

Appendix 12

An example of a Scottish Power of Attorney

POWER of ATTORNEY

by

in favour of

(day, month and year)

JBK

I, _____ residing at _____
CONSIDERING that due to physical infirmity I consider it
advisable that I should appoint an Attorney to act on my behalf; THEREFORE I DO
HEREBY NOMINATE, CONSTITUTE and APPOINT
_____ residing at _____ and, _____ residing at _____
aforesaid (being hereinafter referred to as “my Attorney”) to be my Attorney with full power
to my Attorney for me and in my name to do all or any of the following: (a) to uplift, receive
and discharge all dividends, interests or other sums, whether of capital or income including
any repayments of income tax, falling due to me from time to time and to grant receipts and
discharges therefor; (b) to uplift any monies standing in my name in any Bank or Banks, and
to sign or endorse all cheques, withdrawal forms or other documents which may be required
in that connection; (c) to borrow money on my behalf binding me and my executors and
representatives jointly and severally for repayment thereof and that on such terms as to
interest and otherwise as my Attorney may deem fit, and to grant security therefor over any
part of my property, whether heritable or moveable, real or personal; (d) to realise any of the
investments which I may from time to time hold and to invest any monies which may be in
the hands of my Attorney from time to time in such investments as my Attorney may consider
advisable even although the said investments so held or made are not of a kind sanctioned for
Trustees by Statute, provided only my Attorney considers them reasonably safe and for that
purpose for me and in my name to grant and subscribe all necessary transfers or other
documents; (e) to let or to lease any property which may belong to me; (f) to sell any
heritable property which I may from time to time hold and that by Public Group or/

Private Bargain, with or without advertisement, and at such price or prices as my Attorney may think proper, to receive payment of the price or prices, and to grant in favour of the Purchaser or Purchasers all necessary conveyances with all usual and necessary clauses and binding me in absolute warrantice; (g) to pursue all actions or processes of law of what kind soever in any Court and to use all manners of diligence and execution to vindicate my rights, and to defend all actions or processes and to resist all diligence and execution which may be brought or used or threatened against me or my estate and sist herself as Mandatory or to procure some other person or Company to do so for or without payment of a premium or other consideration; (h) to settle all questions, matters and disputes by compromise or arbitration, or advice of Counsel, and to give time to debtors, with or without security, and to accept part of the whole or otherwise to settle questions arising with debtors, creditors, purchases and others according as my Attorney shall determine; and (I) generally to do everything in connection with the whole means and estate, both heritable and moveable, now belonging to me, or which may hereafter belong to me, which I could do myself, or to which the Office of Attorney is known to belong; Declaring that all receipts, discharges or other deeds and documents granted by my Attorney to whatever person or persons, and all acts and deeds done by her in execution of these presents, shall be equally valid and binding as if granted and done by myself; And I provide that my Attorney shall incur no responsibility whatever on account or in respect of her actings, intromissions, management or omissions save only to account to me for the funds which she may actually and personally receive; And Declaring also that this Power of Attorney shall subsist until recalled by me in writing; Further declaring/

declaring that this Power of Attorney shall subsist in terms of Section 71 of the Law Reform (Miscellaneous Provisions) Scotland Act 1990: And I consent to registration hereof for preservation: IN WITNESS WHEREOF these presents typewritten on this and the two preceding pages are subscribed by me the said

at _____ on the _____ (day) of _____ (month and year)
before this witness.

Witness