

**An Enduring Guardian can resign at any time by giving written notice in this form to the person who appointed the Enduring Guardian. However, an Enduring Guardian for a person who has lost the capacity to make personal decisions may only resign with the approval of the NSW Civil & Administrative Tribunal.**

**Appointor –**

The person who makes an Enduring Guardian appointment is known as the appointor.

**Note:** Before the Enduring Guardian signs here they must arrange for a witness to watch them sign this form. The witness needs to complete their details opposite. The witness cannot be the Enduring Guardian, or a substitute Enduring Guardian/s.

The witness must be an Australian legal practitioner/ Registrar of the NSW Local Court/overseas-registered foreign lawyer/approved employee of NSW Trustee & Guardian or Service NSW. Only these persons can witness the execution of this resignation.

# Notice of Resignation as Enduring Guardian

For New South Wales

(Guardianship Regulation 2016, Schedule 1)

I, *[your full name]*: \_\_\_\_\_

Of *[your address]*: \_\_\_\_\_

Occupation: \_\_\_\_\_

Phone number: \_\_\_\_\_

Date of birth: \_\_\_\_\_

**Resign** my appointment as an Enduring Guardian of *[appointor's name]*: \_\_\_\_\_

Of *[appointor's address]* \_\_\_\_\_

Having been appointed by an instrument of appointment dated \_\_\_\_\_ *[insert if known]*

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Optional – signature on my behalf**

The Enduring Guardian instructed me to sign this resignation on their behalf.

Signature on behalf of Enduring Guardian \_\_\_\_\_

Date \_\_\_\_\_

Signer's full name \_\_\_\_\_

Signer's address \_\_\_\_\_

Signer's phone number \_\_\_\_\_

**Witness certificate**

I, *[full name]*: \_\_\_\_\_

Of *[address]*: \_\_\_\_\_

Phone number: \_\_\_\_\_

Occupation:  Australian legal practitioner

Registrar of the NSW Local Court

Overseas-registered foreign lawyer

Approved employee of NSW Trustee & Guardian/ Service NSW

**Certify that** *[Tick applicable boxes below, cross out those which do not apply]*

\_\_\_\_\_

*[insert name of Enduring Guardian resigning appointment]*

appeared to understand the effect of this instrument and voluntarily executed the instrument in my presence.

The Enduring Guardian resigning appointment voluntarily instructed *[insert signer's full name]*

\_\_\_\_\_ to sign the instrument on their behalf and that person executed the instrument in my presence.

Signature \_\_\_\_\_ Date \_\_\_\_\_