Deed of Power of Attorney - sample (Nigeria)

DEED OF POWER OF ATTORNEY

Made this [12th day of January 2027] · Governed by the laws of [Lagos State]

THIS DEED OF POWER OF ATTORNEY is made the day and year first above written.

BY [DONOR'S FULL NAME] of [donor's address abroad, e.g. 14 Example Road, London, United Kingdom], [occupation] (ID: [international passport number]) (hereinafter called “the Donor”, which expression shall where the context admits include the Donor's personal representatives);

IN FAVOUR OF [DONEE'S FULL NAME] of [donee's address in Nigeria], [sister] of the Donor (ID: [NIN or passport number]) (hereinafter called “the Donee” or “the Attorney”).

WHEREAS the Donor is entitled to the property situate at [3-bedroom flat, Block B, 12 Example Street, Surulere, Lagos] (hereinafter called “the Property”);

AND WHEREAS the Donor is presently resident outside Nigeria and is desirous of appointing the Donee to act for and in the name of the Donor in respect of the Property upon the terms hereinafter contained;

NOW THIS DEED WITNESSETH that the Donor hereby APPOINTS the Donee to be the true and lawful Attorney of the Donor, for the Donor and in the Donor's name, to do the following acts and things:

1. POWERS GRANTED
(a) Manage, supervise and maintain the property. (b) Let or lease the property and sign tenancy agreements. (c) Demand, collect and recover rent and rent arrears, and issue receipts. (d) Institute, conduct or defend legal proceedings in the name of the Donor. (e) Execute, stamp and register documents at the Lands Registry. (f) Pay rates, taxes, ground rent, levies and service charges.

2. PURPOSE
The authority hereby conferred is given for the following purpose and no other: [the letting and management of the Property while the Donor is resident abroad].

3. LIMITATION - THIS IS NOT A TRANSFER OF OWNERSHIP
This Deed authorises the Donee to deal with the Property on the Donor's behalf. It does not convey, assign or transfer any estate or interest in land to the Donee. Ownership passes only by a duly executed and registered instrument. The Donee shall not use this Deed for any purpose outside the powers granted above.

4. DURATION
This Power of Attorney shall remain in force until [31 December 2028], unless earlier revoked in writing by the Donor.

5. GOVERNING LAW

This Deed is executed in Nigeria and shall be governed by and construed in accordance with the laws of [Lagos State] and the laws of the Federal Republic of Nigeria.

IN WITNESS WHEREOF the parties have hereunto set their hands the day and year first above written.

_____

[Donor's full name] - the Donor - signature

_____

[Donee's full name] - the Donee - signature

_____

[Witness] - name, address, signature

_____

Notary Public - notarial attestation - seal

BEFORE YOU SIGN - EXECUTION AND REGISTRATION. 1. Sign and witness; where the Donor is illiterate or blind, the document must be attested by a judge, magistrate, JP, Notary Public or Commissioner for Oaths. 2. Register it if it concerns land: a power of attorney authorising any person to deal with land must be delivered to the appropriate Lands Registry - in Ojugbele v. Olasoji (1982) SC 71 the Supreme Court held that a registrable power of attorney which is not registered is inadmissible as evidence. 3. Stamp it: stamp duty is payable before the instrument can be used in evidence. 4. For use outside Nigeria, attest before a Notary Public and, where required, authenticate at the Ministry of Foreign Affairs and legalise at the embassy - Nigeria is not a party to the Hague Apostille Convention, so consular legalisation, not apostille, is the route. 5. No sale power is granted above: a sale needs a Deed of Assignment and, by section 22 of the Land Use Act, the Governor's Consent - an “irrevocable” power of attorney is not a substitute for either.