After Your LPA: Registration, Using It and Safekeeping

Post LPA · https://help.law.com.sg/faq/after-your-lpa-registration-and-use/

Signing your LPA before a lawyer or other Certificate Issuer does not make it effective. Your Lasting Power of Attorney takes effect only after it is registered with the Office of the Public Guardian (OPG), and your donee can only use it if you lose mental capacity.

I have just signed my LPA before a lawyer. Is it valid and effective already?

No. By signing the LPA before a Certificate Issuer, it is not yet effective until the Lasting Power of Attorney is registered with the OPG.

Who submits my LPA, and how does registration work now?

Since the launch of OPG Online (OPGO) in November 2022, the LPA is made and submitted online by default:

1. You (the Donor) apply at OPGO using your Singpass and complete your particulars, your donees' particulars and the powers granted.
2. Each donee receives a notice and accepts the appointment at OPGO using his or her own Singpass (a donee may also reject the appointment, in which case you will be notified through SMS and will need to redraft your LPA).
3. You visit a Certificate Issuer in person; you and the CI digitally sign the LPA, and the CI submits your LPA to the OPG for registration via OPGO.
4. The OPG reviews your LPA application and processes it for registration; the status is updated via SMS and email notifications and on your OPGO dashboard.

See our step-by-step guide on how to submit your LPA online at OPGO and our LPA checklist. Hardcopy submission to the OPG remains possible only in exceptional situations prescribed under the Mental Capacity Act, and is subject to the Public Guardian's approval. For a hardcopy application, the Mental Capacity Regulations require the application for registration to be received by the Public Guardian within 6 months from the date the Donor signs the instrument, unless the Public Guardian is satisfied that there is good reason for the delay.

Is my application automatically accepted?

No. Upon receipt of your LPA application, the OPG will verify the application to ensure that it can be accepted, and may contact you for rectification or to clarify certain issues. After acceptance, there is a mandatory waiting period during which valid objections may be raised.

How long will registration take?

Per the OPG's guide, it takes about 8 working days, excluding the mandatory 3-week waiting period, for the LPA to be registered. The OPG will register the LPA at the end of the mandatory 3-week waiting period if there are no valid objections received by the Specified Date stated in the notice of acceptance.

After my LPA is registered, what should I do with it?

Your LPA is an important document your donees will need if you lose mental capacity and they have to make decisions for you.

After your LPA has been registered, you and your donees may access the registered LPA in PDF format through OPGO via Singpass; the OPG does not return an original hardcopy after registration. The softcopy LPA may be viewed or shared with third party organisations (eg. banks, CPF Board, HDB, hospitals) and their representatives. If your original LPA is a hardcopy, keep it in a safe place and ensure that your donees know its whereabouts and will have access to it.

You should also inform the people and institutions your donees will have to deal with that you have made an LPA, including your doctor and other healthcare providers, and your bank, the Central Provident Fund Board and other institutions with whom you have accounts (such as Central

Depository Pte Ltd, insurance companies and stockbrokers). Different parties have different requirements, and you should check with them on what they need in order to accept your donees' authority to act for you if you lose capacity.

When can my donee use the LPA?

Your LPA can only be used when you lose mental capacity. Your donees may use your registered LPA in OPGO to make transactions on your behalf in the event you lose mental capacity. Before doing so, your donees must declare that you have been certified by a medical practitioner to lack mental capacity to make your own decisions, and they are subject to the penalties provided by the Mental Capacity Act for the making of false statements in statutory declarations.

If you regain your mental capacity, your donee should step aside to allow you to manage your own affairs again; the LPA remains valid.

I am the sole appointed donee and I believe the Donor now lacks capacity. What should I do?

When the Donor loses mental capacity, whether temporarily or permanently, you may act on the Donor's behalf in respect of the powers given in the LPA, in accordance with the statutory prescribed procedures, and you must always act in the best interests of the Donor. Please review the OPG's materials on using a Lasting Power of Attorney and its Code of Practice at msf.gov.sg/opg. If there is no LPA, a deputyship application may be needed instead.

What if I change my mind?

While you retain mental capacity, you can revoke your LPA. See how to revoke or cancel your LPA.

Need help with your LPA? Start with our LPA checklist or request a quote through our LPA Quote form.