

Extensiveness Of Singaporeans Seeking LPAs

Question

Ms K Thanaletchimi

Nominated Member of Parliament

To ask the Minister for Social and Family Development (a) whether a simple guide in various languages has been produced to assist Singaporeans who are in need of a Lasting Power of Attorney (LPA) to sign up for it; (b) whether a comparative study has been done on the extensiveness of Singaporeans seeking LPAs compared to other developed nations; and (c) what measures are there to safeguard the public from errant lawyers who facilitate LPAs.

Answer

Since the Mental Capacity Act ("MCA") came into effect on 1 March 2010, the Office of the Public Guardian ("OPG") under my Ministry, has made available various resources to guide interested individuals in making their LPAs. These include a guidebook on the LPA, guidebook for donees and a Step by Step Guide to completing the basic LPA form, which is supplemented by a video guide. Most of these resources are available in all four official languages. I encourage interested applicants to review these resources from the OPG website when preparing their LPA applications.

As at 31 January 2017, 35,926 LPA applications have been received by the OPG, accounting for about 1% of the total Singaporeans and Permanent Residents population aged 21 and above.

As Singapore's MCA is modelled after England and Wales, we looked at the United Kingdom for a quick comparison. In England and Wales, about 4% of their eligible population have made an enduring power of attorney or LPA. Similarly, about 3% of Scotland's population have done so. While these figures are higher than in Singapore, it

should be noted that these jurisdictions started much earlier than us, some even as early as 1986.

My Ministry recognises that we still have some way to go in getting more Singaporeans to plan ahead and make an LPA. Hence, I would like to reiterate that the application fee waiver for Singapore Citizens making an LPA Form 1 has been extended till 31 August 2018. We hope that more will take advantage of the fee waiver to pre-plan for ourselves and give our families peace of mind in future. We will also continue to increase awareness on the LPA.

LPA certificate issuers, who are professionals from the medical and legal sector, perform an important safeguarding role in the whole process. The professional is required to see the donor and has to, in his professional opinion, ensure that the donor understands the purpose and content of the LPA, and that he is not forced to make one under pressure or duress. The certificate issuer does so by signing off on the LPA Form.

OPG also takes a serious view of breaches made by certificate issuers and will not hesitate to bring them to Court or report them to their professional bodies if they do not conduct their duties in a proper manner. If anyone has knowledge that a certificate issuer had not carried out his duties properly, he may inform the OPG or alert the respective professional bodies so that the matter can be looked into.