

Self Assessment

1. With reference to a Power of Attorney, which of the following statement(s) is/are correct?
 - I. The Durable Power of Attorney authorises a trusted person to make financial decisions for an individual should the person become unable to do so himself.
 - II. The person appointed in the Durable Power of Attorney is called the Attorney or Donee
 - III. The death or mental incapacity of the Donor revokes a simple Power of Attorney.
 - IV. The death or legal incapacity or bankruptcy of the Donee revokes a Power of attorney.
 - A. I and II only
 - B. II and III only
 - C. I and III only
 - D. All of the above

2. On matters relating to the Power of Attorney, which of these is not correct?
 - I. A Power of Attorney can be made irrevocable or durable where there is valuable consideration given and is expressed to be irrevocable.
 - II. Where a Power of Attorney is made irrevocable for a fixed period it cannot be revoked by the death of the donor during that period.
 - III. Under a General Power of Attorney the attorney can handle all the donor's insurance needs and claims.
 - IV. Under a General Power of Attorney the attorney cannot file tax returns and make payments.
 - A. I only
 - B. II only
 - C. III only
 - D. IV only

3. What is a Power of Attorney?
- A. A power granted by Court to a Trustee to execute the Trust Deed
 - B. An assignment by an assignor to an assignee
 - C. A power granted by Court to an executor to execute the Will
 - D. An instruction by which a Donor may formally authorise a Donee to act on his behalf or be his agent.
4. A Power of Attorney operates on the following principles:-
- A. Contractual Principles
 - B. Tort Principles
 - C. Trust Principles
 - D. Agency Principles
5. Which of the following usually revoke a Power of Attorney?
- I. Death
 - II. Marriage
 - III. Divorce
 - IV. Not in the country
 - V. Bankruptcy
- A. IV only
 - B. I and V only
 - C. I and II and V only
 - D. I and II and IV only
6. In order to be valid a Power of Attorney must be registered/deposited with:
- A. Land Office
 - B. High Court
 - C. Department of Insolvency
 - D. Amanah Raya Berhad

7. The Authentication of a Power of Attorney must be done before either one of the following persons with the exception of:
- A. Magistrate
 - B. Police Inspector
 - C. Commissioner for Oaths
 - D. Justice of Peace
8. In what circumstances can a Power of Attorney be said to be irrevocable although the death or insanity of the donor has occurred.
- I. Where valuable consideration has been made
 - II. Where it is given to a lawyer
 - III. The power given is for a fixed period only
 - IV. Where it is given to Amanah Raya Berhad
- A. I and III only
 - B. II and IV only
 - C. II and III only
 - D. All of the above
9. The following except one, are formalities that must be complied with, for a Power of Attorney to be valid
- A. Must be executed and authenticated before specific individuals
 - B. Must be filed in the High Court
 - C. Must always be revoked upon death of the Donor
 - D. Must clearly specify the powers given to the Donee

10. Common examples of the use of POA are all the following except

- A. Land transactions
- B. Partnerships
- C. Application of Grant of Representations overseas
- D. Bankruptcy Petitions

Answers: 1-D, 2-D, 3-D, 4-D, 5-B, 6-B, 7-B, 8-A, 9-C, 10-D

