

- In a recent decision of the Supreme Court of Jamaica a daughter who had been given power of attorney by her father over his personal and business affairs was found to have embezzled her father's business and income therefrom for her own purposes.

The judge found that the daughter passed company resolutions and transferred company shares to herself from her father's company to the financial detriment of her father whose income she also siphoned off entirely for herself after he had given her power of attorney over his affairs.

The register of shares was ordered to be rectified to the original position before the power of attorney was given.

Conclusion:- The donee of a power of attorney must act at all times in the interest of the donor. It is essentially a fiduciary position that the donee has to the donor. To act otherwise is to destroy the substratum on which the power of attorney was given.

- Not stating explicitly when the Landlord ends the tenancy and requires back his tenanted premises in a 'Notice to Quit' will render void the said Notice. Section 25 of the Rent Restriction Act.
- The Privy Council decision of February 2007 in the Jamaican case **Jobson v Capital & Credit Merchant Bank Ltd** et al held where there is a clause in a mortgage instrument that speaks to default in payment for a period of thirty days it allows for the exercise of a power of sale without any notice to the mortgagor after that period.