Gifts to Charities in Wills

Wills General · https://help.law.com.sg/faq/gifts-to-charities-in-wills/

Gifts to Charities and Organisations in Wills | Singapore Guide

Introduction

When preparing a will in Singapore, many people wish to leave gifts to charities, churches, temples, mosques, or community organisations. However, such gifts can fail if the organisation no longer exists, has changed its name, or has merged with another group by the time of the testator’s death.

This article explains the risks of making gifts to organisations in your will, and how a properly drafted clause can protect your intentions.

Common issues with organisational gifts

1. Organisation ceases to exist

Charities and societies sometimes close down, either voluntarily or due to regulatory changes. If your will names such an organisation and it no longer exists at your death, the gift may lapse.

2. Name or structure changes

Religious bodies or help groups may change their name or amend their constitution. Without a safeguard clause, an executor may be uncertain whether the “new” body can receive your gift.

3. Mergers or amalgamations

Many charities consolidate resources by merging. If you name the “old” entity, the law may treat the gift as failed unless your will anticipates this.

4. Not all are registered charities

Some organisations, such as clan associations, voluntary help groups, or smaller religious institutions, may not be formally registered as charities in Singapore. Without proper drafting, gifts to such entities may face legal challenge.

How to safeguard your gifts

A well-drafted will includes a **general provision** that:

- Allows your executor to redirect the gift to a successor or similar body if the named organisation no longer exists.
- Recognises that a merged or renamed entity can still receive the benefit if it has the same or similar purposes.
- Confirms that the receipt of a proper officer — such as a treasurer, secretary, pastor, imam, monk, abbot, or chief executive — is a valid discharge for the executor.

This ensures that your executor can safely carry out your wishes without risk of personal liability, and that your chosen cause continues to benefit even if the legal form of the organisation has changed.

Example of a safeguard clause

Your will might contain wording such as:

> “If any charity, religious body, association, society, organisation, help group, or other entity to which a gift is made under this Will has ceased to exist, changed its name, or amalgamated with another, then my Trustee(s) may in their discretion direct the gift to a body having the same or similar objects.”

This type of clause applies automatically to **all gifts** to charities or entities in your will.

Key takeaway

When leaving gifts to charities or organisations in your will, always include a **catch-all safeguard clause**. This prevents your gifts from failing and ensures your chosen cause continues to receive your support, even if the organisation changes over time.

Related Links

- How to Write a Will in Singapore
- Appointing Executors and Trustees
- Guardianship of Minor Children in Wills