

Registering a foreign power of attorney in Jersey

Insights - 22/06/2023

If a person holds assets in Jersey they may wish to ensure that they have made adequate provision to appoint someone who can manage those assets in the event that they should lose capacity to such an extent that they can no longer do this themselves. Often, these considerations form part of a person's wider estate planning.

There is no facility at present for that individual to put a local, Jersey lasting power of attorney in place to cover their Jersey based assets. Instead, the Jersey Court will recognise the foreign power of attorney (or equivalent document such as a guardianship or deputy order) provided that power of attorney is registered with the Royal Court of Jersey. Once registered, the Attorney appointed under the foreign document has the legal authority to deal with the assets in Jersey and this is confirmed by way of a formal Act of Court document which is issued by the Royal Court and is appended to the foreign lasting power of attorney document.

The application to register a foreign power of attorney is straightforward and is made in chambers by way of an application known as a Representation. This application must be made by a Jersey qualified lawyer and the following documents must be provided:

1. the original (registered) lasting power of attorney (or equivalent document) or a copy of this document which has been officially sealed and certified by the Court in the foreign jurisdiction that registered the original. If it is usual in the country of original for a notary to authenticate the lasting power of attorney document, then the notary can provide an official copy for use in Jersey. If the original document is an English lasting power of attorney, then the Royal Court will accept a copy of the registered document that is certified by a solicitor.
2. confirmation of the current value of the asset or assets in Jersey. A bank statement or share valuation or similar will be sufficient
3. identification documents from both the Donor and the Attorney which are properly certified

in line with our [certificate guidelines](#)

4. a Treasury receipt to the value of £330 representing the stamp duty fee levied by the Royal Court to register this type of document in Jersey

If the foreign lasting power of attorney (or equivalent) does not need to be formally registered in the country of origin in order for it to be officially valid and utilised, then we will also require an Affidavit from a lawyer in that jurisdiction which confirms this.

Once the Act of Court is issued, it can be lodged with the Jersey asset holder who can then validly accept instructions from the Attorney.

For any further queries on this process, please contact the Ogier Wills and Probate team.

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