Documents Required for Probate Matters from Clients

Probate Procedures · https://help.law.com.sg/faq/documents-required-for-probate-matters-from-clients/

The documents needed for probate in Singapore depend on the deceased's domicile and whether they left a valid will. To begin an Originating Application for probate matters, clients must provide initial documents and information. The checklists below cover the common grants of representation in Singapore but are not exhaustive.

Next of kin should first determine where the deceased was domiciled, in Singapore or elsewhere, as this determines which grant of representation the estate requires.

Grant of Probate (Singapore Domicile)

Brief description

When someone domiciled in Singapore leaves a valid will, the named executor applies for a Grant of Probate to administer the estate. This grant allows the executor to collect assets, settle debts, and distribute the remainder per the will. The court must accept the will and may request affidavits from witnesses confirming proper execution.

Documents

1. Death certificate of the deceased
2. Last will and codicil (if any) of the deceased
3. Identity documents of executor(s), eg. NRIC, Passport
4. Name(s) of executor(s) renouncing
5. Death certificate of any executor named in the will
6. List of assets with corresponding documents, eg. bank statements, insurance policies, title deeds, motor vehicles, company shareholding, with estimated market values as at the date of death

Note:

- For documents required for court filings, if any are in a non-English language or contain non-English words, an English translation will be done in Singapore at the cost and expense of the applicant/client.
- For the deceased's last will, this is subject to the court's acceptance of the same, and the court may require an affidavit of due execution of the will by the deceased from the witnesses of the will and other requirements.

Further documents required for the Grant of Probate application

In addition to the above, the following are required for the application itself:

1. The original will
2. Where the will is not written in English, a certified true translation by a person competent to translate
3. Renunciation(s) by any person(s) appointed executor(s) under the will who do not wish to be executor(s)

Letters of Administration (Singapore Domicile)

Brief description

If someone domiciled in Singapore dies without a will, the next of kin apply for Letters of Administration. This grant appoints an administrator to manage and distribute the estate under the laws of intestacy.

Documents

1. Death certificate of the deceased
2. Identity documents of intended administrator(s), eg. NRIC, Passport
3. List of beneficiaries with their respective names, identity numbers, dates of birth, relationships to the deceased, residential addresses, and identity documents
4. If any beneficiary of the deceased's estate is an infant (under 21 years) or lacks mental capacity, there shall be two administrators, and their particulars and identity documents shall be provided.

In that event, two sureties are required by the court, and to apply for dispensation of the requirement of sureties, the remaining beneficiaries must sign a consent form under oath.

5. Relationship documents of beneficiaries, eg. marriage certificate, birth certificate
6. List of assets with corresponding documents, eg. bank statements, insurance policies, title deeds, motor vehicles, company shareholding, with estimated market values as at the date of death
7. Death certificate(s) of beneficiaries, eg. original death certificate of spouse or parent
8. Divorce certificate(s) (if applicable), eg. original sealed extract from the court, or certified true copy by a Singapore lawyer

Note: For documents required for court filings, eg. death certificate and inheritance certificate, if any of them is in a non-English language or contains non-English words, an English translation will be done in Singapore at the cost and expense of the applicant/client.

Resealing of Grant of Probate (Commonwealth Domicile)

Brief description

Sometimes a deceased person was domiciled in a Commonwealth country (including Hong Kong SAR). If the executor has already obtained a Grant of Probate there, the executor can apply to reseal that foreign grant in Singapore. Resealing lets the Singapore court recognise the foreign grant so the executor can manage the deceased's Singapore assets. See also resealing of foreign grants in Singapore.

Documents

1. Grant of Probate issued by a foreign court. If the foreign grant is in electronic format, please email us a copy.
2. Foreign court's official English translation of the Grant of Probate (if applicable)
3. Copy of the death certificate of the deceased. The original death certificate (or certified true extract by the issuing authority) may be required for verification of assets with third parties, such as banks and insurance companies.
4. Last will and testament and codicil (if any) of the deceased, or certified true copy by the foreign court keeping custody of the original will

5. Identity documents of the executor(s), eg. NRIC, Passport
6. List of assets with corresponding documents, eg. bank statements, insurance policies, title deeds, motor vehicles, company shareholding, with estimated market values as at the date of death

Note: Some court-filing documents or stamps may be in a language other than English, or contain non-English words. In that case, we arrange an English translation in Singapore. The applicant or client bears the cost of the translation.

Resealing of Letters of Administration (Commonwealth Domicile)

Brief description

A deceased person domiciled in a Commonwealth country (including Hong Kong SAR) may die without a will. If a foreign court then issued Letters of Administration, the administrator can apply to reseal those letters in Singapore. Resealing lets the administrator use the foreign grant to manage the deceased's Singapore assets. For resealing of Letters of Administration, the court also requires the administrator to provide two sureties.

Documents

1. Letters of Administration issued by a foreign court. If the foreign grant is in electronic format, please email us a copy.
2. Foreign court's official English translation of the Grant of Letters of Administration (if applicable)
3. Copy of the death certificate of the deceased
4. List of beneficiaries with their respective names, identity numbers, dates of birth, relationships to the deceased, residential addresses, and identity documents. Two sureties are required by the court, and to apply for dispensation of sureties, the remaining beneficiaries must sign a consent form under oath.
5. Copies of relationship documents of the beneficiaries, eg. marriage certificate, birth certificate
6. List of assets with corresponding documents, eg. bank statements, insurance policies, title deeds, motor vehicles, company shareholding, with estimated market values as at the date of death
7. Death certificate(s) of beneficiaries, eg. death certificate of spouse or parent

Note: Some court-filing documents or stamps may be in a language other than English, or contain non-English words. In that case, we arrange an English translation in Singapore. The applicant or client bears the cost of the translation.

Grant of Probate of Will in English Language (Foreign Domicile)

Brief description

Some deceased persons died domiciled outside Singapore but left a will in the English language. In that case, the executor may apply in Singapore for a Grant of Probate. This grant lets the executor manage the deceased's assets located here.

This is subject to Part 6, rule 22 of the Family Justice (Probate and Other Matters) Rules 2024 ("FJ (Probate) Rules 2024"). Rule 22 replaced rule 227 of the Family Justice Rules 2014. Other applicable provisions of Singapore law also apply.

Sometimes no application has been made under Part 6, rule 22(1) FJ (Probate) Rules 2024, eg. no application comes from a person appointed by the foreign probate court, or entitled under the law of the deceased's domicile. In that situation, Part 6, rule 22(2) allows the Singapore court to grant probate of a will that is admissible to proof:

- if the will is in English, to the executor named in the will; or
- if the will describes the duties of a named person in terms sufficient to make that person an executor according to the tenor of the will, to that person.

The court must first accept the will. It may also require an affidavit of due execution from the attesting witnesses, or other evidence. This confirms that the deceased executed the will under the relevant rules.

Please also refer to grants where deceased died domiciled outside Singapore for a broader overview of rule 22 and foreign-domiciled estates.

Documents

1. Death certificate of the deceased. If not in English, provide an English translation.
2. Last will and any codicil of the deceased. Must be in English. Provide the original.

3. Identity documents of executor(s) applying for the Grant of Probate, eg. NRIC, Passport
4. Details of any executor(s) renouncing probate, ie. name(s) of executor(s) who do not wish to act, and any renunciation document if available
5. Death certificate of any executor named in the will (if applicable)
6. List of Singapore assets with supporting documents, eg. bank statements, insurance policies, title deeds, motor vehicle ownership records, company shareholding documents, with estimated market values as at the date of death

Note:

- For documents to be filed in court, if any document is in a non-English language or contains non-English words, an English translation will be prepared in Singapore at the applicant's/client's cost and expense.
- Acceptance of the deceased's will is always subject to the court's discretion. The court may require an affidavit of due execution from the attesting witnesses, and/or other evidence or documents to satisfy itself that the will was validly executed and is admissible to proof, especially where the deceased died domiciled outside Singapore. The court may also impose any further requirements it considers appropriate.

Grant of Probate (Foreign Domicile) with Affidavit of Law

Brief description

A deceased person domiciled outside Singapore may leave a valid will and assets here. In that case, the executor applies for a Grant of Probate in the Singapore court. A foreign lawyer in the deceased's country of domicile must support the application with an affidavit of law. This affidavit confirms that the will and the executor's appointment are valid under the law of the deceased's domicile. The court must first accept the will. Subject to its review, the court may also ask the witnesses for an affidavit of due execution to confirm that the deceased signed the will properly.

Even with an affidavit of law on file, the court may ask for more. It can require additional information or documents, and further affidavits from the foreign lawyer.

There is an alternative for a Commonwealth country (including Hong Kong SAR). If the executor already holds a Grant of Probate from that country, the executor can reseal it in Singapore (see above). In that event, the court does not require an affidavit of law from a foreign lawyer in the deceased's country of domicile.

Documents

1. Death certificate of the deceased
2. Last will and codicil (if any) of the deceased
3. Identity documents of executor(s) applying for the Grant of Probate, eg. NRIC, Passport
4. Death certificate(s) of any executor named in the will
5. Contact details of a foreign lawyer in the country of the deceased's domicile. The lawyer must be a practising lawyer conversant in spoken and written English and the succession laws of the deceased's domicile. The client will engage the foreign lawyer at their cost, and the foreign lawyer will communicate with our lawyer regarding the requisite affidavit of law for filing in the Singapore court.
6. An affidavit of law from a foreign lawyer in the deceased's country of domicile
7. List of assets with corresponding documents, eg. bank statements, insurance policies, title deeds, motor vehicles, company shareholding, with estimated market values as at the date of death

Note:

- For documents required for court filings, if any are in a non-English language or contain non-English words, an English translation will be done in Singapore at the cost and expense of the applicant/client.
- For the deceased's last will, this is subject to the court's acceptance of the same, and the court may require an affidavit of due execution of the will by the deceased from the witnesses of the will and other requirements.

Letters of Administration (Foreign Domicile) with Affidavit of Law

Brief description

A deceased individual domiciled outside Singapore may die without a will but leave assets here. The next of kin then apply for Letters of Administration, supported by an affidavit of law from a foreign lawyer. This affidavit verifies who may administer the estate under the law of the deceased's domicile. Even with an affidavit of law on file, the court may ask for further information, documents, or affidavits from the foreign lawyer.

There is an alternative for a Commonwealth country (including Hong Kong SAR). If the administrator already holds a Grant of Letters of Administration from that country, the administrator can reseal it in Singapore (see above). In that event, the court does not require an affidavit of law from a foreign lawyer in the deceased's country of domicile.

Documents

1. Death certificate of the deceased
2. Contact details of a foreign lawyer in the country of the deceased's domicile. The lawyer must be a practising lawyer conversant in spoken and written English and the succession laws of the deceased's domicile. The client will engage the foreign lawyer at their cost, and the foreign lawyer will communicate with our lawyer regarding the requisite affidavit of law for filing in the Singapore court.
3. An affidavit of law from a foreign lawyer in the deceased's country of domicile
4. As advised by the foreign lawyer, particulars of the deceased's next of kin entitled to apply for a grant of letters of administration (or similar proceedings) in the deceased's domicile, and identification of who among them is applying for the grant in Singapore. We require the identity documents, eg. passports, identity cards, of those persons.
5. List of beneficiaries (in accordance with the law of the deceased's domicile) with their respective names, identity numbers, dates of birth, relationships to the deceased, and residential addresses, along with their identity documents, eg. passports, identity cards

6. Relationship documents of the beneficiaries/applicants, eg. marriage certificate, birth certificate, divorce certificate
7. List of assets with corresponding documents, eg. bank statements, insurance policies, title deeds, motor vehicles, company shareholding, with estimated market values as at the date of death
8. Death certificate(s) of any deceased beneficiary or person entitled to apply for the grant of letters of administration under the laws of the deceased's domicile

Please also refer to grants where deceased died domiciled outside Singapore.

Note: Some court-filing documents or stamps may be in a language other than English, or contain non-English words. In that case, we arrange an English translation in Singapore. The applicant or client bears the cost of the translation.

Grant Limited to Immovable Property (Foreign Domicile)

Sometimes the deceased's entire Singapore estate consists of immovable property, such as land or buildings. Where there is no other application under Part 6, rule 22(1) FJ (Probate) Rules 2024 (formerly rule 227(1) of the Family Justice Rules 2014), the court can make a special type of grant. This grant covers only the immovable property. The court issues it according to the law that would apply if the deceased had died domiciled in Singapore. This lets the family manage and transfer the property without touching other parts of the estate outside Singapore.

Please also refer to grants where deceased died domiciled outside Singapore.

What are the common probate documents to sign?

In the course of your matter, you may be asked to sign some of the following court documents for probate matters:

1. Administration Oath
2. Consent of Co-Administrator
3. Renunciation of Executor
4. Renunciation of Right and Title to Letters of Administration
5. Affidavit of Due Execution by a Subscribing Witness to the Will
6. Affidavit of Foreign Law

7. Affidavit of Domicile
8. Supporting Affidavit (with or without Schedule of Assets)
9. Supplementary Affidavit with Schedule of Assets
10. Supporting Affidavit for Dispensation of Sureties
11. Administration Bond
12. Affidavit(s) requested by the Court

If you are outside Singapore when these documents need to be signed, see signing probate documents overseas.

Probate application and charges

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/.

Ready to engage Loh Eben Ong LLP? Please submit our Probate Online form at law.com.sg/singapore-probate-online/. You can also upload your supporting documents through our Probate Upload form at law.com.sg/probate-documents-upload/, and book an appointment with a lawyer at book.law.com.sg.

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