

Procedures to Revoke (Cancel) an Enduring Power of Attorney

How do I revoke my Enduring Power of Attorney?

The *Power of Attorney Act* sets out the requirements for validly revoking your Enduring Power of Attorney (EPA). Check if your EPA lists other requirements or steps related to revoking in addition to the requirements from the legislation as described in this information sheet. If you do not follow the procedures outlined in the law, your revocation may not be valid.

To cancel your EPA, you must put it in writing. This is called a 'Notice of Revocation.'

Making a new Enduring Power of Attorney does NOT automatically cancel previous EPA's.

What does a Notice of Revocation look like?

See the attached form for a Notice of Revocation. You may adapt this form as needed. It is common practice among lawyers and notaries public to put a 'notice of revocation' clause in an EPA they draft. For example, "I hereby revoke all previous Powers of Attorney..." They will ask you if you want this included. This format could serve as a Notice of Revocation if you deliver it to the people required. See the next heading.

Who do I give the Notice of Revocation to?

In order for your revocation to be valid, you must give a signed and dated copy of the written Notice of Revocation to each attorney appointed in your EPA. It is a good idea to also give it to any alternate(s).

How do I deliver the Notice of Revocation?

The Power of Attorney Act does not set out the ways to deliver your Notice to those you are required to inform. You may wish to follow the procedures for giving written Notice from the Representation Agreement Act Regulation:

- by registered mail to the person's last known address; or
- by leaving it:
 - with the person, or
 - at the person's address, or
 - with an adult who appears to reside with the person;
- if the person operates a business, at the business, with an employee of the person; or
- by transmitting it by fax to the person with the number they provided for notification purposes.

When does the Revocation take effect?

The revocation takes effect when it is given to everyone required. You can also list a specific future date in the Notice when it will take effect.

Is a witness required?

Although the law does not require it, it may be helpful to ask someone to witness (watch) you sign and date the Notice of Revocation. After you sign, the witness can sign the Notice and print their name and contact information.

Continued page 2

Who can revoke an Enduring Power of Attorney?

An Enduring Power of Attorney can only be revoked by the adult who made it. The adult must be capable of understanding the nature and consequences of revoking the EPA.

If an attorney is no longer able or willing to act, they can resign. See the Nidus fact sheet on [Resigning as an Attorney named in an Enduring Power of Attorney](#).

Who else do I need to inform that my Enduring Power of Attorney is cancelled?

If you gave the original to someone else, ask for it back. Ask for copies back. If you gave copies to the bank or other financial service, send them a copy of the Notice of Revocation. If you filed your Enduring Power of Attorney with the Land Title Office, you must also file your revocation with them.

It is also a good idea to register a copy of the Notice of Revocation with the Nidus Registry. One of the challenges when revoking a legal document is ensuring that third parties (for example, banks, financial services and government agencies) know about it. Registration helps you communicate this important information to others.

The Nidus Registry provides a centralized place to keep a record of your most current plans and wishes and have them available when needed. Select the Registry tab at www.nidus.ca.

NOTICE OF REVOCATION OF ENDURING POWER OF ATTORNEY

*In accordance with Section 28 of
the Power of Attorney Act, R.S.B.C. 1996, c. 370 as amended,*

I hereby revoke the Enduring Power of Attorney

that I made on _____
(SELECT/PRINT the date the EPA was signed by adult)

that appointed the following people: *(Cross out any extra lines not needed for listing.)*

_____ as _____
(TYPE/PRINT name as it appears on the EPA) *(SELECT/PRINT role)*

_____ as _____
(TYPE/PRINT name as it appears on the EPA) *(SELECT/PRINT role)*

_____ as _____
(TYPE/PRINT name as it appears on the EPA) *(SELECT/PRINT role)*

This notice is signed below by me (the adult) on _____
(SELECT/PRINT the current date)

(Signature of adult)

(TYPE/PRINT name of adult)