Resealing of Foreign Grants in Singapore (Including Malaysian Grants)

Resealing · https://help.law.com.sg/faq/documents-for-resealing-of-malaysian-grant/

If you have already obtained a Grant of Probate or Letters of Administration in a Commonwealth country such as Malaysia, you do not usually need a fresh Singapore grant to deal with the deceased's Singapore assets. Instead, you can apply to reseal the foreign grant in Singapore, after which the court issues a Memorandum of Resealing and the foreign grant takes effect here as though it had been issued in Singapore. This page explains what resealing is, which foreign grants qualify, and the documents required, with particular detail for Malaysian grants.

What is resealing and why is it needed?

A Grant of Probate or Letters of Administration issued by a foreign court has no automatic effect in Singapore. Banks, insurers and the land registry here will not act on it alone. Resealing is the process whereby the Singapore court will, in effect, rubber stamp the original foreign grant of representation as though it had been issued or granted in Singapore. Upon a successful application for resealing, the court issues a Memorandum of Resealing, and the executor or administrator can then use the resealed grant to collect and administer the deceased's assets in Singapore.

The application is made to the Family Division of the High Court by originating application without notice under Part 6, Rule 46 of the Family Justice (Probate and Other Matters) Rules 2024, with the sealed foreign grant (or a sealed certified true copy issued by the foreign court) and other supporting papers.

Resealing is usually faster and simpler than applying for a fresh Singapore grant, because the court does not require an affidavit of law from a foreign lawyer in the deceased's country of domicile.

Which foreign grants can be resealed in Singapore?

You may apply to reseal the grant in Singapore if you have already obtained a Grant of Probate or Letters of Administration in any part of the Commonwealth, or another approved country or territory, such as Hong Kong SAR. Malaysia is a Commonwealth country, so Malaysian grants of probate and Letters of Administration can be resealed in Singapore.

If the deceased was domiciled in a non-Commonwealth country, resealing is not available, and a fresh Singapore application supported by an affidavit of foreign law is generally needed instead. See grants where deceased died domiciled outside Singapore.

What documents are required to reseal a Malaysian grant?

If you wish to engage this law firm for resealing a Malaysian Grant of Probate or Letters of Administration, the following documents are required.

Malaysian Grant of Probate

1. Original Grant of Probate, or certified true copy (CTC) by the issuing Malaysian court. If the CTC is from the court, ensure the rubber stamp is in English without Malay words. An English translation by the court is also required.
2. Original will, or CTC by the court safekeeping the original. If the CTC is from the court, ensure the rubber stamp is in English without Malay words. An English translation by the court is also required.
3. Copy of the death certificate
4. Copy of the deceased's identity card
5. Copy of the executor's identity card and/or passport

Malaysian Grant of Letters of Administration

1. Original Grant of Letters of Administration, or CTC by the issuing court. If the CTC is from the court, ensure the rubber stamp is in English without Malay words. An English translation by the court is also required.
2. List of beneficiaries, including full names, identity numbers, relationship to the deceased, dates of birth, addresses, and copies of identity documents

3. Copy of the death certificate
4. Copy of the deceased's identity card
5. Copy of the administrator's identity card and/or passport

The court may request additional documents, or give further directions in respect of the submitted documents.

Note: for resealing of Letters of Administration, the applicant must give security by way of an administration bond and two sureties in accordance with section 29 of the Probate and Administration Act 1934, failing which an application for dispensation of sureties may be made. See how to apply for dispensation of sureties for Grants of Letters of Administration.

For grants from other Commonwealth countries, the document checklists are similar. See documents required for probate matters from clients.

How does the resealing process work and where do I start?

In outline:

1. Gather the documents listed above, together with a list of the deceased's Singapore assets with supporting documents, eg. bank statements, insurance policies, title deeds, with estimated market values as at the date of death.
2. We review the foreign grant and documents, and advise whether resealing is available or a fresh Singapore grant is needed.
3. We prepare and file the resealing application with the court. The court may raise requisitions or ask for further documents.
4. Upon approval, the court issues the Memorandum of Resealing, which you then use with banks, insurers, HDB, the land registry and other institutions to deal with the Singapore assets.

If any signatory is outside Singapore, court documents can be signed before a Notary Public or a Singapore consular officer. See signing probate documents overseas.

For our estimated legal fees, please see how to engage us for probate matters, or submit our Probate Quote form at law.com.sg/singapore-probate-quote/. To proceed, submit our Probate Online form at law.com.sg/singapore-probate-online/, upload your documents at law.com.sg/probate-documents-upload/, and book an appointment at book.law.com.sg.