In making a Will, can I give away my Worldwide Assets, including Singapore?

Wills General · https://help.law.com.sg/faq/in-making-a-will-can-i-give-away-my-worldwide-assets-including-singapore/

It is common for Testators to make a Singapore Will covering worldwide assets, as it is convenient to do so.

Even if a Testator does not have any assets outside Singapore, it is common to state in his Will that he is disposing worldwide assets, in the event he has such assets at the time of his death.

For example, he may not have any assets in Malaysia at the moment, but upon his death, he might have RM100,000 in a bank account in Kuala Lumpur, Malaysia.

In essence, a Singapore Will can cover the Testator's worldwide assets, including Singapore, which is common scenario for Singapore Citizens and Permanent Resident.

However, this doesn't necessarily mean that a Singapore will would necessarily be recognised by a foreign jurisdiction in which the property is situated. In certain foreign jurisdictions, there may be forced heirship, or for immovable properties (real estate), the foreign law may be applicable for succession purposes. For example, if you have assets in China, you may wish to consult a Chinese lawyer on the inheritance laws of China.

There is no simple answer to the question of whether a foreign jurisdiction will "accept" a Singapore will. There are a number of different elements to consider, for example:

1. Will the jurisdiction accept the formal validity of the will?
2. Will the jurisdiction accept the substantive terms of the will? A jurisdiction may accept that a will is formally valid, but refuse to accept the substantive validity of its terms to the extent that they conflict with forced heirship provisions. Some jurisdictions apply different rules to movable and immovable assets
3. What are the procedures for recognising a foreign will? A jurisdiction may accept that a will is formally and substantively valid, but the procedures for recognising this may be so complicated

that it is preferable to make a local will for this reason alone

If you have foreign assets or may have them in the future, please note that we may not be able to advise you on foreign succession laws relating to your assets situated overseas, or the applicability of the Singapore Will for used in any foreign jurisdiction. You should consult a lawyer in that jurisdiction where the asset is situated.

CAUTION: Note that this FAQ is for general guidance and information and provided on "as is" basis, and not to provide any legal advice whatsoever. The contents herein may contain errors and/or inaccuracies. You should always seek professional advice on your legal scenario.