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No. S 821

MENTAL CAPACITY ACT 2008

MENTAL CAPACITY (AMENDMENT NO. 2) REGULATIONS 2023

In exercise of the powers conferred by section 46 of the Mental Capacity Act 2008, the Minister for Social and Family Development makes the following Regulations:

Citation and commencement

1. These Regulations are the Mental Capacity (Amendment No. 2) Regulations 2023 and come into operation on 18 December 2023.

Amendment of Schedule

2. In the Mental Capacity Regulations 2010 (G.N. No. S 105/2010), in the Schedule —

(a) replace item 2 with —

“2. The healthcare service licensee providing a licensable healthcare service to *P*

The healthcare service licensee must submit to the Public Guardian satisfactory evidence that —

(a) *P* is receiving the licensable healthcare service from the healthcare service licensee; and

(b) the healthcare service licensee —

(i) does not know the identity of *P*'s next-of-kin or donee; or

(ii) is unable to contact *P*'s next-of-kin or donee after having made reasonable attempts to do so.”; and

(b) replace the paragraph after item 4 with —

“In this Schedule —

“healthcare service licensee” means a person who holds a licence under the Healthcare Services Act 2020 to provide a licensable healthcare service;

“licensable healthcare service” has the meaning given by section 3(1) of the Healthcare Services Act 2020.”

*[G.N. Nos. S 524/2014; S 531/2018; S 501/2019;
S 870/2022; S 162/2023]*

Made on 5 December 2023.

AUBECK KAM
*Permanent Secretary,
Ministry of Social and Family
Development,
Singapore.*

[MOH 78:44/1; AG/LEGIS/SL/177A/2020/3 Vol. 1]