

Sending a copy of your Power of Attorney to MLC

MLC Super and Investments

You should read this before you send us your Power of Attorney

About POAs

A Power of Attorney (POA) is a legal document that entitles one or more people to act on behalf of another person for certain purposes. There are several requirements needed depending on where your POA was registered, and what account you have with us.

Privacy

We respect your privacy and handle your information in accordance with our privacy policy, available on mlc.com.au

For definitions of terms, please see [page 2](#).

What you need to send us

For a POA to be recognised by MLC, we require the following to be posted to MLC:

- a certified copy of your original Power of Attorney document; and
- a 'Statement of non-revocation of Power of Attorney', which has been completed by the attorney/s listed in your Power of Attorney. Please refer to page 3 of this document for a copy of this statement; and
- a completed 'Identification for Individuals' form for each attorney listed in your Power of Attorney. Please refer to page 5 of this document for a copy of this form.

The content requirements for a POA may differ depending on which state, territory, or country the POA is drafted and executed in. Please note that it is your responsibility to ensure that your POA complies with the laws that apply in the state, territory, or country (as applicable) in which the POA was drafted and executed.

POAs created outside NSW

If you have a **Masterkey Investment** or **Unit Trust** account, and your Power of Attorney was created outside of NSW, you'll need to send us an additional declaration in order for us to accept the POA. A template of this declaration is included on [page 4](#).

International POAs

POAs from another country are acceptable as long as a lawyer from that country declares that the POA complies with the laws of that country, and the POA is in English.

Advice

You should speak with your financial adviser about the financial implications of a POA, and a solicitor about the legal implications of a POA.

Certification of your POA

Your POA must be certified by a person who is authorised to certify documents. The people who are authorised to certify your POA, and the requirements concerning the certification of the POA, can be found on pages 6 and 7.

Next steps

Go to [page 3](#), complete the relevant forms and post us the certified POA

Any questions?

Speak with your financial adviser or contact us on **132 652** Monday to Friday between 8 am and 6 pm (AEST/AEDT) or visit mlc.com.au

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Definitions

Term	Description
Power of Attorney	A Power of Attorney is a legal document that entitles one or more people to act on behalf of another person for certain purposes.
Statement of Non-Revocation	A statement which indicates that an attorney's (or attorneys') appointment under a Power of Attorney has not been suspended or terminated.
Jointly and severally	If more than one attorney is appointed under a POA, and they are appointed 'jointly and severally', then the attorneys can exercise their powers by themselves (i.e. without needing the approval of the other attorney/s) or collectively (i.e. with the approval of the other attorney/s).
Jointly	If more than one attorney is appointed under a POA, and they are appointed 'jointly', then the attorneys must act and make decisions together.
Principal	The person who appoints one or more attorneys under a POA.
Attorney	A person (who is over 18 years old) appointed by the principal (under a POA) to act on behalf of the principal. The principal may choose to appoint more than one attorney.
Prescribed Witness	The person who must witness a principal executing their POA (if the principal executes the POA in NSW on or after 16 February 2004). A list of prescribed witnesses is included on page 7.



Statement of non-revocation of Power of Attorney

We can only accept your request if the form is correctly completed.

We respect your privacy and handle your information in accordance with our Privacy Policy. The IOOF Group's Privacy Policy is available on mlc.com.au

1. Account number(s)

Account number 1

Account number 2

Account number 3

2. Your declaration

I (full name of first attorney)

I (full name of second attorney)

I (full name of third attorney)

I (full name of fourth attorney)

having been appointed an attorney under the (please tick which applies)

Enduring Power of Attorney document

General Power of Attorney document

made by (full name of the principal listed in the Enduring/General Power of Attorney (Principal))

advise to the best of my knowledge and belief my appointment under that document has not been suspended or terminated.

If I have been appointed as a joint attorney, the office of one or more of my co-attorneys has not become vacant.

I acknowledge my appointment under the Power of Attorney document will be terminated or suspended if the Principal:

- has specified an expiry date in the Power of Attorney and that date has passed
- informs me in writing I am no longer authorised to act on their behalf
- becomes mentally incapacitated (applicable only to a General Power of Attorney)
- is bankrupt, or
- dies.

Signature of Attorney 1

X	Date (DD/MM/YY)
	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Signature of Attorney 2

X	Date (DD/MM/YY)
	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Signature of Attorney 3

X	Date (DD/MM/YY)
	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Signature of Attorney 4

X	Date (DD/MM/YY)
	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Trustee:

NULIS Nominees (Australia) Limited
ABN 80 008 515 633
AFSL 236465

Funds:

MLC Super Fund ABN 70 732 426 024
MLC Superannuation Fund ABN 40 022 701955

Operators:

Navigator Australia Limited
ABN 45 006 302 987

MLC Investments Limited
ABN 30 002 641 661
AFSL 230705



Declaration for Enduring POAs created in Australian State or Territory outside of NSW

This declaration is to be completed by an Australian legal practitioner in relation to an enduring power of attorney which has been created in an Australian State or Territory which is outside NSW.

This declaration only needs to be completed where the attorney/s appointed under an enduring power of attorney may be providing instructions in relation to a MasterKey Investment or Unit Trust account.

Account number

Contact telephone (business hours)

I (Name of legal practitioner)

being a qualified Australian legal practitioner advise the following:

(a) I have been admitted to legal practice in [Name of State or Territory]; and

(b) I hold a certificate or other form of authorisation [Number]

that confers an authority to practice in that State of Territory; and

(c) I practise law in that State or Territory.

I certify that the enduring power of attorney made by (Name of Principal);

on (DD/MM/YYYY)

and appointing (Attorney/s);

was made in accordance with the formal requirements of the law of (Name of State or Territory).

Signature of legal practitioner

	Date (DD/MM/YY)
	<input type="text"/>

Trustee:

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Identification for Individuals

Account number(s)

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Section 1: Personal details

Title Mr Mrs Miss Ms Other First name

Middle name Family name

Date of birth (DD/MM/YYYY)

Residential address (PO Box is **not** acceptable)

					Country

Address of principal place of business (if different to residential address above). (PO Box is **not** acceptable)

					Country

Section 2: Proof of identity

Attach with this form, legible current (unless otherwise specified) **certified copies** of ID documentation from the options below. If an ID document is written in a language that isn't English, it must be accompanied by an English translation prepared by an accredited translator.

Part 1 – Acceptable primary Australian and foreign ID documents

Tick (✓)	Provide ONE document from this section (if you do not own a document from this section, then provide two documents from Part 2)
<input type="checkbox"/>	Australian State/Territory driver's licence (including the back of the driver's licence if your address has changed) or foreign driver's licence containing a photograph of the person
<input type="checkbox"/>	Australian Passport (a passport that has expired within the preceding 2 years is acceptable)
<input type="checkbox"/>	Australian card issued under a State or Territory for the purpose of proving a person's age and containing a photograph of the person

Section 2: Proof of identity continued

<input type="checkbox"/>	Foreign passport or similar travel document containing a photograph and the signature of the person
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Part 2 – Acceptable secondary Australian ID documents. Provide TWO documents from this section

Tick (✓)	Provide ONE from these options
<input type="checkbox"/>	Birth certificate
<input type="checkbox"/>	Citizenship certificate
<input type="checkbox"/>	Australian Pension card issued by The Department of Human Services/Centrelink

AND

Tick (✓)	Provide ONE from these options
<input type="checkbox"/>	A document issued by the Australian Commonwealth or a State or Territory within the preceding 12 months that records the provision of financial benefits to the individual and which contains the individual's name and residential address.
<input type="checkbox"/>	A document issued by the Australian Taxation Office within the preceding 12 months that records a debt payable by the individual to the Commonwealth (or by the Commonwealth to the individual), which contains the individual's name and residential address.
<input type="checkbox"/>	A document issued by an Australian local government body or utilities provider within the preceding 3 months which records the provision of services to that address or to that person (the document must contain the individual's name and residential address).

Please check the details of who can certify in **Section 3**.

Section 3: Who can certify POA and ID documents?

A list of those who can certify a POA and/or an ID document include:

- A person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described)
- A Justice of the Peace
- A judge of a court
- A magistrate
- A registrar of a court
- A notary public
- A member of the police force of the Commonwealth or of any State or Territory
- A member of the parliament of the Commonwealth or of any State or Territory
- A pharmacist
- A veterinary surgeon
- An agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- A commissioner for taking affidavits
- A medical practitioner
- An accountant who is a member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the Institute of Public Accountants

Acceptable certification of POA and ID documents

Each copy of the POA and/or ID document must be certified by an approved certifier as follows:

The approved certifier must write on each page of the document:

- Full printed name of the "Approved Certifier" (eg Michelle Helena Citizen)
- Date the document was certified
- Signature of the approved certifier
- The capacity in which they have certified the document, eg police officer, etc.
- The Registration number (if applicable) of the certifier, and
- The following text:

If single page: I certify that this is a true and complete copy of the original document which I have sighted.

If multiple pages: I certify that this page is a true and complete copy of page [insert page number of document] of [insert total number of pages in the document] of the original document which I have sighted.

Section 4: Who can certify POA documents within a foreign country?

- Australian or British Consular Officers exercising functions in the country where the POA was executed or witnessed
- Commissioned officers in the defence forces of the Commonwealth of Australia
- Mayors or General Managers of local government corporations
- Medical practitioners
- Officer in charge of a police station
- Judges
- Justices of the peace
- Legal practitioners
- Magistrates
- Notaries public

Section 5: Who is a prescribed witness?

For Powers of Attorney executed in NSW on or after 16 February 2004, a prescribed witness must witness the principal signing their power of attorney document. The prescribed witness must be one of the following:

- A registrar of a Local Court, or
- A barrister or solicitor of a court of any State or Territory of the Commonwealth, or
- A licensed conveyancer, an employee of the Public Trustee or a trustee company, who has successfully completed a course of study approved by the Minister, or
- A legal practitioner qualified in a country other than Australia, who is instructed and employed independently of any legal practitioner who is appointed as an attorney under the Power of Attorney.

The prescribed witness must certify that:

- they explained the effect of the power of attorney to the principal before he/she signed it
- the principal appeared to understand the effect of the power of attorney
- they are a prescribed witness
- they are not an attorney under the power of attorney, and
- they witnessed the signing of the power of attorney by the principal

Section 6: Send us your form

Please mail your completed, **signed and dated form** to us at the addresses below:

For **MLC Masterkey Super and Investments**:

**PO Box 200
North Sydney NSW 2059**

For **MLC Navigator & Wrap**:

**GPO Box 2567
Melbourne VIC 3001**

If you have any questions, please speak with your financial adviser, or call us on **132 652** Monday to Friday between 8am and 6pm (AEST/AEDT).

We cannot accept an emailed or faxed copy of **these** forms.