

# **Mental Capacity (Public Guardian Board) Regulations 2010**

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**MENTAL CAPACITY ACT 2008**  
**(ACT 22 OF 2008)**

**MENTAL CAPACITY (PUBLIC GUARDIAN BOARD) REGULATIONS 2010**

In exercise of the powers conferred by section 33 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 Board) Regulations 2010 and shall come into operation on 1st March 2010.

**Definition**

2. In these Regulations, “Board” means the Public Guardian Board established by section 33(1) of the Act.

**Composition of Board**

3.—(1) Subject to section 33(5) of the Act, the Board shall consist of such number of persons as the Minister may determine.

(2) The Minister may at any time revoke the appointment of any member of the Board.

**Tenure of office**

4.—(1) Every member of the Board shall be appointed for a period of not more than 2 years from the date of his appointment and shall be eligible for re-appointment on completion of that period unless he resigns during his period of office or unless his appointment is revoked by the Minister under regulation 3(2).

(2) On the expiry of a member’s term of office, the Minister may re-appoint that member to serve a further fixed term not exceeding 2 years.

(3) A member may be re-appointed more than once.

**Chairman of Board**

5. The Minister shall select one of the members of the Board to be its chairman.

### **Term of office of chairman**

**6.**—(1) The member selected to be the chairman of the Board shall be appointed by the Minister to hold that office for a fixed term not exceeding 2 years.

(2) On the expiry of a member's term of office as chairman, the Minister may re-appoint that member to serve a further fixed term not exceeding 2 years as chairman.

(3) The chairman may resign from that office at any time by giving notice in writing to the Minister.

(4) Where the chairman's membership of the Board ceases under regulation 7, his term of office as chairman shall also cease.

### **Cessation of appointment of members**

**7.** A person appointed as a member of the Board shall cease to hold such appointment —

- (a) on his death, resignation or absence from Singapore for more than 3 months without the permission of the Minister; or
- (b) if the Minister revokes the appointment.

### **Vacancies in Board**

**8.**—(1) A vacancy occurring in the Board shall be filled by a fresh appointment made by the Minister, and the person appointed to fill such a vacancy shall hold office for so long as the member in whose place he is appointed would have held office.

(2) The Board shall not be incapable of acting by reason only of there being any vacancy in the membership of the Board.

### **Secretary**

**9.**—(1) The chairman shall appoint a Secretary to the Board.

(2) The Secretary shall not be a member of the Board and shall not be entitled to vote at a meeting of the Board.

### **Quorum**

**10.**—(1) The quorum at every meeting of the Board shall be half the total number of members of the Board.

(2) No business shall be transacted or discussed at a meeting of the Board unless a quorum is present.