



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

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NO. 12]

FRIDAY, JUNE 10

[2016

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First published in the *Government Gazette*, Electronic Edition, on 7th June 2016 at 5:00 pm.

The following Act was passed by Parliament on 9th May 2016 and assented to by the President on 31st May 2016:—

**REPUBLIC OF SINGAPORE**

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**No. 16 of 2016.**

I assent.

TONY TAN KENG YAM,  
*President.*  
*31st May 2016.*

(LS)

An Act to amend certain Acts of the Republic of Singapore.

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 Statutes (Miscellaneous Amendments) Act 2016 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of Arbitration Act**

2. Section 13(8) of the Arbitration Act (Cap. 10, 2002 Ed.) is amended by deleting the word “Chairman” and substituting the words “President of the Court of Arbitration”.

**Amendment of Community Mediation Centres Act**

3. Section 21 of the Community Mediation Centres Act (Cap. 49A, 1998 Ed.) is repealed.

**Amendment of Conveyancing and Law of Property Act**

4. The Conveyancing and Law of Property Act (Cap. 61, 1994 Ed.) is amended —

(a) by deleting subsection (5) of section 7 and substituting the following subsection:

“(5) A person is deemed to be expressed to convey in a fiduciary capacity if the person is expressed to convey —

- (a) as a trustee or mortgagee;
- (b) as a personal representative of a deceased person;
- (c) as a donee of a lasting power of attorney granted under the Mental Capacity Act (Cap. 177A);
- (d) as a deputy appointed or deemed to be appointed by the court under the Mental Capacity Act; or
- (e) under an order of court.”; and

- (b) by deleting the words “Mental Capacity Act 2008” in sections 46(3), 47(4) and 48(11) and substituting in each case the words “Mental Capacity Act (Cap. 177A)”.

### **Amendment of Environmental Public Health Act**

5. The Environmental Public Health Act (Cap. 95, 2002 Ed.) is amended —

- (a) by repealing section 91 and substituting the following section:

**“Payment of fees, etc.**

**91.**—(1) Subject to subsection (2), all fees, charges and moneys collected under this Act are payable to the Agency.

(2) Any fee, charge or money collected under this Act may be paid to a person other than the Agency where the Agency has, with the approval of the Minister, made regulations under section 111 providing for that fee, charge or money to be payable to that person instead.

(3) This section does not apply to composition sums in section 104 or financial penalties imposed under section 80K or 99.”; and

- (b) by inserting, immediately after subsection (14) of section 99, the following subsection:

“(14A) Any financial penalty imposed on any person under this section is to be paid into the Consolidated Fund.”.

### **Amendment of Evidence Act**

6. The Evidence Act (Cap. 97, 1997 Ed.) is amended —

- (a) by inserting, immediately after the definition of “copy of a document” in section 3(1), the following definition:

“ “country” includes a territory;”;

- (b) by deleting the word “territory” wherever it appears in sections 59(1)(b) and (d) and 80(2) and (3) and substituting in each case the word “country”;
- (c) by deleting the word “territories” in section 59(1)(j) and substituting the word “countries”; and
- (d) by repealing section 86 and substituting the following section:

**“Presumption as to publication containing law or report of court decision**

**86.** The court is to presume the genuineness of every publication purporting —

- (a) to be printed or published under the authority of the government of any country and to contain any law of that country; or
- (b) to contain any official or authoritative report of a decision of a court of any country.”.

**Amendment of Family Justice Act 2014**

7. The Family Justice Act 2014 (Act 27 of 2014) is amended —
- (a) by deleting paragraph (i) of the definition of “family proceedings” in section 2(1);
  - (b) by deleting the word “and” at the end of paragraph (p) of the definition of “family proceedings” in section 2(1);
  - (c) by inserting the word “and” at the end of paragraph (q) of the definition of “family proceedings” in section 2(1), and by inserting immediately thereafter the following paragraph:
    - “(r) on or after the date of commencement of section 7(c) of the Statutes (Miscellaneous Amendments) Act 2016, any civil proceedings under the Wills Act (Cap. 352);”;

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- (d) by deleting the words “the Schedule” in section 20(1) and substituting the words “the First Schedule”;
- (e) by deleting the word “An” in section 23(2) and substituting the words “Subject to subsection (2A), an”;
- (f) by inserting, immediately after subsection (2) of section 23, the following subsection:
- “(2A) No appeal is to be brought to the High Court in any case where a Family Court makes an order specified in the Second Schedule, except in such circumstances as may be specified in that Schedule.”;
- (g) by inserting, immediately after subsection (3) of section 26, the following subsection:
- “(3A) If any family proceedings may be heard and determined by a Family Court or by the Family Division of the High Court, those proceedings must in the first instance be commenced in a Family Court.”;
- (h) by deleting the words “Notwithstanding subsection (2)” in section 26(4) and substituting the words “Despite subsections (2), (3) and (3A)”;
- (i) by inserting, immediately after subsection (4) of section 45, the following subsections:
- “(5) A child representative appointed to represent the interests of a child in any proceedings involving the child, or the custody and welfare of the child, shall not be liable to be sued for an act done by the child representative for the purposes of those proceedings, or any mediation or other alternative dispute resolution process related to those proceedings, if the act —
- (a) was done in good faith; and
- (b) did not involve any fraud or wilful misconduct on the part of the child representative.

(6) Where a registered medical practitioner, psychologist, counsellor, social worker or mental health professional is appointed by a Family Court to examine and assess a child or person for the purposes of preparing expert evidence for use in any proceedings involving the custody or welfare of that child or involving that person (as the case may be), the registered medical practitioner, psychologist, counsellor, social worker or mental health professional (as the case may be) shall not be liable to be sued for an act done by him for the purposes of the examination or assessment, or the preparation of the expert evidence for use in those proceedings, if the act —

(a) was done in good faith; and

(b) did not involve any fraud or wilful misconduct on his part.”;

(j) by inserting, immediately after section 46, the following section:

**“Amendment of Second Schedule**

**46A.**—(1) The Minister may, after consulting the Chief Justice, by order published in the *Gazette*, amend the Second Schedule.

(2) An order under subsection (1) may contain such provisions of a saving or transitional nature as appear to the Minister, after consulting the Chief Justice, to be necessary or expedient.”; and

(k) by renaming the existing Schedule as the First Schedule, and by inserting immediately thereafter the following Schedule:

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“SECOND SCHEDULE

Sections 23(2A) and 46A

ORDERS MADE BY FAMILY COURT  
THAT ARE NON-APPEALABLE

No appeal is to be brought to the High Court in any of the following cases:

- (a) where a Family Court makes an order giving unconditional leave to defend any proceedings;
- (b) where a Family Court makes an order giving leave to defend any proceedings on condition that the party defending those proceedings pays into court or gives security for the sum claimed, except if the appellant is that party;
- (c) where a Family Court makes an order setting aside unconditionally a default judgment, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise);
- (d) where a Family Court makes an order setting aside a default judgment on condition that the party against whom the judgment had been entered pays into court or gives security for the sum claimed, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise), except if the appellant is that party.”.

**Amendment of Foreshores Act**

- 8.** Section 3 of the Foreshores Act (Cap. 113, 1985 Ed.) is repealed.

**Amendment of Government Proceedings Act**

- 9.** Section 29 of the Government Proceedings Act (Cap. 121, 1985 Ed.) is amended by deleting subsection (4) and substituting the following subsection:

“(4) In any civil proceedings mentioned in subsection (2), costs are payable in respect of the services of more than 2 legal officers if the court so certifies.”.

**Amendment of Immigration Act**

**10.** The Immigration Act (Cap. 133, 2008 Ed.) is amended —

- (a) by deleting subsection (2) of section 2; and
- (b) by inserting, immediately after section 39A, the following section:

**“Minister may designate others to hear appeals**

**39B.**—(1) The Minister may designate any of the following persons to hear and determine, in the Minister’s place, any appeal or a specific appeal under section 8(6), 10(5), 11(6), 14(6), 29(7) or 33:

- (a) the Second Minister, if any, for his Ministry;
- (b) any Minister of State for his Ministry;
- (c) any Parliamentary Secretary to his Ministry.

(2) Any reference to the Minister in section 8(6), 10(5), 11(6), 14(6), 29(7), 33 or 39A includes a reference to a person designated under subsection (1).

(3) To avoid doubt, in this section —

“Minister of State” includes a Senior Minister of State;

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.”.

**Amendment of International Arbitration Act**

**11.** The International Arbitration Act (Cap. 143A, 2002 Ed.) is amended —

- (a) by deleting the word “Chairman” in sections 8(2) and (3) and 16(2) and substituting in each case the words “President of the Court of Arbitration”; and
- (b) by deleting the words “Chairman for the time being” in section 16(1) and substituting the words “President of the Court of Arbitration”.



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**Amendment of International Organisations (Immunities and Privileges) Act**

12. The International Organisations (Immunities and Privileges) Act (Cap. 145, 2013 Ed.) is amended —

- (a) by inserting, immediately after the words “international organisations” in the long title, the words “, in particular those”;
- (b) by deleting subsection (1) of section 2 and substituting the following subsection:
  - “(1) This section applies to the following:
    - (a) any organisation declared by an order of the President to be an organisation of which the Government and the government or governments of one or more foreign sovereign Powers are members;
    - (b) any organisation specified in the First Schedule.”;
- (c) by deleting the words “the Schedule” wherever they appear in section 2(2) and substituting in each case the words “the Second Schedule”;
- (d) by inserting, immediately after section 5, the following section and Schedule:

**“Amendment of First Schedule**

6. The Minister may, by notification published in the *Gazette*, amend the First Schedule.

FIRST SCHEDULE

Sections 2(1)(b) and 6

SPECIFIED ORGANISATIONS

1. International Tribunal for the Law of the Sea.”; and

- (e) by renaming the existing Schedule as the Second Schedule.

**Amendment of Land Acquisition Act**

13. Section 2(2) of the Land Acquisition Act (Cap. 152, 1985 Ed.) is amended —

- (a) by deleting the word “and” at the end of paragraph (b); and
- (b) by deleting paragraph (c) and substituting the following paragraphs:

- “(c) the guardian of a minor is deemed the person entitled to act, to the same extent as the minor could have acted if free from disability;

- (d) where an individual lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A), each of the following persons is deemed a person entitled to act, to the same extent as that individual could have acted if free from disability:

- (A) a donee of a lasting power of attorney which is granted by that individual under the Mental Capacity Act, and under which that individual confers on the donee authority to make decisions in relation to that individual for the purposes of this Act;

- (B) a deputy who is appointed or deemed to be appointed for that individual by the court under the Mental Capacity Act, and who is conferred power to make decisions in relation to that individual for the purposes of this Act.”.

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**Amendment of Land Titles Act**

**14.** Section 126(1) of the Land Titles Act (Cap. 157, 2004 Ed.) is amended by deleting paragraph (e) and substituting the following paragraph:

“(e) where the caveator lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A) —

- (i) by a donee of a lasting power of attorney which is granted by the caveator under the Mental Capacity Act, and under which the caveator confers on the donee authority to make decisions in relation to the management and care of the estate or interest claimed in the caveat; or
- (ii) by a deputy who is appointed or deemed to be appointed for the caveator by the court under the Mental Capacity Act, and who is conferred power to make decisions in relation to the management and care of the estate or interest claimed in the caveat; or”.

**Amendment of Legal Aid and Advice Act**

**15.** The Legal Aid and Advice Act (Cap. 160, 2014 Ed.) is amended —

- (a) by deleting subsection (1A) of section 6;
- (b) by deleting subsection (4) of section 20 and substituting the following subsection:

“(4) A person seeking legal advice must apply to the Director, and must satisfy the Director that the person cannot afford to obtain the legal advice in the ordinary way.”;
- (c) by inserting, immediately after paragraph (b) of section 23(2), the following paragraph:

“(ba) prescribe fees for applications under this Act, and provide for the remission of any such fees;”; and

(d) by repealing section 25.

### **Amendment of Legal Profession Act**

**16.** The Legal Profession Act (Cap. 161, 2009 Ed.) is amended —

(a) by deleting the word “and” at the end of section 5(3)(d);

(b) by inserting, immediately after paragraph (d) of section 5(3), the following paragraph:

“(da) the Dean of the School of Law of the SIM University;”;

(c) by deleting paragraphs (c), (d), (e) and (f) of section 10(2) and substituting the following paragraphs:

“(c) to prescribe the courses of instruction which a qualified person must attend and satisfactorily complete before the qualified person can be admitted as an advocate and solicitor, the conditions for entry to such a course and the subjects in such a course, and to regulate the conduct of a qualified person while attending such a course (including through disciplinary measures for any misconduct);

(d) to prescribe the examinations which a qualified person must pass before the qualified person can be admitted as an advocate and solicitor and the conditions for sitting for such an examination, and to regulate the conduct of a qualified person during such an examination (including through disciplinary measures for any misconduct);

(e) to provide for the courses of instruction which a foreign lawyer must attend and

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satisfactorily complete before the foreign lawyer can be registered under section 36B, including the conditions for entry to such a course and the subjects in such a course, and to regulate the conduct of a foreign lawyer while attending such a course (including through disciplinary measures for any misconduct);

- (f) to provide for the examinations which a foreign lawyer must pass before the foreign lawyer can be registered under section 36B, including the conditions for sitting for such an examination, and to regulate the conduct of a foreign lawyer during such an examination (including through disciplinary measures for any misconduct);”;
- (d) by deleting the words “this section” in section 10(2)(h) and substituting the words “subsection (1) or this subsection”;
- (e) by inserting, immediately after subsection (2) of section 10, the following subsection:

“(2A) The Board of Directors of the Institute may, after consulting the Minister, make rules —

- (a) to provide for the courses mentioned in section 2(3)(c), including the conditions for entry to such a course and the subjects in such a course, and to regulate the conduct of a person while attending such a course (including through disciplinary measures for any misconduct);
- (b) to provide for the tests and examinations mentioned in section 2(3)(c), including the conditions for sitting for any such test or examination, and to regulate the conduct of a person during any such test or examination (including through

disciplinary measures for any misconduct);  
and

- (c) to prescribe the forms to be used and the fees to be paid for the purposes of any rules made under this subsection.”;
- (f) by deleting the words “or the School of Law of the Singapore Management University” in sections 30(5)(c) and 75D(1)(c) and substituting in each case the words “, the School of Law of the Singapore Management University or the School of Law of the SIM University”;
- (g) by deleting the word “or” at the end of section 41(1A)(a)(ii);
- (h) by inserting, immediately after sub-paragraph (ii) of section 41(1A)(a), the following sub-paragraph:  
“(iia) of the School of Law of the SIM University; or”;
- (i) by deleting paragraphs (a), (b) and (c) of section 49(1) and substituting the following paragraphs:  
“(a) 7 practitioner members, each of whom is an advocate and solicitor of not less than 15 years’ standing on the day of his nomination for election to the Council;  
(b) 4 practitioner members, each of whom is an advocate and solicitor of less than 15 years’ but not less than 5 years’ standing on the day of his nomination for election to the Council; and  
(c) 4 practitioner members, each of whom is an advocate and solicitor of less than 5 years’ standing on the day of his nomination for election to the Council.”;
- (j) by deleting the words “12 years’ standing” in section 50(1)(a) and substituting the words “15 years’ standing”;

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- (k) by deleting the words “under 12 years’ but not less than 7 years’ standing” in section 50(1)(b) and substituting the words “less than 15 years’ but not less than 5 years’ standing”;
- (l) by deleting the words “under 7 years’ standing” in section 50(1)(c) and substituting the words “less than 5 years’ standing”;
- (m) by inserting the word “and” at the end of section 51(1)(b);
- (n) by deleting paragraph (c) of section 51(1);
- (o) by deleting the words “and place” in section 51(2) and (4);
- (p) by inserting the word “and” at the end of section 51(3)(b);
- (q) by deleting paragraph (c) of section 51(3);
- (r) by deleting the words “there has been neither an application for a grant from the Fund nor a grant made from the Fund” in section 75(10) and substituting the words “no grant is made from the Fund, and there is no application for a grant from the Fund that is pending at the end of that year”;
- (s) by deleting the word “Such” in sections 83(2) and 83A(2) and substituting in each case the words “Subject to subsection (7), such”;
- (t) by inserting, immediately after subsection (6) of section 83, the following subsection:
- “(7) The Minister may make rules for the exemption from section 83(2)(d) and (e) of any advocate and solicitor who satisfies such requirements, and does an act referred to in section 83(2)(d) or (e) in such circumstances, as may be prescribed in those rules.”;
- (u) by inserting, immediately after subsection (6) of section 83A, the following subsection:
- “(7) The Minister may make rules for the exemption from section 83A(2)(d) and (e) of any regulated foreign lawyer who satisfies such requirements, and does an act referred to in section 83A(2)(d) or (e) in

such circumstances, as may be prescribed in those rules.”;

- (v) by deleting subsection (3) of section 85 and substituting the following subsections:

“(3) Any judicial office holder specified in subsection (3A), the Attorney-General, the Director of Legal Services or the Institute may at any time refer to the Society any information touching upon the conduct of a regulated legal practitioner, and the Council must —

(a) refer the matter to the Chairman of the Inquiry Panel; or

(b) if that judicial office holder, the Attorney-General, the Director of Legal Services or the Institute (as the case may be) requests that the matter be referred to a Disciplinary Tribunal, apply to the Chief Justice to appoint a Disciplinary Tribunal.

(3A) For the purposes of subsection (3), the judicial office holders are —

(a) any Judge of the Supreme Court;

(b) any Judicial Commissioner of the Supreme Court;

(c) any Senior Judge of the Supreme Court;

(d) any International Judge of the Supreme Court;

(e) the Presiding Judge of the Family Justice Courts; and

(f) the Presiding Judge of the State Courts.”;  
and

- (w) by repealing section 92 and substituting the following section:



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**“Complaint made by Judge, etc., or Attorney-General**

**92.**—(1) Where any judicial office holder specified in subsection (2) or the Attorney-General refers to the Society any information touching upon the conduct of a regulated legal practitioner, every reference in this Part to a person who made the complaint is to be construed as including a reference to the Attorney-General.

(2) For the purposes of subsection (1), the judicial office holders are —

- (a) any Judge of the Supreme Court;
- (b) any Judicial Commissioner of the Supreme Court;
- (c) any Senior Judge of the Supreme Court;
- (d) any International Judge of the Supreme Court;
- (e) the Presiding Judge of the Family Justice Courts; and
- (f) the Presiding Judge of the State Courts.”.

**Amendment of Maintenance Orders (Reciprocal Enforcement) Act**

**17.** The Maintenance Orders (Reciprocal Enforcement) Act (Cap. 169, 1985 Ed.) is amended —

- (a) by inserting, immediately after subsection (2) of section 8, the following subsection:

“(2A) To avoid doubt, section 121 of the Women’s Charter applies to a registered order which has been registered or confirmed by a Family Court (or any other court in Singapore) with the following modifications:

- (a) the reference in section 121(3) of the Women’s Charter to a suit is to be read as a reference to an application to enforce the registered order in accordance with section 71 of the Women’s Charter;
  - (b) the reference in section 121(3) of the Women’s Charter to the institution of the suit is to be read as a reference to the filing of the application to enforce the registered order.”; and
- (b) by repealing section 18 and substituting the following sections:

**“Family Justice Rules**

**18.**—(1) The Family Justice Rules Committee constituted under section 46(1) of the Family Justice Act 2014 (Act 27 of 2014) may make Family Justice Rules to regulate and prescribe the procedure and practice to be followed in proceedings under this Act and any matters incidental to or relating to any such procedure or practice.

(2) Without affecting the generality of subsection (1), Family Justice Rules may be made to prescribe —

- (a) the manner in which any application under this Act is to be made; and
- (b) the fees payable in relation to proceedings under this Act.

(3) The Family Justice Rules may, instead of providing for any matter, refer to any provision made or to be made about that matter by practice directions issued for the time being by the registrar of the Family Justice Courts.

(4) All Family Justice Rules made under this section are to be presented to Parliament as soon as possible after publication in the *Gazette*.

### **Regulations**

**18A.**—(1) The Minister may make regulations for giving effect to the provisions and purposes of this Act and for the due administration of this Act.

(2) The powers conferred by this section do not extend to any matter for which the Family Justice Rules mentioned in section 18 may be made.”.

### **Amendment of Maritime and Port Authority of Singapore Act**

**18.** Section 6(1) of the Maritime and Port Authority of Singapore Act (Cap. 170A, 1997 Ed.) is amended by deleting “11” in paragraph (b) and substituting “13”.

### **Amendment of Massage Establishments Act**

**19.** The Massage Establishments Act (Cap. 173, 2013 Ed.) is amended by inserting, immediately after section 10, the following section:

#### **“Minister may designate others to hear appeals**

**10A.**—(1) The Minister may designate any of the following persons to hear and determine, in the Minister’s place, any appeal or a specific appeal under section 6(5) or 7:

- (a) the Second Minister, if any, for his Ministry;
- (b) any Minister of State for his Ministry;
- (c) any Parliamentary Secretary to his Ministry.

(2) Any reference to the Minister in section 6(5) or 7 includes a reference to a person designated under subsection (1).

(3) To avoid doubt, in this section —

“Minister of State” includes a Senior Minister of State;

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.”.

### **Amendment of Medical and Elderly Care Endowment Schemes Act**

**20.** Section 43(3) of the Medical and Elderly Care Endowment Schemes Act (Cap. 173A, 2001 Ed.) is amended —

- (a) by inserting the word “or” at the end of paragraph (a); and
- (b) by deleting paragraph (b) and substituting the following paragraph:

“(b) in relation to a person who lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A) —

- (i) a donee of a lasting power of attorney which is granted by that person under the Mental Capacity Act, and under which that person confers on the donee authority to consent on that person’s behalf to such disclosure; or
- (ii) a deputy who is appointed or deemed to be appointed for that person by the court under the Mental Capacity Act, and who is conferred power to consent on that person’s behalf to such disclosure.”.

### **Amendment of Nanyang Polytechnic Act**

**21.** The Nanyang Polytechnic Act (Cap. 191A, 1993 Ed.) is amended by inserting, immediately after section 9, the following section:

#### **“Public servants**

**9A.** All members of the Board, and all officers, members of the academic staff and other employees of the Polytechnic, are deemed to be public servants for the purposes of the Penal Code (Cap. 224).”.

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**Amendment of National Arts Council Act**

**22.** The National Arts Council Act (Cap. 193A, 2014 Ed.) is amended —

(a) by inserting, immediately after section 11, the following section:

**“Secretary of Council**

**11A.—**(1) The Council may appoint an employee of the Council to be the secretary of the Council.

(2) The secretary of the Council —

(a) is responsible for the following matters:

(i) arranging the business, and keeping the minutes, of each meeting of the Council;

(ii) conveying any decision of the Council to the appropriate person;

(b) is to perform such other functions as the Chairman may direct; and

(c) must act in accordance with such instructions as the Chairman may give.”; and

(b) by inserting, immediately after paragraph 12 of the First Schedule, the following paragraph:

**“Transaction of business by Council outside meetings**

12A.—(1) The Council may, if it thinks fit, transact any of its business by the circulation of papers among members.

(2) Where a member is in any way, directly or indirectly, interested in any business being transacted by circulation of papers —

(a) the member must disclose the nature of the member’s interest in writing to the Chairman at the first opportunity after the relevant facts have come to the member’s knowledge;

(b) the disclosure is to be recorded and treated as having been made in accordance with paragraph 10; and

(c) the member must not take part in the deliberation or decision with respect to that transaction.

(3) A decision in writing made by a simple majority of the members for the time being entitled to take part in the decision is to be taken as a decision of the Council, and is as valid and effectual as if the decision had been made at a meeting of the Council duly convened and held.

(4) Separate copies of a decision in writing may be distributed for signing by the members if the wording of the decision and approval is identical in each copy.

(5) For the purpose of a decision under this paragraph, the Chairman and each member have the same voting rights as they have at any meeting of the Council.

(6) The decision of the Council is made when —

(a) the last member required for the majority signs; and

(b) the decision of that member is duly delivered to the secretary of the Council.

(7) The Chairman may stipulate a period of time within which a decision may be made under this paragraph.

(8) The Council may, if it thinks fit, deliberate on matters by the circulation of papers among all of the members of the Council.

(9) For the purposes of this paragraph, papers (including disclosures and decisions) may be circulated among members, or delivered to the secretary of the Council, by hand or by facsimile or electronic transmission of the information in the papers concerned.”.

### **Amendment of National Emblems (Control of Display) Act**

**23.** Section 4 of the National Emblems (Control of Display) Act (Cap. 196, 1985 Ed.) is amended by deleting the words “the Schedule” in paragraph (a)(iii) and substituting the words “the Second Schedule”.

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**Amendment of Ngee Ann Polytechnic Act**

**24.** The Ngee Ann Polytechnic Act (Cap. 207, 1985 Ed.) is amended by inserting, immediately after section 19, the following section:

**“Public servants**

**19A.** All members of the Council, and all officers, members of the academic and administrative staff and other employees of the Polytechnic, are deemed to be public servants for the purposes of the Penal Code (Cap. 224).”.

**Amendment of Passports Act**

**25.** The Passports Act (Cap. 220, 2008 Ed.) is amended —

- (a) by deleting subsection (4) of section 28; and
- (b) by inserting, immediately after section 28, the following section:

**“Minister may designate others to hear appeals**

**28A.—**(1) The Minister may designate any of the following persons to hear and determine, in the Minister’s place, any appeal or a specific appeal under section 28:

- (a) the Second Minister, if any, for his Ministry;
- (b) any Minister of State for his Ministry;
- (c) any Parliamentary Secretary to his Ministry.

(2) Any reference to the Minister in section 28 includes a reference to a person designated under subsection (1).

(3) To avoid doubt, in this section —

“Minister of State” includes a Senior Minister of State;

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.”.

**Amendment of Patents Act**

26. The Patents Act (Cap. 221, 2005 Ed.) is amended by repealing section 109.

**Amendment of Prisons Act**

27. Section 38 of the Prisons Act (Cap. 247, 2000 Ed.) is amended by deleting subsection (4) and substituting the following subsection:

- “(4) An order under this section may be signed by —
- (a) the Registrar of the Supreme Court, if the order is issued by the Court of Appeal or the High Court;
  - (b) the registrar of the Family Justice Courts, if the order is issued by the Family Division of the High Court, a Family Court or a Youth Court;
  - (c) the registrar of the State Courts, if the order is issued by a District Court, a Magistrate’s Court, a Coroner’s Court or any other State Court; or
  - (d) the District Judge, Magistrate or Coroner who issued the order.”.

**Amendment of Private Education Act**

28. Paragraph 1 of the First Schedule to the Private Education Act (Cap. 247A, 2011 Ed.) is amended by deleting the word “child” in the definition of “post-secondary education” and substituting the word “person”.

**Amendment of Private Hospitals and Medical Clinics Act**

29. Section 13(3) of the Private Hospitals and Medical Clinics Act (Cap. 248, 1999 Ed.) is amended by deleting paragraph (c) and substituting the following paragraph:

- “(c) in relation to a person who lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A), means —
- (i) a donee of a lasting power of attorney which is granted by that person under the Mental



Capacity Act, and under which that person confers on the donee authority to consent on that person's behalf to such disclosure; or

- (ii) a deputy who is appointed or deemed to be appointed for that person by the court under the Mental Capacity Act, and who is conferred power to consent on that person's behalf to such disclosure.”.

### **Amendment of Private Security Industry Act**

**30.** The Private Security Industry Act (Cap. 250A, 2008 Ed.) is amended by inserting, immediately after section 26, the following section:

#### **“Minister may designate others to hear appeals**

**26A.**—(1) The Minister may designate any of the following persons to hear and determine, in the Minister's place, any appeal or a specific appeal under section 26:

- (a) the Second Minister, if any, for his Ministry;
- (b) any Minister of State for his Ministry;
- (c) any Parliamentary Secretary to his Ministry.

(2) Any reference to the Minister in section 24(5)(a) or 26 includes a reference to a person designated under subsection (1).

(3) To avoid doubt, in this section —

“Minister of State” includes a Senior Minister of State;

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.”.

### **Amendment of Probate and Administration Act**

**31.** Section 62(3) of the Probate and Administration Act (Cap. 251, 2000 Ed.) is amended by deleting the words “filed in court” and substituting the words “given to the registrar”.

**Amendment of Public Entertainments and Meetings Act**

**32.** The Public Entertainments and Meetings Act (Cap. 257, 2001 Ed.) is amended by inserting, immediately after section 16, the following section:

**“Minister may designate others to hear appeals**

**16AA.**—(1) A Minister may designate any of the following persons to hear and determine, in the Minister’s place, any appeal or a specific appeal to the Minister under section 10(5), 11(6), 13(3), 14(5) or 15C(3):

- (a) the Second Minister, if any, for his Ministry;
- (b) any Minister of State for his Ministry;
- (c) any Parliamentary Secretary to his Ministry.

(2) Any reference to a Minister in section 10(5), 11(6), 13(3) or (4), 14(5) or (6), 15C(3) or 16 includes a reference to a person designated by the Minister under subsection (1).

(3) To avoid doubt, in this section —

“Minister of State” includes a Senior Minister of State;

“Parliamentary Secretary” includes a Senior Parliamentary Secretary.”.

**Amendment of Reciprocal Enforcement of Commonwealth Judgments Act**

**33.** The Reciprocal Enforcement of Commonwealth Judgments Act (Cap. 264, 1985 Ed.) is amended —

- (a) by deleting the words “Rules of Court” in section 2(2) and substituting the words “the Rules of Court mentioned in section 6 and the Family Justice Rules mentioned in section 7”;
- (b) by deleting the words “The Judges of the Supreme Court or any 3 of them of whom the Chief Justice shall be one shall provide by rules” in section 3(4) and substituting the words “The Rules of Court mentioned in section 6, and the Family Justice Rules mentioned in section 7, must provide”; and

- (c) by repealing section 6 and substituting the following sections:

**“Rules of Court**

6.—(1) The Rules Committee constituted under section 80(3) of the Supreme Court of Judicature Act (Cap. 322) may make Rules of Court to regulate and prescribe the procedure and practice to be followed in the High Court (other than the Family Division of the High Court) in proceedings under this Act, including the fees payable for, and the evidence in, such proceedings.

(2) All Rules of Court made under this section are to be presented to Parliament as soon as possible after publication in the *Gazette*.

**Family Justice Rules**

7.—(1) The Family Justice Rules Committee constituted under section 46(1) of the Family Justice Act 2014 (Act 27 of 2014) may make Family Justice Rules to regulate and prescribe the procedure and practice to be followed in the Family Division of the High Court in proceedings under this Act, including the fees payable for, and the evidence in, such proceedings.

(2) All Family Justice Rules made under this section are to be presented to Parliament as soon as possible after publication in the *Gazette*.”.

**Amendment of Reciprocal Enforcement of Foreign Judgments Act**

34. The Reciprocal Enforcement of Foreign Judgments Act (Cap. 265, 2001 Ed.) is amended —

- (a) by inserting, immediately after the words “Rules of Court” in the definition of “prescribed” in section 2(1), the words “or Family Justice Rules”;

- (b) by inserting, immediately after the words “Rules of Court” in section 2(3), the words “and Family Justice Rules”;
- (c) by inserting, immediately after the words “Rules of Court” in section 4(5), the words “or Family Justice Rules”;
- (d) by inserting, immediately after the words “the power to make Rules of Court under section 80 of the Supreme Court of Judicature Act (Cap. 322)” in section 8(1), the words “, and the power to make Family Justice Rules under section 46 of the Family Justice Act 2014 (Act 27 of 2014),”;
- (e) by deleting the word “rules” in section 8(1) and substituting the words “Rules of Court and Family Justice Rules, respectively,”;
- (f) by deleting the word “rules” wherever it appears in section 8(2) and substituting in each case the words “Rules of Court and Family Justice Rules”; and
- (g) by deleting the section heading of section 8 and substituting the following section heading:

**“Rules of Court and Family Justice Rules”.**

### **Amendment of Remote Gambling Act 2014**

**35.** The Remote Gambling Act 2014 (Act 34 of 2014) is amended by inserting, immediately after section 36, the following section:

**“Jurisdiction of courts**

**36A.** Despite any provision to the contrary in the Criminal Procedure Code (Cap. 68), a District Court or a Magistrate’s Court has jurisdiction to try any offence under this Act and has power to impose the full penalty or punishment in respect of the offence.”.

### **Amendment of Republic Polytechnic Act**

**36.** The Republic Polytechnic Act (Cap. 270, 2003 Ed.) is amended by inserting, immediately after section 9, the following section:

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**“Public servants**

**9A.** All members of the Board, and all officers, members of the academic staff and other employees of the Polytechnic, are deemed to be public servants for the purposes of the Penal Code (Cap. 224).”.

**Amendment of Settled Estates Act**

**37.** Section 16(2) of the Settled Estates Act (Cap. 293, 2013 Ed.) is amended by deleting paragraph (c) and substituting the following paragraph:

“(c) either of the following persons, on behalf of an individual who lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A):

- (i) a donee of a lasting power of attorney which is granted by that individual under the Mental Capacity Act, and under which that individual confers on the donee authority to make decisions in relation to that individual for the purposes of this Act;
- (ii) a deputy who is appointed or deemed to be appointed for that individual by the court under the Mental Capacity Act, and who is conferred power to make decisions in relation to that individual for the purposes of this Act.”.

**Amendment of Singapore Academy of Law Act**

**38.** The Singapore Academy of Law Act (Cap. 294A, 1997 Ed.) is amended —

- (a) by deleting the words “and the Dean of the School of Law of the Singapore Management University” in section 5(1)(f) and substituting the words “, the Dean of the School of Law of the Singapore Management University and the Dean of the School of Law of the SIM University”; and
- (b) by deleting the words “or the School of Law of the Singapore Management University” in section 16(1)(c) and

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substituting the words “, the School of Law of the Singapore Management University or the School of Law of the SIM University”.

### **Amendment of Singapore Armed Forces Act**

**39.** The Singapore Armed Forces Act (Cap. 295, 2000 Ed.) is amended —

(a) by repealing section 99 and substituting the following section:

**“Certificate relating to controlled drug or controlled substance**

**99.—(1)** A certificate purporting —

(a) to be signed by —

- (i) an analyst employed by the Health Sciences Authority;
- (ii) a person appointed under section 16(a)(ii) of the Misuse of Drugs Act (Cap. 185);
- (iii) a Singapore Armed Forces pharmacist or chemist; or
- (iv) such other person as the Minister may, by notification in the *Gazette*, appoint; and

(b) to relate to a controlled drug or controlled substance,

is to be admitted in evidence in any proceedings under this Act for an offence under section 34, or under the Misuse of Drugs Act, on the production of the certificate by the prosecution without proof of signature and, until the contrary is proved, is proof of all matters contained in the certificate.

(2) In this section —

“controlled drug” and “controlled substance” have the same meanings as in section 2 of the Misuse of Drugs Act;

“Health Sciences Authority” means the Health Sciences Authority established under section 3 of the Health Sciences Authority Act (Cap. 122C).”; and

(b) by repealing section 100.

### **Amendment of Singapore Polytechnic Act**

**40.** The Singapore Polytechnic Act (Cap. 303, 1985 Ed.) is amended by inserting, immediately after section 14, the following section:

#### **“Public servants**

**14A.** All members of the Board, and all officers, members of the academic and administrative staff and other employees of the Polytechnic, are deemed to be public servants for the purposes of the Penal Code (Cap. 224).”.

### **Amendment of Singapore Sports Council Act**

**41.** The Singapore Sports Council Act (Cap. 305, 2014 Ed.) is amended —

(a) by inserting, immediately after paragraph (f) of section 9, the following paragraph:

“(fa) with the approval of the Minister —

(i) impose fees or charges for services rendered by the Council and for the use of any facilities controlled or managed by the Council; and

(ii) determine the amount of each such fee or charge;”;

(b) by deleting paragraph (d) of section 24(1).

**Amendment of Singapore Tourism (Cess Collection) Act**

**42.** Section 2 of the Singapore Tourism (Cess Collection) Act (Cap. 305C, 1997 Ed.) is amended —

(a) by inserting, immediately after the definition of “Fund”, the following definitions:

“ “licensed premises” and “liquor licence” have the same meanings as in section 2(1) of the Liquor Control (Supply and Consumption) Act 2015 (Act 5 of 2015);”;

(b) by deleting the definition of “tourist public house” and substituting the following definition:

“ “tourist public house” means any licensed premises —

(a) in respect of which a Class 1A liquor licence has been granted under the Liquor Control (Supply and Consumption) Act 2015;

(b) in respect of which a Class 5 liquor licence (providing for the supply of liquor on the same terms as under a Class 1A liquor licence) has been granted under that Act for a continuous period of more than 6 days; or

(c) in respect of which a Class 1B liquor licence, or a Class 5 liquor licence (providing for the supply of liquor on the same terms as under a Class 1B liquor licence), has been granted under that Act, and which is declared by the Minister, by notification in the *Gazette*, to be a tourist public house.”.



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**Amendment of Supreme Court of Judicature Act**

**43.**—(1) The Supreme Court of Judicature Act (Cap. 322, 2007 Ed.) is amended —

(a) by deleting subsection (2A) of section 34 and substituting the following subsection:

“(2A) Subsection (2)(a) does not apply to any of the following cases:

- (a) any case heard and determined by the High Court in the exercise of its original jurisdiction under any written law which requires that case to be heard and determined by the High Court in the exercise of its original jurisdiction;
- (b) any case heard and determined by the Family Division of the High Court in the exercise of its original jurisdiction;
- (c) any family proceedings (not being probate proceedings) commenced in the High Court before 1 October 2014 and heard and determined by the High Court in the exercise of its original jurisdiction;
- (d) any contentious probate proceedings commenced in the High Court before 1 January 2015 and heard and determined by the High Court in the exercise of its original jurisdiction.”;

(b) by deleting subsection (4) of section 34 and substituting the following subsection:

“(4) Subsections (1) and (2) do not apply to any decision, judgment or order of the Family Division of the High Court involving the exercise of the appellate civil jurisdiction referred to in section 23 of the Family Justice Act 2014 (Act 27 of 2014).”;

(c) by deleting subsection (6) of section 34 and substituting the following subsection:

“(6) Subsections (1) and (2) do not apply to any decision, judgment or order of the High Court involving the exercise of the appellate civil jurisdiction of the High Court in any of the following circumstances:

(a) the hearing of any appeal from a District Court or Magistrate’s Court when exercising jurisdiction of a quasi-criminal or civil nature in any family proceedings (not being probate proceedings), being an appeal commenced in the High Court before 1 October 2014;

(b) the hearing of any appeal or special case from the Tribunal for the Maintenance of Parents, being an appeal or a special case commenced in the High Court before 1 October 2014;

(c) the hearing of any appeal from any contentious probate proceedings commenced in a District Court, being an appeal commenced in the High Court before 1 January 2015.”;

(d) by deleting the words “the date specified under section 47(11) of the Family Justice Act 2014 for the purposes of section 47(7) of that Act” in section 34(7)(c) and substituting the words “1 January 2015”; and

(e) by inserting, immediately after subsection (3) of section 79, the following subsection:

“(4) Where a registered medical practitioner, psychologist, counsellor, social worker or mental health professional is appointed by the High Court to examine and assess a child or person for the purposes of preparing expert evidence for use in any

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proceedings involving the custody or welfare of that child or involving that person (as the case may be), the registered medical practitioner, psychologist, counsellor, social worker or mental health professional (as the case may be) shall not be liable to be sued for an act done by him for the purposes of the examination or assessment, or the preparation of the expert evidence for use in those proceedings, if the act —

(a) was done in good faith; and

(b) did not involve any fraud or wilful misconduct on his part.”.

(2) Subsection (1)(a) and (b) does not apply to any decision, judgment or order made or given by the Family Division of the High Court before the date of commencement of subsection (1)(a) and (b), and section 34(2A) and (4) of the Supreme Court of Judicature Act as in force immediately before that date continues to apply to any such decision, judgment or order as if subsection (1)(a) and (b) had not been enacted.

(3) Subsection (1)(a) and (c) does not apply to any decision, judgment or order made or given by the High Court before the date of commencement of subsection (1)(a) and (c) in any of the following proceedings, and section 34(2A) and (6) of the Supreme Court of Judicature Act as in force immediately before that date continues to apply to any such decision, judgment or order as if subsection (1)(a) and (c) had not been enacted:

(a) any family proceedings (not being probate proceedings) commenced in the High Court before 1 October 2014;

(b) any contentious probate proceedings commenced in the High Court before 1 January 2015.

### **Amendment of Temasek Polytechnic Act**

**44.** The Temasek Polytechnic Act (Cap. 323A, 1991 Ed.) is amended by inserting, immediately after section 8, the following section:

**“Public servants**

**8A.** All members of the Board, and all officers, members of the academic staff and other employees of the Polytechnic, are deemed to be public servants for the purposes of the Penal Code (Cap. 224).”.

**Amendment of Trade Marks Act**

**45.** Section 75 of the Trade Marks Act (Cap. 332, 2005 Ed.) is amended —

- (a) by deleting the words “subsection (2)” in subsection (1) and substituting the words “subsections (2) and (3)”; and
- (b) by inserting, immediately after subsection (2), the following subsection:

“(3) Where the Registrar makes a decision in any interlocutory proceedings between 2 or more parties, and the decision terminates any matter concerning a trade mark or an application for a trade mark, any of those parties who is adversely affected by the termination of the matter may appeal to the Court from the decision of the Registrar.”.

**Amendment of Travel Agents Act**

**46.** Section 3 of the Travel Agents Act (Cap. 334, 1998 Ed.) is amended by deleting subsection (1) and substituting the following subsection:

“(1) Nothing in this Act is to be construed as requiring any of the following persons to hold a licence for the purpose of performing that person’s functions, exercising that person’s powers or carrying out that person’s duties as such person:

- (a) any executor or administrator;
- (b) any trustee;
- (c) any liquidator or official receiver;
- (d) any trustee in bankruptcy of a bankrupt estate;

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- (e) any trustee under —
    - (i) a composition or scheme of arrangement;
    - (ii) a deed of arrangement; or
    - (iii) a deed of assignment;
  - (f) any donee of a lasting power of attorney —
    - (i) which is granted under the Mental Capacity Act (Cap. 177A);
    - (ii) under which the donor confers on the donee authority to make decisions in relation to the donor for the purposes of this Act; and
    - (iii) the donor of which, after the creation of the lasting power of attorney, lacks capacity within the meaning of the Mental Capacity Act;
  - (g) any deputy who is appointed or deemed to be appointed for an individual by the court under the Mental Capacity Act, and who is conferred power to make decisions in relation to that individual for the purposes of this Act.”.

### **Amendment of Trust Companies Act**

**47.** Section 26 of the Trust Companies Act (Cap. 336, 2006 Ed.) is amended by deleting subsection (1) and substituting the following subsection:

“(1) A licensed trust company must not be any of the following:

- (a) a guardian of the person of an infant;
- (b) a donee of a lasting power of attorney which is granted by an individual under the Mental Capacity Act (Cap. 177A), and under which that individual confers on the donee authority to make decisions in relation to the personal welfare of that individual;
- (c) a deputy who is appointed or deemed to be appointed for an individual by the court under the Mental

Capacity Act, and who is conferred power to make decisions in relation to the personal welfare of that individual.”.

### **Amendment of Trustees Act**

**48.** Section 3 of the Trustees Act (Cap. 337, 2005 Ed.) is amended by deleting the definition of “court” and substituting the following definition:

“ “court” means the High Court and includes, in any case where the trust concerned is an executorship or administratorship, a Family Court;”.

### **Amendment of United Nations Act**

**49.** Section 2(2) of the United Nations Act (Cap. 339, 2002 Ed.) is amended by deleting the words “directions of” and substituting the words “directions issued or regulations made by”.

### **Amendment of Wills Act**

**50.** The Wills Act (Cap. 352, 1996 Ed.) is amended by inserting, immediately after section 27, the following section:

#### **“Rectification of will**

**28.**—(1) A court may order that a will be rectified so as to carry out the testator’s intentions, if the court is satisfied that, as a consequence of either or both of the following, the will is so expressed that the will fails to carry out the testator’s intentions:

(a) a clerical error;

(b) a failure to understand the testator’s instructions.

(2) Except with the permission of a court, an application for an order under subsection (1) must be made no later than 6 months after the date on which a grant authorising the administration of the testator’s estate is first made.

(3) Where the personal representatives of the testator distribute, after the end of the period of 6 months referred to in subsection (2), any part of the testator’s estate —

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- (a) this section does not render the personal representatives liable for making that distribution on the ground that they ought to have taken into account the possibility that a court may permit the making of an application for an order under subsection (1) after the end of that period; but
  - (b) this subsection does not affect any power to recover, by reason of the making of an order under subsection (1), any part of the testator's estate that is so distributed.

(4) The following grants are to be disregarded when considering, for the purposes of this section, when a grant authorising the administration of the testator's estate is first made:

- (a) a grant limited to settled land or to trust property;
- (b) any other grant that does not permit the distribution of the testator's estate;
- (c) a grant limited to a part only of the testator's estate, unless a grant limited to the remainder of the testator's estate has previously been made or is made at the same time.

(5) For the purposes of this section, where a grant consists of any probate, or letters of administration with the will annexed, sealed under section 47(1) of the Probate and Administration Act (Cap. 251), the grant is deemed to be made on the date of sealing of the probate or letters of administration with the will annexed.

(6) The Family Justice Rules Committee constituted under section 46(1) of the Family Justice Act 2014 (Act 27 of 2014) may make Family Justice Rules —

- (a) to regulate and prescribe the procedure and practice to be followed in any application for an order under subsection (1); and
- (b) to provide for any matter relating to any such procedure or practice.

(7) In this section —

“court” means the High Court or a Family Court;

“grant” means any of the following:

- (a) any probate granted by the High Court or a Family Court, or granted before 1 January 2015 by a District Court;
- (b) any letters of administration with the will annexed granted by the High Court or a Family Court, or granted before 1 January 2015 by a District Court;
- (c) any probate, or letters of administration with the will annexed, sealed under section 47(1) of the Probate and Administration Act;

“letters of administration with the will annexed” and “probate” have the same meanings as in section 2 of the Probate and Administration Act.”.

### **Amendment of Work Injury Compensation Act**

**51.** The Work Injury Compensation Act (Cap. 354, 2009 Ed.) is amended —

(a) by deleting sub-paragraph (iii) of section 9(1A)(a) and substituting the following sub-paragraph:

“(iii) where the employee has become a person who lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A) —

- (A) a donee of a lasting power of attorney which is granted by the employee under the Mental Capacity Act, and under which the employee confers on the donee authority to receive such payment; or



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- (B) a deputy who is appointed or deemed to be appointed for the employee by the court under the Mental Capacity Act, and who is conferred power to receive such payment; and”;
- (b) by deleting the words “becomes mentally incapacitated” in section 9(4A) and substituting the words “becomes a person who lacks capacity within the meaning of the Mental Capacity Act”;
- (c) by deleting the word “or” at the end of section 9(4A)(a);
- (d) by deleting paragraph (b) of section 9(4A) and substituting the following paragraphs:
- “(b) a donee of a lasting power of attorney which is granted by the employee under the Mental Capacity Act, and under which the employee confers on the donee authority to receive such payment; or
- (c) a deputy who is appointed or deemed to be appointed for the employee by the court under the Mental Capacity Act, and who is conferred power to receive such payment.”;
- (e) by deleting the words “mentally incapacitated” in section 12A(1) and substituting the words “lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A)”;
- (f) by deleting the words “mentally incapacitated” in section 12A(2), (4), (5) and (6) and substituting in each case the words “lacks capacity within the meaning of the Mental Capacity Act”;
- (g) by deleting subsection (2) of section 22 and substituting the following subsection:
- “(2) Where it appears to the Commissioner that compensation or interest is payable to an employee

under this Act and the employee lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A) before such payment is made, it is lawful for the Commissioner to receive and pay the compensation or interest to any one or more of the dependants of the employee for the benefit of the employee, even if —

- (a) there is no donee of a lasting power of attorney which is granted by the employee under the Mental Capacity Act, and under which the employee confers on the donee authority to receive the compensation or interest; and
  - (b) there is no deputy who is appointed or deemed to be appointed for the employee by the court under the Mental Capacity Act, and who is conferred power to receive the compensation or interest.”;
- (h) by deleting the words “to dead or mentally incapacitated employee from employer” in the section heading of section 22 and substituting the words “from employer to employee who is dead or lacks mental capacity”;
- (i) by deleting paragraph (ba) of section 27(1) and substituting the following paragraph:
- “(ba) where the person lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A) — with the leave of the Commissioner, by —
    - (i) any dependant of the person;
    - (ii) any donee of a lasting power of attorney which is granted by the person under the Mental Capacity Act, and under which the person confers on the donee authority to manage the person’s property; or

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- (iii) any deputy who is appointed or deemed to be appointed for the person by the court under the Mental Capacity Act, and who is conferred power to manage the person's property;";
- (j) by deleting paragraph (c) of section 28A(2) and substituting the following paragraph:
- “(c) where the employee lacks capacity within the meaning of the Mental Capacity Act (Cap. 177A), to such of the following persons as the Commissioner deems fit:
    - (i) any one or more of the employee's dependants for the benefit of the employee;
    - (ii) any donee of a lasting power of attorney which is granted by the employee under the Mental Capacity Act, and under which the employee confers on the donee authority to manage the employee's property;
    - (iii) any deputy who is appointed or deemed to be appointed for the employee by the court under the Mental Capacity Act, and who is conferred power to manage the employee's property.”; and
- (k) by deleting the words “are mentally incapacitated” in section 45(2)(h) and substituting the words “lack capacity within the meaning of the Mental Capacity Act (Cap. 177A),”.

**Amendment of Statutes (Miscellaneous Amendments) Act 2012**

**52.** Section 26 of the Statutes (Miscellaneous Amendments) Act 2012 (Act 2 of 2012) is amended by deleting paragraph (*i*).

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