

# **CONTINUING POWER OF ATTORNEY FOR PROPERTY**

(Made in accordance with the *Substitute Decisions Act, 1992*)

This Continuing Power of Attorney for Property is given by **JOAO ERNESTO DA SILVA MONTEIRO**, of the City of Mississauga, in the Province of Ontario,

## **1. APPOINTMENT**

I appoint my friend, **RAIMUNDO FLAVIO DOS SANTOS**, to be my attorney(s) for property.

*Both the grantor and the attorney(s) must be at least 18 years old.*

## **2. POWER TO MANAGE PROPERTY**

I authorize my attorney(s) for property to do, on my behalf, anything that I can lawfully do by an attorney, and specifically anything in respect of property that I could do if capable, except make a will, subject to any conditions or restrictions set out in this document.

## **3. CONTINUING POWER**

This is a continuing power of attorney. It is my intention and I so authorize my attorney(s) that the authority given in this continuing power of attorney may be exercised during any incapacity on my part to manage my property, pursuant to section 7 of the *Substitute Decisions Act, 1992*.

## **4. FAMILY LAW ACT CONSENT**

If my spouse disposes of or encumbers any interest in a matrimonial home in which I have a right to possession under Part II of the *Family Law Act*, I authorize the attorney(s) named in this power of attorney for me and in my name to consent to the transaction as provided for in clause 21(1)(a) of the said Act.

## **5. INSTRUCTIONS, CONDITIONS AND RESTRICTIONS**

If my spouse has been designated as Attorney and if after the execution of this document, my spouse and I are legally separated or divorced, any rights and powers granted to my spouse by this document shall immediately terminate on such legal separation.

## **6. LITIGATION GUARDIAN**

My attorney(s) shall have the authority to act as my litigation guardian if one is required to commence, continue, defend or represent me in any court proceeding.

## **7. REVENUE CANADA**

My attorney(s) for property is my "legal representative" for all purposes of the *Income Tax Act, R.S.C. 1985, c. 1 (5th Supp.)*, with respect to any dealings with the Government of Canada, or any institution controlled by the Government of Canada.

## **8. EFFECTIVE DATE**

Unless otherwise stated in this document, this continuing power of attorney comes into effect on the date it is signed and witnessed.

## **9. REVOCATION**

Any prior power of attorney for property or any prior power of attorney which affects my property given by me [, except a power of attorney given to a bank or financial institution for the purpose of transacting my business with that bank or financial institution,] is hereby revoked.

*Joao Ernesto da Silva Monteiro*  
JdS

10. **CAPACITY OF GRANTOR**

In making this power of attorney, I am aware:

- (a) of the nature, extent and approximate value of my property;
- (b) of the obligations I owe to my dependants (as defined in the *Substitute Decisions Act, 1992*);
- (c) that my attorney will be able to do on my behalf anything in respect of property that I could do if capable, except make a Will, subject to any conditions and restrictions set out in this document;
- (d) that my attorney must account for his or her dealings with my property;
- (e) that I may, while capable, revoke this power of attorney;
- (f) that the value of my property administered by my attorney may decline unless he or she manages it prudently; and,
- (g) that there is a possibility that my attorney could misuse the authority given to him or her by this power of attorney.

12. **COMPENSATION**

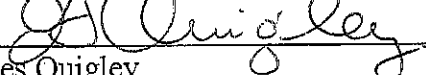
My attorney(s) may take compensation out of my property for any work done in connection with this continuing power of attorney for property by him, her or them in accordance with the prescribed fee scale established pursuant to sections 40(1) and 90 of the *Substitute Decisions Act, 1992*, for the compensation of attorneys under a continuing power of attorney.

13. **SIGNATURE:**  **DATE:** August 8, 2007  
**JOAO ERNESTO DA SILVA MONTEIRO**

14. **WITNESS STATEMENT AND SIGNATURE**

We have no reason to believe that the grantor is incapable of giving a continuing power of attorney for property or making decisions in respect of which instructions are contained in this power of attorney. We have signed this power of attorney in the presence of the person whose name appears above and in the presence of each other. Neither one of us is:

- 1) the attorney(s) named in this power of attorney nor a spouse or partner (as defined in the *Substitute Decisions Act, 1992*) of the named attorney(s);
- 2) a spouse or partner of the grantor;
- 3) a child of the grantor or person whom the grantor has demonstrated a settled intention to treat as his or her child;
- 4) a person whose property is under guardianship or who has a guardian of the person; or,
- 5) a person who is less than eighteen years old.

**WITNESS #1:**  **Date:** August 8, 2007  
**Name:** James Quigley

**Address:** c/o 44 Village Centre Place, Mississauga, Ontario. L4Z 1V9

**WITNESS #2:**  **Date:** August 8, 2007

**Name:** Connie Morais

**Address:** c/o 44 Village Centre Place, Mississauga, Ontario. L4Z 1V9