



REPUBLIC OF SINGAPORE  
**GOVERNMENT GAZETTE**  
**ACTS SUPPLEMENT**  
*Published by Authority*

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The following Act was passed by Parliament on 2 April 2024 and assented to by the President on 24 April 2024:—

**REPUBLIC OF SINGAPORE**

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**No. 15 of 2024.**

I assent.

THARMAN SHANMUGARATNAM,

*President.*

*24 April 2024.*



An Act to amend the Mental Capacity Act 2008.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Mental Capacity (Amendment) Act 2024 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 11**

2. In the Mental Capacity Act 2008, in section 11(3), replace “An” with “Subject to section 12B, an”.

**New section 12B**

3. In the Mental Capacity Act 2008, after section 12A, insert —

**“Validation**

**12B.**—(1) Despite anything in section 12A(1), an instrument conferring authority of the kind mentioned in section 11(1) that is in the form of an electronic record in the electronic transaction system is not invalid as a deed by reason only that the electronic record does not state on its face that it is intended to be a deed in accordance with section 12A(1)(a), if —

- (a) the instrument was made using the electronic transaction system in compliance with section 12A (except subsection (1)(a) of that section); and
- (b) the instrument was made between 14 November 2022 and 4 January 2024 (both dates inclusive).

(2) Despite anything in this Act, a lasting power of attorney is not invalidly created under section 11(2) by reason only that the instrument which purports to create the lasting power of attorney is an instrument mentioned in subsection (1).

(3) No legal proceedings may be instituted on or after 6 March 2024 in any court in respect of the validity of a lasting power of attorney mentioned in subsection (2) by reason of the instrument which purports to create the lasting power of attorney not being made in accordance with section 12A(1)(a).

(4) Subsections (1), (2) and (3) do not affect the power of the court under section 17 to determine whether one or more of the

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requirements for the creation of a lasting power of attorney (not being a requirement under section 12A(1)(a)) have been met.”.

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