

# Power of Attorney

471 TRAE

Translation of Legal Texts

2<sup>nd</sup> Semester 1436/1437

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# What is a power of attorney?

- A **power of attorney** (الوكالة القانونية) is a document in which you state that you give someone else (usually a relative, friend, partner, or lawyer) the authority to make certain decisions and act on your behalf.
- A power of attorney must be signed by the person granting the authority and the signature must be **notarized** (to notarize يوثق/يصادق على) by a **notary public** (كاتب عدل).
- A power of attorney may be **revoked or terminated** (to revoke/terminate يلغي) by the person granting the authority.

- The person granted the authority is called an **attorney-in-fact** (وكيل فعلي) or **agent** (وكيل).
- The person granting the authority is called a **principal** (موكل).

➤ **Note:**

→ Attorney in fact (وكيل فعلي): Someone authorized to act for another person under a power of attorney

→ **Attorney at law** (مُجاز في القانون): Someone licensed to practice law

# Common Fixed Expressions

- In some cases, the following phrase “**Know all men by these presents**” ( ليكن معلوماً لدى الجميع بموجب هذه الوكالة/ليعلم الجميع بموجب ) (الوكالة/إلى من يهمله الأمر) is used at the beginning of powers of attorney and other legal documents.
- At the end of powers of attorney and other legal documents, the expression “**in witness whereof**” (إثباتاً لما تقدّم/إشهاداً لما تقدّم) is sometimes used.

# Types of Powers of Attorney

1. **General Power of Attorney** (وكالة قانونية عامة)

2. **Specific Power of Attorney** (وكالة قانونية خاصة)

➤ Both types of powers of attorney can be “**durable powers of attorney**”. A **durable power of attorney** (وكالة قانونية مستمرة) is a power of attorney that is valid even if the principal becomes incapacitated or otherwise unable to administer his own affairs. It has to be explicitly stated that the power of attorney is still valid even if the principal becomes **disabled** (عاجزاً) or **incapacitated** (فاقد الأهلية) for the power of attorney to be durable.

# References

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