time
- I understand the consequences of failing to comply with the Assisted Decision-Making (Capacity) Act 2015 (as amended)
- I am not ineligible for appointment as an attorney for any of the following reasons:
 - having been convicted of an offence in relation to the person or property of the person who intends to appoint me, or the person or property of a child of that person
 - having been the subject of a safety or barring order in relation to the person who intends to appoint me, or a child of that person
 - being an undischarged bankrupt or currently in a debt settlement arrangement or personal insolvency arrangement or having been convicted of an offence involving fraud or dishonesty, where the powers in the enduring power of attorney relate to property and affairs decisions

- being a person in respect of whom a declaration under section 819 of the Companies Act 2014 has been made or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, where the powers in the enduring power of attorney relate to property and affairs decisions
- being a person who is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, by virtue of that Chapter or any other provisions of that Act, where the powers in the enduring power of attorney relate to property and affairs decisions
- I am not a person who is:
 - the owner or registered provider of a designated centre or mental health facility in which the person who intends to appoint me as attorney resides, unless the person is my spouse, civil partner, cohabitant, parent, child or sibling,
 - residing with, or an employee or agent of, such owner or registered provider, unless the person is my spouse, civil partner, cohabitant, parent, child or sibling
- I have not been convicted of an offence under section 15A, 34, 80, 90 or 145 of the Assisted Decision-Making (Capacity) Act 2015 (as amended).

Name of attorney:	Tom Smith
Signed:	<i>Tom Smith</i>
Date:	25/04/2023

Note: It is an offence to knowingly provide a false or misleading statement

2. Witness statements

Note: This section is completed by the persons witnessing the declarations of the person(s) appointed as the attorney(s) under the enduring power of attorney. At least one of the witnesses must not be an immediate family member of the donor or the attorney(s).

First witness

The first witness certifies that:

- I am not an employee or agent of any of the attorney(s) appointed in this enduring power of attorney; and
- in my presence and in the presence of the donor, the attorney appeared to freely and voluntarily sign the instrument creating this enduring power of attorney

Name of first witness:	Peter Wilson
Date of birth:	13/09/1982
Your relationship to the donor:	Neighbour

Your relationship to the attorney(s):	Neighbour		
Email address:	peterwilson@exampleemail.ie		
Signed:	<i>Peter Wilson</i>	Date:	25/04/2023

Note: It is an offence to knowingly provide a false or misleading statement.

Second witness

The second witness certifies that:

- I am not an employee or agent of any of the attorney(s) appointed in this enduring power of attorney; and
- in my presence and in the presence of the donor, the attorney appeared to freely and voluntarily sign the instrument creating this enduring power of attorney

Name of second witness:	Sarah Smith		
Date of birth:	21/02/1963		
Your relationship to the donor:	Cousin-in-law		
Your relationship to the attorney(s):	Cousin		
Email address:	sarahsmith@exampleemail.ie		
Signed:	<i>Sarah Smith</i>	Date:	25/04/2023

Note: It is an offence to knowingly provide a false or misleading statement