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MENTAL CAPACITY ACT 2008 (ACT 22 OF 2008)

MENTAL CAPACITY (PUBLIC GUARDIAN FEES) REGULATIONS 2010

ARRANGEMENT OF REGULATIONS

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In exercise of the powers conferred by sections 31(3) and (4) and 46 of the Mental Capacity Act 2008, the Minister for Community Development, Youth and Sports hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Mental Capacity (Public Guardian Fees) Regulations 2010 and shall come into operation on 1st March 2010.

Definition

2. In these Regulations, “register” means —

(a) the register of lasting powers of attorney; and

(b) the register of court orders appointing deputies,

established and maintained by the Public Guardian under section 31(1)(a) and (b) of the Act.

Fees

3.—(1) Subject to regulation 5, there shall be paid to the Public Guardian, in respect of the matters specified in the first column of the Schedule, the fees specified opposite thereto in the second column thereof.

(2) The fees for all items, except item 7, shall be paid upon and by the person making the application.

(3) The fee for item 7 (supervision of deputy) is applicable to any deputy who is appointed or deemed to be appointed under the Act, and shall be payable by the person in respect of whom the deputy is appointed.

Supervision of deputy

4.—(1) The Public Guardian shall determine the level of supervision for any deputy or class of deputies.

(2) The levels of supervision are —

(a) Level 1, which involves close monitoring;

(b) Level 2, which involves moderate monitoring; and

(c) Level 3, which involves minimal monitoring.

(3) The level of supervision for a deputy on his appointment (including a deemed appointment) shall be at Level 3, until otherwise determined by the Public Guardian.

No refund of fees

5. Subject to regulation 6, no refund of any fee paid under these Regulations shall be made by the Public Guardian, even if an application is unsuccessful or withdrawn, or a search does not produce any relevant information.

Waiver and remission of fees

6. The Public Guardian may, in his discretion, waive wholly or in part the fees paid or payable under these Regulations.

 THE SCHEDULE

Regulation 3

FEES

<i>First column</i>	<i>Second column</i>
1. For an application to register a lasting power of attorney executed by a citizen or permanent resident of Singapore —	
(a) in Form 1	\$50
(b) in Form 2	\$200
2. For an application to register a lasting power of attorney executed by a person who is not a citizen or permanent resident of Singapore in Form 1 or 2	\$200
3. For the cancellation of registration of a lasting power of attorney	\$25
4. For a search in the register	\$20
5. For a certified copy of an instrument registered under the First Schedule to the Act	\$25
6. For the issue of a donee identification card (“Donee ID”) —	
(a) to a replacement donee	\$7
(b) as a replacement for a lost or damaged card	\$7
7. For the supervision of a deputy —	
(a) at Level 1 (close monitoring)	\$250 for each year or part thereof
(b) at Level 2 (moderate monitoring)	\$120 for each year or part thereof
(c) at Level 3 (minimal monitoring)	No fee payable

Made this 19th day of February 2010.

NIAM CHIANG MENG
*Permanent Secretary,
Ministry of Community Development,
Youth and Sports,
Singapore.*

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