Signing Probate Documents Overseas

Probate Procedures · https://help.law.com.sg/faq/signing-probate-documents-overseas/

If you need to sign Singapore probate court documents while you are overseas (outside Singapore), you must sign them before a Singapore Consular Officer or a Notary Public in the country of your stay. The signed originals are then returned to us for filing in the Singapore court. This page explains who can witness your signature, which documents are commonly involved, and provides specimens showing how each document should be signed overseas.

Who can witness probate documents signed overseas?

Probate court documents signed outside Singapore must be signed before either:

1. a Singapore Consular Officer at a Singapore Overseas Mission, eg. an embassy, high commission or consulate; or
2. a Notary Public practising in the country where you are staying.

To locate a Singapore Mission in the country of your stay, visit MFA's Find an Overseas Mission page at mfa.gov.sg/i-need-help-overseas/find-an-overseas-mission/.

Take note: if the Notary Public's seal or stamp contains non-English words, the court may raise queries before accepting the document. See what happens if a notary's seal contains non-English words in our overseas signing guide.

Which probate documents may need to be signed overseas?

The common probate documents that an executor, administrator or family member overseas may need to sign include the Supporting Affidavit, the Supplementary Affidavit with Schedule of Assets, the Administration Oath, and the Renunciation of Right and Title to Letters of Administration. Affidavits and oaths must be sworn or affirmed before the witnessing officer, who completes the jurat or attestation, signs, and applies his or her official seal or stamp.

For all specimens below:

- Print on high-quality white A4-size paper (or the closest available size), single-sided.
- Sign before a Singapore Consular Officer or a Notary Public as described above.
- Do not date or sign the document in advance. The signing, date and place must be completed before the witnessing officer.

Specimen: Probate Supporting Affidavit signed overseas

The Supporting Affidavit is the applicant's main affidavit verifying the probate application, with or without the Schedule of Assets. When signed overseas, it must be sworn or affirmed before the Notary Public or Singapore Consular Officer, and the jurat (the clause at the foot of the affidavit) should record that it was sworn or affirmed by you on the stated date, at the stated city and country, before the named officer, who signs and seals it.

Specimen: help.law.com.sg/wp-content/uploads/2023/03/Probate-Supporting-Affidavit-Specimen-PDF-20220407-Flat.pdf

Specimen: Probate Supplementary Affidavit signed overseas

The Supplementary Affidavit is typically filed with the Schedule of Assets, listing the deceased's assets as at the date of death. The same signing requirements apply: swear or affirm it before the Notary Public or Singapore Consular Officer, with the jurat completed, signed and sealed by the officer in the same manner as the Supporting Affidavit.

Specimen: help.law.com.sg/wp-content/uploads/2023/03/Probate-Supplementary-Affidavit-Specimen-PDF-20220407-Flat.pdf

Specimen: Probate Administration Oath signed overseas

The Administration Oath is the applicant's sworn undertaking to administer the estate according to law and to account for it. When taken overseas, the oath must be administered by the Notary Public or Singapore Consular Officer, and the attestation should record the date and place of swearing and the name and capacity of the officer, under the officer's signature and seal.

Specimen: help.law.com.sg/wp-content/uploads/2023/03/Specimen-Admin-Oath-Fictitious-Overeseas-20220407-Flat.pdf

Specimen: Renunciation for Letters of Administration signed overseas

The Renunciation of Right and Title to Letters of Administration is signed by a person who has an equal or prior right to apply for Letters of Administration but does not wish to act as administrator. When signed overseas, it must be signed before the Notary Public or Singapore Consular Officer, whose attestation should record the date and place of signing under the officer's signature and seal.

Specimen: help.law.com.sg/wp-content/uploads/2023/03/Probate-Renunciation-LA-Specimen-PDF-20220407-Flat.pdf

What happens after I sign overseas?

Courier the signed originals to us for filing in the Singapore court. Do not send scanned copies only, as the court requires the original signed documents. If the court raises queries on the witnessing officer's seal or attestation, we will advise on the further steps.

For the full list of documents clients must provide for a probate matter, see documents required for probate matters from clients. 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/ and book an appointment at book.law.com.sg.