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Course Title: Seminar on Key Amendments to the Mental Capacity Act

Speakers: Goh Kok Yeow- De Souza Lim & Goh LLP
Regina Chang– Office of the Public Guardian
District Judge Colin Tan– Family Justice Courts

Duration: 86 minutes

Course description: The Mental Capacity Act (MCA) was first passed in 2008. The MCA sets out a legislative framework to address the need to decide and act on behalf of persons who are unable to make those decisions themselves. Its main tenet is expressed through respecting the autonomous right of persons with capacity, and respecting the vulnerability of those who lack capacity through protection of their welfare. It introduced the Lasting Power of Attorney (LPA) so individuals can appoint a “donee” to make decisions on their behalf should they lose mental capacity. For those who have lost mental capacity but have no LPA, the MCA allows someone – such as a family member or friend – to apply to the Court to be appointed as their deputy to make decisions on their behalf.

This programme will touch on the key principles of the LPA, MCA applications to the Courts, and the role of the Public Guardian in supervising Court-appointed deputies. The Mental Capacity (Amendment) Bill was passed in

Parliament on 14 March 2016, and introduced the concept of professional deputies and donees. Another key amendment gave the Courts the power to suspend a deputyship order without revoking it, and to preserve the assets of a person who has lost mental capacity and pending the completion of investigations into allegations of abuse by the Deputy.

About the Speakers:

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Goh Kok Yeow

Head of Intellectual Property and Probate/Trusts Practice, De Souza Lim & Goh LLP (Chairperson, Probate Practice and Succession Planning Committee, The Law Society of Singapore)

Goh Kok Yeow is the Chairperson of the Law Society of Singapore's Probate Planning and Succession Planning Committee. He is also a Senior Teaching Fellow of the Singapore Institute of Legal Education (SILE) since 2010, and he is the Subject Co-ordinator and lead lecturer for the Wills, Probate & Administration (WPA) subject for the Preparatory Course leading to Part B of the Singapore Bar Examinations conducted by the SILE.

He was called to the Singapore Bar in 1988, and he has been a Partner of De Souza Lim & Goh LLP since 1991, and he specialises in probate and trust matters, which often includes complicated as well as cross-border succession cases.



Regina Chang - Public Guardian, Office of the Public Guardian

Ms Regina Chang is the Public Guardian and heads the Office of the Public Guardian, a division of the Ministry of Social and Family Development, Singapore. The Public Guardian works towards protecting the dignity and interests of individuals who lack mental capacity and are vulnerable.

Prior to joining the Singapore Legal Service, Ms Chang was an advocate and solicitor of the High Court of the Republic of Singapore. While serving in the Legal Service, she has held various appointments such as District Judge, Deputy Registrar, Assistant Registrar, State Counsel and Deputy Public Prosecutor. She was seconded to the Office of the Public Guardian as the Public Guardian on 1 January 2016.



District Judge Colin Tan - District Judge, Family Justice Courts

Dr Colin Tan is both a qualified doctor as well as a qualified lawyer. He was appointed as a District Judge in the Family and Juvenile Justice Division of the Subordinate Courts in 2010 and currently serves as a District Judge in the Family Justice Courts where he hears Mental Capacity Act cases as well as other family law cases.

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