



Revoking (cancelling) a Power of Attorney

Revoking (cancelling) a Power of Attorney (POA) can be easy. If you have a POA in place, you have the right to revoke that power if you no longer want that person(s) managing your assets and financial affairs.

Who can revoke a POA?

You can revoke your POA at any time as long as you have the capacity to do so.

How do you revoke a POA?

Making a new POA does not automatically revoke a previous one.

To revoke your POA, you must write to:

- the person(s) previously appointed as the attorney(s), stating that you are ending their appointment
- your bank(s) and any other organisations your attorney was dealing with on your behalf (e.g. Centrelink)
- the NSW Land Registry Office (if registered).

Once revoked, it is best to destroy the original POA documents and any copies.

There is no specific form to fill out when revoking a POA – a letter is enough. However, there is a Revocation of Power of Attorney template from [NSW Land Registry Services](#) you can use.

A document revoking a POA must state:

- your name
- the date your POA was appointed (if not registered)
- the registered number of the POA (if registered)
- the date of the revocation, and
- words indicating cancellation such as "I hereby revoke."

What happens if you lack capacity?

If you have a general POA, it ends once you have lost capacity. Your attorney can no longer assist with your assets and financial affairs. If you have an enduring POA (EPOA), it continues after you have lost capacity. If you lack capacity you cannot revoke an EPOA or make a new one.

If you lack capacity and your family members or others feel that your assets and financial affairs are being misused by your attorney, or your attorney is not acting in your best interests, an application can be made to the NSW Civil and Administrative Tribunal (NCAT) for them to review the EPOA.

What can NCAT do?

NCAT can review the making, revocation, or the operation and effect of an EPOA.

During or after its review, NCAT may:

- place your estate under the management of a private financial manager or the NSW Trustee and Guardian
- vary the EPOA
- remove the attorney
- appoint a substitute attorney
- revoke all or part of the EPOA
- make other orders that NCAT sees fit.

What is capacity?

Generally, when you have capacity to make a particular decision, you are able to do all of the following:

- understand the facts involved
- understand the main choices
- weigh up the consequences of the choices
- understand how the consequences affect you
- communicate your decision.

When revoking a POA, you must understand the nature, significance and consequences of the decision you are making.

Professionals such as doctors can help to assess your capacity to make your own financial management decisions, including whether you have capacity to revoke your POA.

**Ageing and Disability Abuse
Helpline**

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