



# Evidence and Powers of Attorney Act 1940

1940 CHAPTER 28 3 and 4 Geo 6

## 4 Proof of instruments creating powers of attorney.

- (1) A document purporting to be—
- (a) ..... <sup>F1</sup>
  - (b) an extract of an instrument creating a power of attorney registered in Scotland in the books of council and session; or
  - (c) an office copy of an instrument deposited in the proper office of the [<sup>F2</sup>Court of Judicature] under section forty-eight of the <sup>M1</sup>Conveyancing Act, 1881, as it applies to Northern Ireland;
- shall, in any part of the United Kingdom, without further proof be sufficient evidence of the contents of the instrument and of the fact that it has been so deposited or registered.
- (2) ..... <sup>F3</sup>

### Textual Amendments

- F1** S. 4(1)(a) repealed by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)
- F2** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 11 para. 6](#); [S.I. 2009/1604](#), art. 2(d)
- F3** S. 4(2) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

### Modifications etc. (not altering text)

- C1** S. 4 saved by [Powers of Attorney Act 1971 \(c. 27\)](#), s. 3(4); extended by [Powers of Attorney Act 1971 \(c. 27\)](#), s. 3(5)

### Marginal Citations

- M1** 1881 c. 41.

**Changes to legislation:**

There are currently no known outstanding effects for the Evidence and Powers of Attorney Act 1940, Section 4.