Simple Framework 1 (SU1)

Was deceased a Muslim?

Yes. AMLA applies. Obtain certificate of Inheritance from Syariah Court. Exclude assets like CPF, Insurance polices with statutory trusts and Joint Tenancies (*Shafeeg*). Did he make a will?

No. Intestate Act does not apply. Apply for Letters of Administration (LOA) and follow Certificate of inheritance. Intestate Succession Act does not apply.

Yes. 1/3 of estate? Valid under Muslim Law and Wills Act (Can't change share value and appropriate charity as beneficiary)? Executors to apply for Grant of Probate. If will is totally invalid, proceed as if no will. If partially invalid (possibility of distribution of valid parts in accordance to the will). Rest of 2/3 by IC from Syariah Court.

No. Valid will under Wills Act?

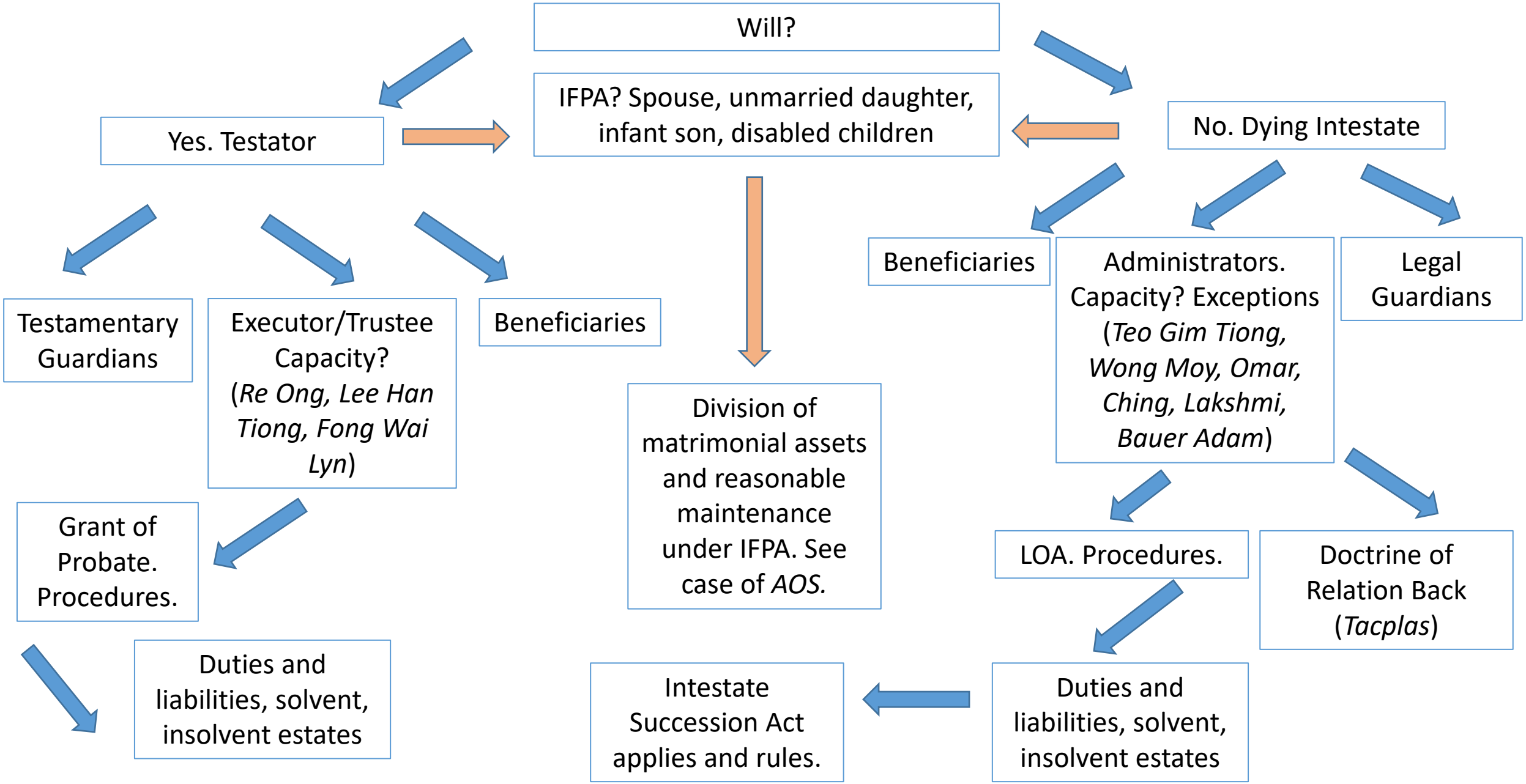
No. Intestate Succession Act applies and proceed to apply for LOA.

Yes. Are executors able and willing to act?

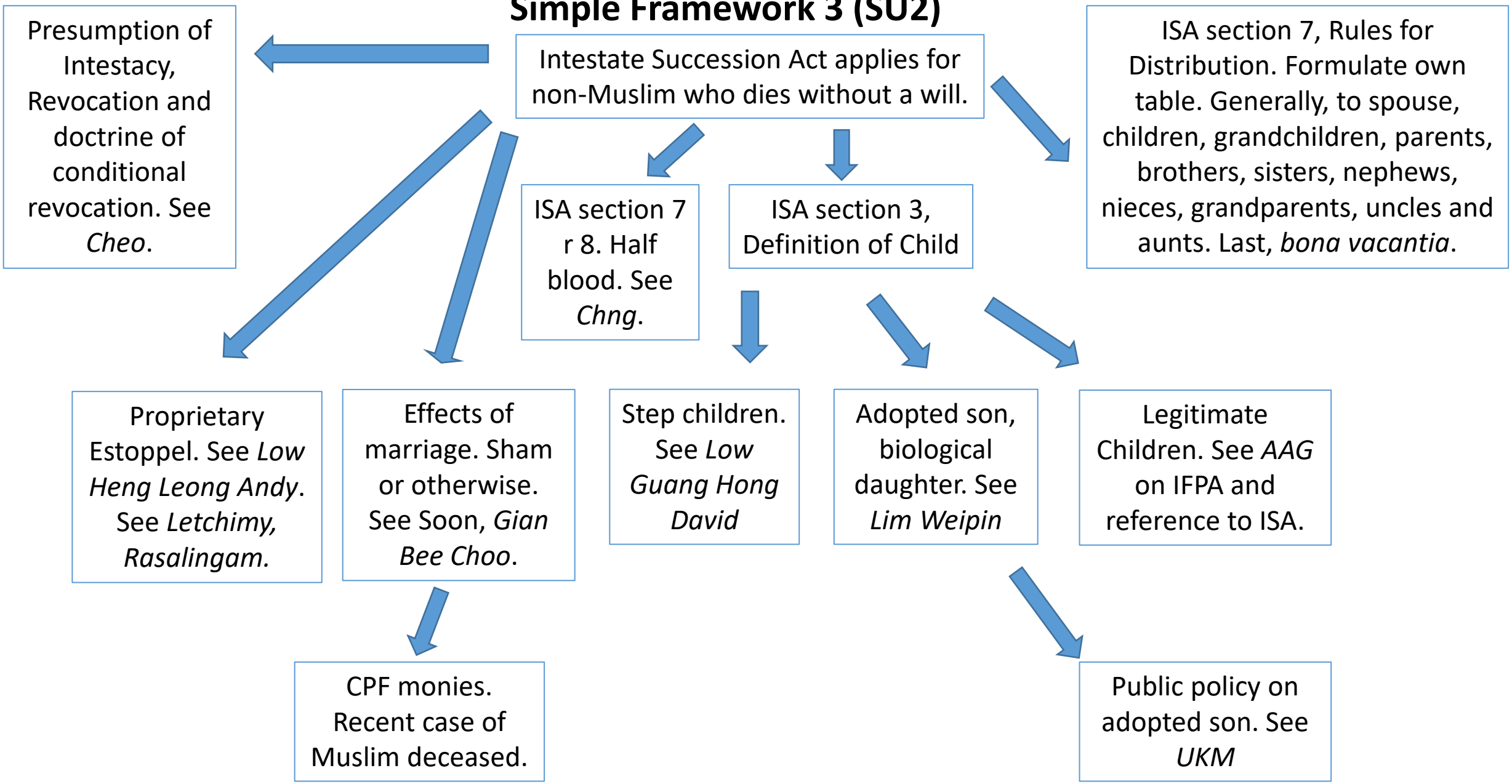
Yes. Apply for grant of probate. Administer and distribute in accordance to the will.

No. Beneficiaries apply for LOA with will annexed. Administer and distribute in accordance to the will.

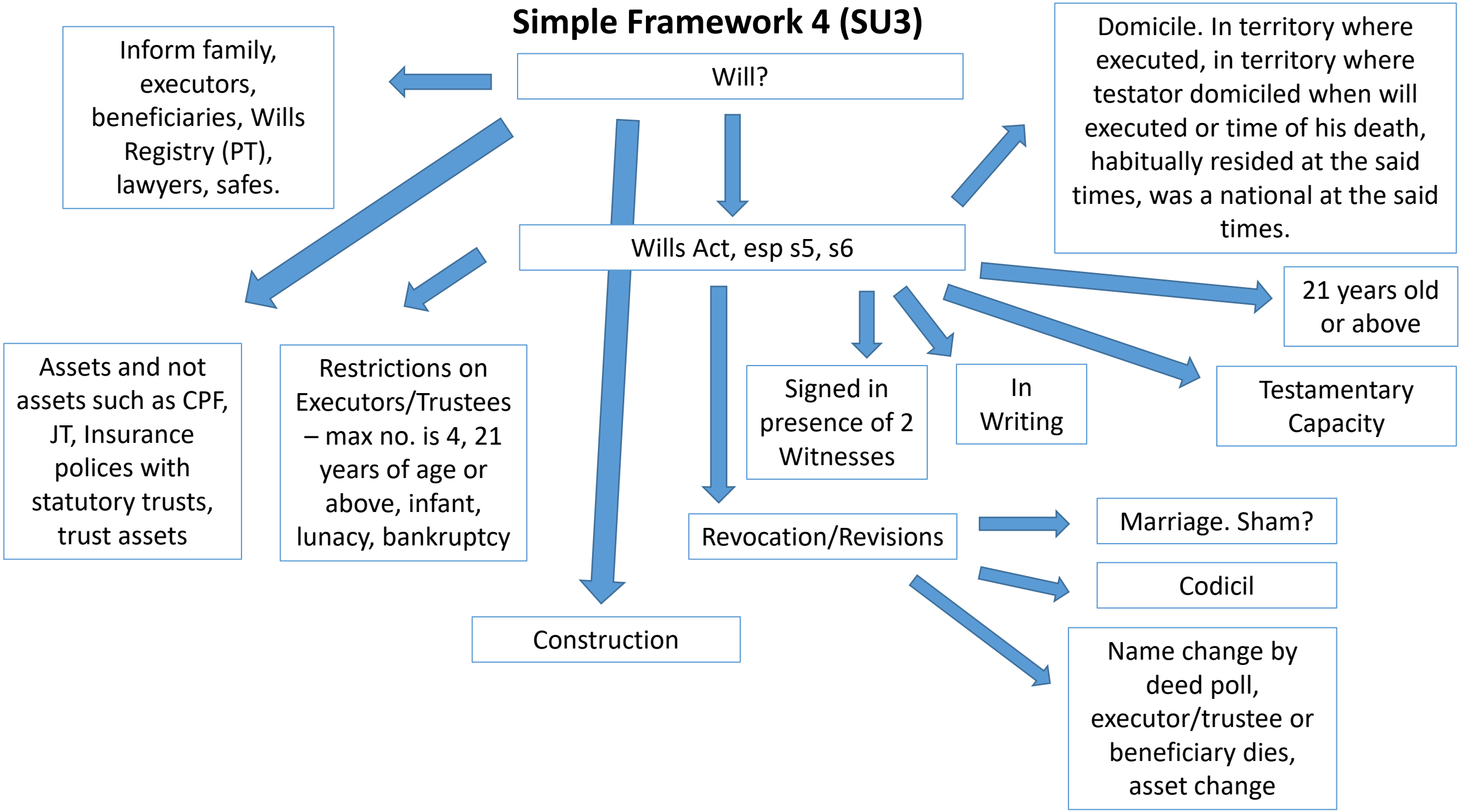
Simple Framework 2 (SU1)



Simple Framework 3 (SU2)



Simple Framework 4 (SU3)



Simple Framework 5 (SU3&4)

Will

Property. Movable (lex domicilli) and immovable (lex situs)

Formal validity. Formal requirements and execution of the will. Ss 5 and 6 of WA. Territory, signed, 2 or more witnesses, signature at end of document.

Characteristics. Ambulatory and Revocable.

Not *donatio mortis causa*. See *Koh Cheong Heng*

Nuncupative will. S 27 of WA. See *Tan Pwee Eng*

Essential validity. Capacity of testator under law of domicile. See cases of *George, Chee Mu Lin Muriel, Lian Kok Hong, ULV, ULP, UWF, VTL*

Revoked by Marriage. S 13 WA

Revoked and no trust creation. See *Kamla*

Construction. See cases of *Goh Nellie, Foo, Lau, Zhao, Estate of Yang, BMT, GDR.*

Codicils and Types of wills. Privileged, mutual and joint. See *VTL, WHR*.

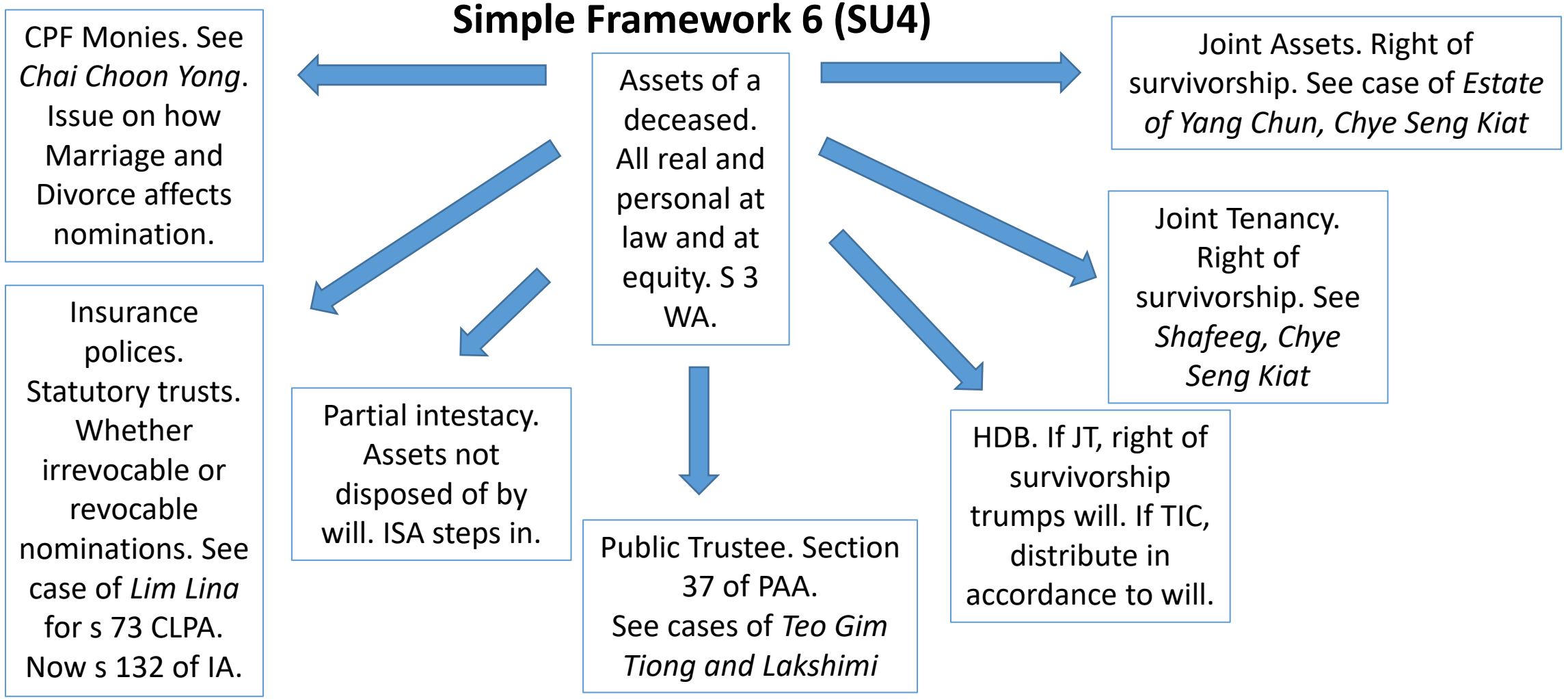
Revoked and Revival s 17 WA

Rectification. See *Soh Eng Beng*. Now s 28 WA.

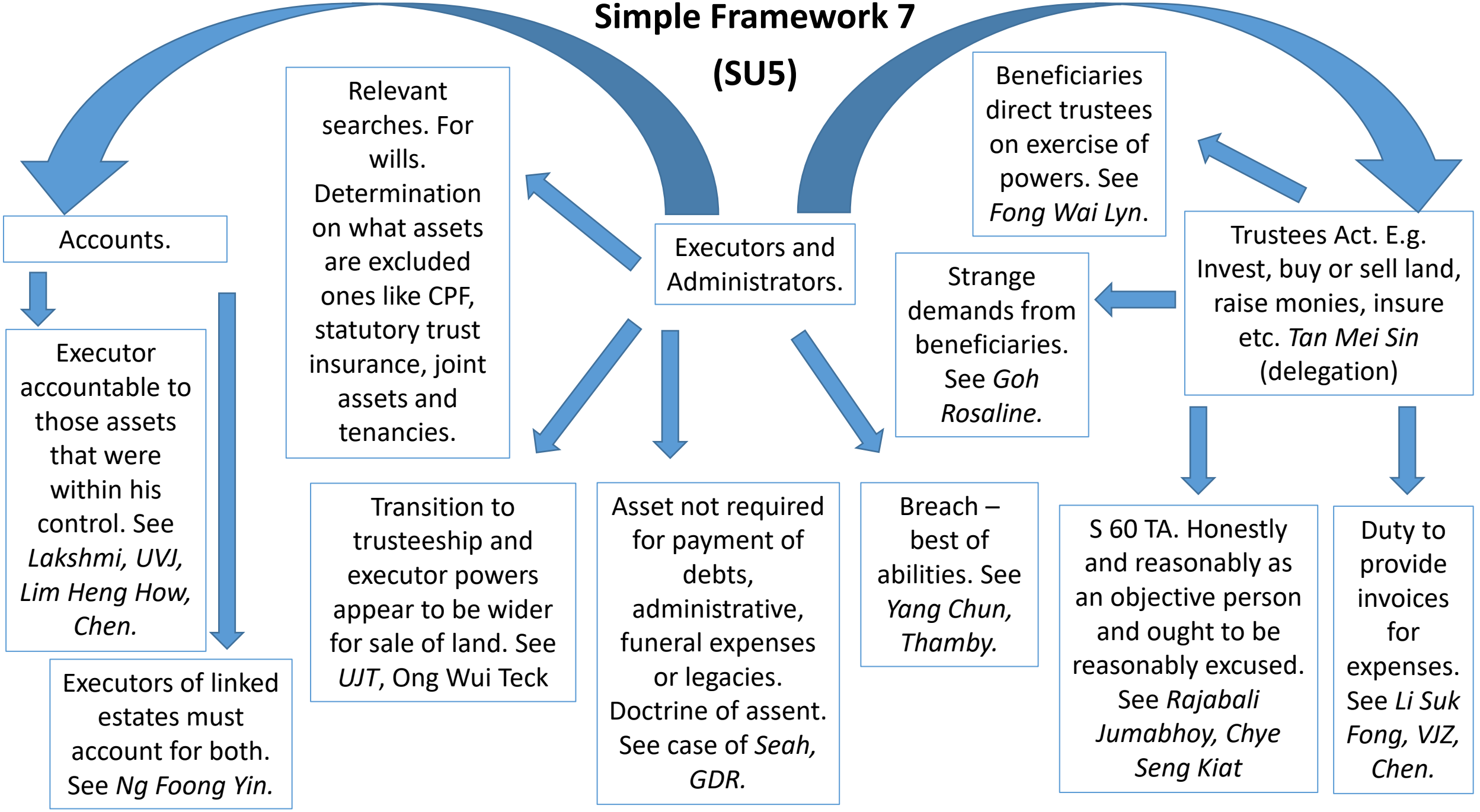
Sample will framework. Contents such as commencement, revocation, appoint of executors, trustees, guardians, specific and general gifts, legacies, residuary clause, attestation clause.

Mental Capacity Act ss 4 and 5. Useful guidance to identify persons deemed to lack mental capacity. Further, if the medical condition had the effect of preventing the testator from making a decision.

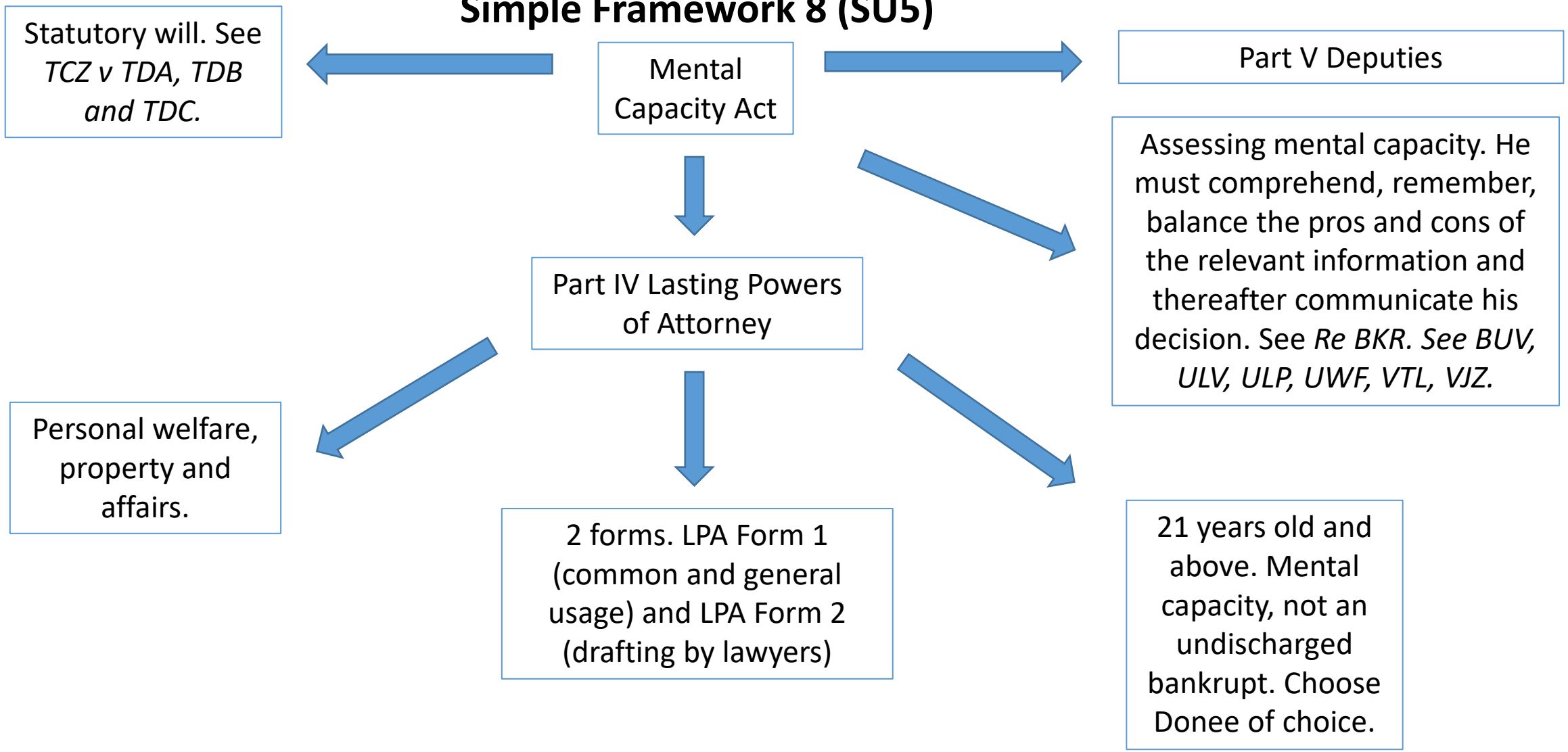
Simple Framework 6 (SU4)



Simple Framework 7 (SU5)



Simple Framework 8 (SU5)



Simple Framework 9 (SU6)

Executors. Grant of Probate. Double.

Partial or total intestacies. Administrators. Grant of LOA.

Personal Representatives

Relevant legislation such as PAA, FJA, FJR 2014, FJC PD.

Determine whether there is a will, determine if there are assets, determine domicile.

21 years old, parents and guardians of infants, not bankrupts, not lunatic or mentally disabled, essentially at court's discretion. Not more than 4 can be appointed.

Non-contentious probate. Note Probate eService.

Contentious probate.

Domicile of choice is residence and intention or permanent or indefinite residence. Case of *Peter Rogers.*

Immovable is lex situs. Movable is lex domicilli.

Caveat, citation.

See cases *Chng* (half-blood), *Tok* (renunciation), *Kamla* (foreign grant).

Note Probate eService. File grant, file supporting affidavit, extract grant. Service Bureau form, Schedule of Assets, Renunciation of executors or beneficiaries with prior rights, copy of will, death certificates (digital) of deceased and executors, checks of court records of probate cases and caveats (optional), submit original will. OS, supporting affidavit and admin oath, admin bond, extract grant, check court records of probate and caveats (optional). File request and extract grant.