

THIS IS THE LAST WILL AND TESTAMENT
of

[FULL NAME OF TESTATOR IN CAPITALS]

I, **[FULL NAME OF TESTATOR]** (NRIC / Passport No. **[NUMBER]**), of **[RESIDENTIAL ADDRESS]**, Singapore **[POSTAL CODE]**, being of sound mind, make this my last Will on the date stated at the end of this Will.

1. REVOCATION

1.1 I revoke all my former wills, codicils and other testamentary dispositions.

[ALTERNATIVE 1.1 – USE WHERE THE TESTATOR HAS A FOREIGN WILL]

1.1 I revoke all my former wills, codicils and other testamentary dispositions **so far as they relate to my assets situated in Singapore**. This Will does not revoke my will dated **[DATE]** relating to my assets situated in **[COUNTRY]**, and this Will does not apply to those assets.

2. MARRIAGE

[OPTIONAL – DELETE THIS CLAUSE UNLESS THE TESTATOR IS ENGAGED]

2.1 This Will is made in contemplation of my marriage to **[NAME OF INTENDED SPOUSE]** (NRIC / Passport No. **[NUMBER]**), and I intend that it shall not be revoked by that marriage.

Drafting note: Section 13 of the Wills Act 1838 provides that marriage revokes a will. Check the current text of s 13 before relying on this clause to save the Will. The safer course is always to have the client re-execute the Will after the marriage.

3. EXECUTORS AND TRUSTEES

3.1 I appoint **[NAME OF EXECUTOR]** (NRIC / Passport No. **[NUMBER]**), of **[ADDRESS]**, to be the sole Executor and Trustee of this Will.

3.2 If **[NAME OF EXECUTOR]** dies before me, or is unable or unwilling to act or to continue to act as my Executor and Trustee, I appoint **[NAME OF SUBSTITUTE EXECUTOR]** (NRIC / Passport No. **[NUMBER]**), of **[ADDRESS]**, to be the Executor and Trustee of this Will in that person's place.

3.3 In this Will, "**my Trustees**" means the Executors and Trustees of this Will for the time being, whether original, substituted or added.

Drafting note: For joint executors, replace 3.1 with "I appoint [NAME] and [NAME] to be the joint Executors and Trustees of this Will". Joint executors must act unanimously unless the Will provides otherwise.

4. GUARDIAN OF MY CHILDREN

[OPTIONAL – USE WHERE THE TESTATOR HAS CHILDREN UNDER 21]

- 4.1 If my [spouse / the other parent of my children] dies before me, or does not survive me, I appoint [NAME OF GUARDIAN] (NRIC / Passport No. [NUMBER]), of [ADDRESS], to be the guardian of any of my children who are under the age of 21 years at my death.
- 4.2 If [NAME OF GUARDIAN] is unable or unwilling to act, I appoint [NAME OF SUBSTITUTE GUARDIAN] (NRIC / Passport No. [NUMBER]), of [ADDRESS], to be the guardian in that person's place.

Drafting note: A testamentary guardian acts jointly with the surviving parent under the Guardianship of Infants Act 1934. A guardian may also be the Executor, but it is often better to separate the roles.

5. SPECIFIC GIFTS

[OPTIONAL – DELETE ANY SUB-CLAUSE NOT REQUIRED]

- 5.1 **Property.** I give all my right, title and interest in the property known as [ADDRESS OF PROPERTY], Singapore [POSTAL CODE], to [NAME OF BENEFICIARY] (NRIC / Passport No. [NUMBER]) absolutely, [free of / subject to] any mortgage or charge on it at my death.
- 5.2 **Sum of money.** I give the sum of Singapore Dollars [AMOUNT IN WORDS] (S\$[AMOUNT]) to [NAME OF BENEFICIARY] (NRIC / Passport No. [NUMBER]) absolutely.
- 5.3 **Personal items.** I give [DESCRIPTION OF ITEM, e.g. my jewellery / my watch collection] to [NAME OF BENEFICIARY] (NRIC / Passport No. [NUMBER]) absolutely.
- 5.4 If any beneficiary of a gift in this Clause 5 does not survive me, that gift shall fall into my Residuary Estate [unless otherwise stated].

Drafting note: For property held as joint tenants, a gift in the Will has no effect unless the joint tenancy has been severed (see guidance, section 4). For HDB flats, check HDB eligibility rules for the intended beneficiary before drafting a gift.

6. RESIDUARY ESTATE

- 6.1 I give all my property of every kind and wherever situated, other than property given by an earlier clause of this Will ("**my Residuary Estate**"), to my Trustees on trust to sell it or keep it, and to pay from it my debts, funeral and testamentary expenses, and any duties payable on my death.
- 6.2 My Trustees shall hold what remains of my Residuary Estate on trust for [NAME OF PRIMARY BENEFICIARY, e.g. my wife / husband, FULL NAME] (NRIC / Passport No. [NUMBER]) absolutely.
- 6.3 If [NAME OF PRIMARY BENEFICIARY] does not survive me, my Trustees shall hold my Residuary Estate on trust for such of my children as survive me and, if more than one, in equal shares absolutely.
- 6.4 If any child of mine dies before me leaving children or remoter issue who survive me, those issue shall take, and if more than one in equal shares per stirpes, the share of my Residuary Estate which their parent would have taken had that parent survived me.
- 6.5 If the trusts in Clauses 6.2 to 6.4 fail entirely, my Trustees shall hold my Residuary Estate on trust for [NAME(S) OF ALTERNATE BENEFICIARIES OR CHARITY, WITH NRIC / UEN], and if more than one in equal shares absolutely.

Drafting note: Adapt 6.2 to 6.5 where the testator is unmarried or has no children, or wants to leave unequal shares, e.g. "for [A] as to 60% and [B] as to 40%". State expressly what happens to the share of a beneficiary who dies first.

7. SURVIVORSHIP

- 7.1 A beneficiary under this Will who does not survive me by thirty (30) days shall be treated for all purposes of this Will as having died before me.

8. BENEFICIARIES UNDER THE AGE OF [21 / 25]

[OPTIONAL – RECOMMENDED WHERE ANY BENEFICIARY MAY BE A MINOR]

- 8.1 Where any beneficiary under this Will is under the age of [21 / 25] years when entitled to any part of my estate, my Trustees shall hold that part on trust for that beneficiary until the beneficiary reaches that age.
- 8.2 Until then, my Trustees may apply all or any part of the income and capital of that part for the maintenance, education, advancement or benefit of the beneficiary as my Trustees in their discretion think fit.
- 8.3 My Trustees may make any such payment to the beneficiary's parent or guardian, and the receipt of that parent or guardian shall be a complete discharge to my Trustees.

- 8.4 If the beneficiary dies before reaching that age, that part (and any accumulated income) shall be held for the beneficiary's estate [OR: shall fall into my Residuary Estate / shall pass to [NAME]].

9. POWERS OF MY TRUSTEES

- 9.1 In addition to their powers under the law, my Trustees shall have the following powers:
- (a) to sell, call in and convert my estate into money, or to postpone doing so for as long as they think fit, without being liable for any loss;
 - (b) to invest, and to vary investments, in any kind of property as if they were absolutely entitled to it;
 - (c) to appropriate any asset of my estate in or towards satisfaction of any share or gift without the consent of any beneficiary;
 - (d) to insure, repair and maintain any property of my estate;
 - (e) to employ and pay lawyers, accountants and other agents to transact any business of my estate; and
 - (f) to deal with any digital asset or online account belonging to me, and to access, manage, transfer or close it.

10. PROFESSIONAL CHARGES

[OPTIONAL – USE WHERE A PROFESSIONAL IS APPOINTED EXECUTOR]

- 10.1 Any Trustee who is a lawyer or other professional may charge and be paid all usual professional fees for work done by that Trustee or that Trustee's firm in connection with my estate, including work that a lay trustee could have done personally.

11. FUNERAL WISHES

[OPTIONAL]

- 11.1 I wish that my body be [cremated / buried] and that my funeral be conducted according to [RELIGIOUS OR OTHER RITES]. I record this as a wish only, and it does not bind my Trustees.

12. INTERPRETATION

- 12.1 In this Will, references to my "children" and "issue" include any person legally adopted, and exclude step-children unless expressly named.
- 12.2 The singular includes the plural and vice versa, and any gender includes every gender.
- 12.3 Headings are for convenience only and do not affect the interpretation of this Will.
- 12.4 This Will shall be governed by and construed in accordance with the laws of Singapore.

IN WITNESS WHEREOF I have signed this Will, which consists of [NUMBER] pages including this page, on [DAY] [MONTH] [YEAR].

[FULL NAME OF TESTATOR]

Testator

SIGNED by the above-named Testator, [FULL NAME OF TESTATOR], as the Testator's last Will, in our presence, both of us being present at the same time, and we at the Testator's request, in the Testator's presence and in the presence of each other, have signed our names below as witnesses.

Witness 1

Signature: _____

Full name: _____

NRIC / Passport No.: _____

Address: _____

Occupation: _____

Witness 2

Signature: _____

Full name: _____

NRIC / Passport No.: _____

Address: _____

Occupation: _____

***Drafting note:** Neither witness may be a beneficiary or the spouse of a beneficiary (Wills Act 1838, s 10). Both witnesses must be present together when the Testator signs. The Testator and both witnesses should initial the footer of every page.*

[ALTERNATIVE ATTESTATION – TESTATOR WHO CANNOT READ ENGLISH OR CANNOT READ]

SIGNED by the above-named Testator, [FULL NAME OF TESTATOR], as the Testator's last Will, after this Will had first been read over and explained to the Testator in the [LANGUAGE / DIALECT] language by [NAME OF INTERPRETER] (NRIC / Passport No. [NUMBER]), when the Testator appeared fully to understand and approve its contents, in our presence, both of us being present at the same time, and we at the Testator's request, in the Testator's presence and in the presence of each other, have signed our names below as witnesses.

***Drafting note:** Where the Testator signs by thumbprint or mark, add "(the Testator having affixed [his / her] thumbprint / mark)" after the Testator's name. The interpreter should also sign a certificate of translation, and should not be a beneficiary.*