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No. S 526

**MENTAL CAPACITY ACT
(CHAPTER 177A)**

**MENTAL CAPACITY ACT
(AMENDMENT OF FIRST SCHEDULE)
ORDER 2014**

In exercise of the powers conferred by section 45 of the Mental Capacity Act, the Minister for Social and Family Development hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Mental Capacity Act (Amendment of First Schedule) Order 2014 and shall come into operation on 1 September 2014.

Amendment of First Schedule

2. The First Schedule to the Mental Capacity Act is amended —
- (a) by deleting sub-paragraph (c) of paragraph 2(1);
 - (b) by deleting sub-paragraphs (2), (3) and (4) of paragraph 2;
 - (c) by deleting paragraph 5;
 - (d) by inserting, immediately after the words “paragraph 4(2)(a)” in paragraph 6, the words “and determining that the application is in order”;
 - (e) by inserting, immediately after the words “paragraph 4(2)(b)” in paragraph 7(1), the words “and determining that the application is in order”;
 - (f) by inserting, immediately after the words “paragraph 4(2)(c)” in paragraph 7(2), the words “and determining that the application is in order”;

- (g) by deleting paragraphs 8 and 9 and substituting the following paragraph:

“Notification requirements

8. A notice under paragraph 6 or 7 must include such information, if any, as may be prescribed.”;

- (h) by deleting the words “or a named person” in paragraph 12(1) and (3);
- (i) by deleting the words “paragraph 5, 6 or 7” in paragraph 12(1)(a) and (3)(a) and substituting in each case the words “paragraph 6 or 7(2)(b)”;
- (j) by deleting the words “or named person” in the paragraph heading of paragraph 12;
- (k) by deleting paragraph 19 and substituting the following paragraph:

“Delivery of instrument on cancellation of registration

19. On the cancellation of the registration of an instrument, any person who possesses all or any of the following documents must deliver them to the Public Guardian to be cancelled:

- (a) the instrument;
- (b) any office copies of the instrument;
- (c) any copies of the instrument that have been certified by the Public Guardian under paragraph 15.”;
- (l) by deleting the words “, or suspended,” in paragraph 20;
- (m) by deleting the words “or suspension” in the paragraph heading of paragraph 20; and
- (n) by inserting, immediately after paragraph 23, the following paragraph:

“Delivery of instrument for attachment of note

23A. If the Public Guardian is required to attach a note to a registered instrument under paragraph 20, 21, 22 or 23, any person who possesses all or any of the following documents must deliver them to the Public Guardian for the note to be attached:

- (a) the instrument;

- (b) any office copies of the instrument;
- (c) any copies of the instrument that have been certified by the Public Guardian under paragraph 15.”.

Transitional and savings provision

3. Paragraph 2(a), (b), (c) and (g) to (j) shall not affect any instrument intended to create a lasting power of attorney that is executed on or after 1 September 2014 but before 1 October 2014 in one of the forms set out in the First Schedule to the Mental Capacity Regulations 2010 (G.N. No. S 105/2010) in force immediately before 1 September 2014.

Made on 1 August 2014.

CHAN HENG KEE
*Permanent Secretary,
Ministry of Social and Family
Development,
Singapore.*

[MSF 132-31-27; AG/LLRD/SL/177A/2010/4 Vol. 1]