
STATUTORY INSTRUMENTS

2005 No. 1452

The Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2005

PART II

DEEDS AND OTHER INSTRUMENTS

Execution of instrument by donee of power of attorney

5.—(1) Section 7 of the Powers of Attorney Act (Northern Ireland) 1971 (c. 33) (execution of instruments, etc. by donee of power of attorney) shall be amended as follows.

(2) For subsection (1) there shall be substituted—

“(1) If the donee of a power of attorney is an individual, he may, if he thinks fit—

- (a) execute any instrument with his own signature, and
- (b) do any other thing in his own name,

by the authority of the donor of the power; and any instrument executed or thing done in that manner shall, subject to subsection (1A), be as effective as if executed by the donee in any manner which would constitute due execution of that instrument by the donor or, as the case may be, as if done by the donee in the name of the donor.”

(3) After subsection (1) there shall be inserted—

“(1A) Where an instrument is executed by the donee as a deed, it shall be as effective as if executed by the donee in a manner which would constitute due execution of it as a deed by the donor only if it satisfies the requirements of paragraph (2) of Article 3 of the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2005.”

(4) In subsection (2), the words “and, in the case of a deed, by affixing his own seal” shall cease to have effect.