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

**MENTAL CAPACITY
(EXEMPTION FROM REGISTRATION
AS PROFESSIONAL DEPUTY) ORDER 2018**

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definition
 3. Application
 4. Exemption from registration
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In exercise of the powers conferred by section 43B of the Mental Capacity Act, the Minister for Social and Family Development makes the following Order:

Citation and commencement

1. This Order is the Mental Capacity (Exemption from Registration as Professional Deputy) Order 2018 and comes into operation on 1 September 2018.

Definition

2. In this Order, “P” has the meaning given by section 11(1) or 20(1) of the Act.

Application

3. This Order applies to a person —

(a) who —

- (i) is an individual appointed, before 1 September 2018, by P as P’s donee under a lasting power of attorney;

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- (ii) is an individual appointed, on or after 1 September 2018, by P as P's donee under a lasting power of attorney, where the instrument creating that lasting power of attorney was immediately before that date the subject of a pending application for registration under the Mental Capacity Regulations 2010 (G.N. No. S 105/2010); or
 - (iii) (whether or not an individual) is appointed, before 1 September 2018, by the court as a deputy to make decisions on P's behalf under section 20(2) of the Act as in force immediately before that date; and
- (b) who provides the services of a donee or deputy (as the case may be) for remuneration —
- (i) because of any direction of the court given before 1 September 2018 under section 18(3)(c) or 24(8)(b) of the Act (as the case may be) as in force immediately before that date; or
 - (ii) where the person is a donee, under the terms of any arrangement made before 1 September 2018 between the donee and P.

Exemption from registration

4. A person mentioned in paragraph 3 is exempt from the requirement to register as a professional deputy under section 25A(1) of the Act, in respect of his or her discharge of any functions of a donee or deputy in relation to any P mentioned in paragraph 3.

Made on 31 August 2018.

CHEW HOCK YONG
*Permanent Secretary,
Ministry of Social and Family
Development,
Singapore.*

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