

Table of eLitigation options to be used when filing specified applications under the Probate and Administration Act 1934

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 4 PAA, Part 6, Rules 38 to 40 FJPR, Form 173 FJCPD	Citation	To obtain an order for deemed renunciation of a person with prior right and for permission to apply for a grant.	Citation (Commencing document) Summons in the Citation file after citation is served
s 5 PAA, Part 6, rule 28(3) FJPR	Withdrawal of renunciation	When a person who previously renounced the right to a grant in a probate matter wishes to apply for a grant (e.g. a beneficiary who previously renounced his or her right to letters of administration now wishes to apply for letters of administration for an unadministered estate after the death of the administrator).	Summons in the previous file where the renunciation was filed
S 7 PAA	Notation of domicile	To obtain an order that a notation be endorsed on the grant that the deceased person died domiciled in Singapore.	Summons in the file where the grant was issued

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 8(1) PAA, Part 6, rule 18 FJPR, Form 162 (a) FJCPD	Probate	<p>When applicant is –</p> <ul style="list-style-type: none"> a. an executor appointed by the will; or b. a substituted executor where the condition for substitution has been fulfilled. <p>Note:</p> <ul style="list-style-type: none"> 1. Persons who are not executors named in the will cannot apply for probate. 2. If power is being reserved for other executors who have not renounced probate to apply for a further grant, the applicant must give notice of the application to the executors to whom power is to be reserved unless the Registrar dispenses with the giving of such notice. 	<p>Originating Application for Grant of Probate/Resealing</p> <p>- Probate</p>
s 8(2) PAA, Form 162(g) FJCPD	Further grant to other executor after probate has been obtained by one executor	<ul style="list-style-type: none"> a. Not all the surviving executors named in the will were applicants in the first application for a grant of probate. b. These other executors have not renounced probate. c. Power was reserved in the first grant for the making of a similar grant to the other executors named in the will. d. The executor who had power reserved in the first grant decides to apply for a further grant of probate. 	<p>Originating Application for Grant of Probate/Resealing</p> <p>- Double Probate</p>

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s 9 PAA	Probate of a copy of will limited until the original will is admitted to probate	<ul style="list-style-type: none"> a. The original will cannot be produced. b. An order under Part 6, rule 43 FJPR to admit a copy of the will to proof has been obtained. c. The Applicant is the executor named in the will. 	<p>Part 6, rule 43 FJPR application - Originating Application (Probate Related)</p> <p>Section 9 PAA application - Originating Application for Grant of Probate/Resealing - Probate - Add “Admitting copy of the will” in the “Are there any limitations to the grant?” section</p>
s 11 PAA	Probate of will proved and deposited in a foreign court	<ul style="list-style-type: none"> a. Original will is proved and deposited in a foreign court. b. Foreign court issues a certified true copy of the will. c. The Applicant is the executor named in the will. 	<p>Originating Application for Grant of Probate/Resealing - Probate</p>

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 13 PAA, Form 162(c) FJCPD	Letters of administration with Will Annexed	<p>Application is made when -</p> <ul style="list-style-type: none"> a. no executor is appointed by a will; or b. the executors are legally incapable of acting as such, or have renounced the right to act; or c. no executor survives the testator; or d. all the executors die before obtaining probate or before having administered all the estate of the deceased; or e. the executors do not appear and extract probate. <p>Note s6(2) PAA – If there is a life interest or minority interest arising under the will, LA with will is to be granted either to:</p> <ul style="list-style-type: none"> (i) a trust corporation; (ii) a trust corporation and an individual; or (iii) to 2 or more individuals. 	<p>Originating Application for Grant of Probate/Resealing</p> <p>– Letters of Administration (LA with Will Annexed)</p>

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 14 PAA, Part 6, Rule 23 FJPR	Letters of Administration with Will Annexed to attorney of absent executor limited until the executor obtains probate for himself	<ul style="list-style-type: none"> a. The executor is absent from Singapore. b. There is no other executor within Singapore who is willing to act. c. The Applicant is duly authorised attorney of the absent executor. d. The Applicant files the CTC Power of Attorney which has been deposited in the Registry of the Supreme Court. e. Notice of the application is given to the other executors unless the Registrar dispenses with such notice. 	Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Others) - Add “Will Annexed” and “Power of Attorney” options
s 15 PAA Part 6, Rule 23 FJPR	Letters of administration with the Will Annexed to attorney of absent person entitled under to a grant under section 13	<ul style="list-style-type: none"> a. The person entitled to letters of administration with the will annexed under section 13 is absent from Singapore. b. The Applicant is duly authorised attorney of the absent person. c. The Applicant files the CTC Power of Attorney which has been deposited in the Registry of the Supreme Court. 	Originating Application for Grant of Probate/Resealing - Letters of Administration (LA – Others) Add “Will Annexed” and “Power of Attorney” options

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 18 PAA, Part 6, rule 16 FJPR, Form 162(b) FJCPD	Letters of administration on intestacy	<p>a. Deceased died intestate.</p> <p>b. Applicant is the spouse or next-of-kin (i.e., a person entitled to a share of the estate) or is applying with the renunciation and consent of the beneficiaries of the estate.</p> <p>Note s 6(2) PAA - If there is a minority interest (i.e. a beneficiary who is below 21 years of age), letters of administration are to be granted either to:</p> <p>(i) a trust corporation; (ii) a trust corporation and an individual; or (iii) 2 or more individuals.</p>	<p>Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Letters of Administration)</p> <p>Please refer to Paragraph 208(11)(f)(iv) of the FJCPD for the list of specific capacities to be used. The applicant must establish a capacity to apply for a grant.</p> <p>Generally -</p> <p>a. Spouses apply as “the lawful widow” or “the lawful husband” (use “the only lawful widow” or “one of the lawful widows” for a religion allowing polygamy)</p> <p>b. Beneficiaries claiming inheritance by virtue of a relationship by blood apply as “next-of-kin”.</p> <p>Non-beneficiaries who have the renunciations and consents of beneficiaries apply as –</p>

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			<p>c. the person whom the sole beneficiary of the estate consents to administration being granted to (Part 6, rule 21 FJPR)</p> <p>d. the person whom the beneficiaries of the estate desire a grant to be made to (s 18(4)(d)(i) PAA)</p> <p>Beneficiaries apply for a grant as joint applicants. A beneficiary who wishes to administer the estate with a non-beneficiary applies as an applicant with the non-beneficiary as a co-administrator.</p>

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 19 PAA, Part 6, rule 23 FJPR, Form 169(e) FJCPD	Letters of administration to attorney of person entitled limited until he obtains a grant to himself.	<ul style="list-style-type: none"> a. The person entitled to letters of administration is absent from Singapore. b. There is no person equally entitled who is willing to act. c. The Applicant is duly authorised attorney of absent person. d. The Applicant files the CTC Power of Attorney which has been deposited in the Registry of the Supreme Court. 	Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Power of Attorney)
s 20 PAA, Part 7, rule 21 FJPR	Letters of administration pending probate action	<ul style="list-style-type: none"> a. When letters of administration are to be granted while there is a pending probate action. b. The grant is limited so that the administrator is not empowered to distribute the estate and is subject to such control by and direction of the court as the court thinks fit. 	<u>Section 20 PAA application</u> Summons in the pending originating claim <u>After the court has ordered that letters of administration pending probate action be granted</u> Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Letters of Administration) - Edit the OA prayer to state the directions made by the court for the administration of the estate pending the probate action.

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s 21 PAA, Part 6, rules 1 and 24 FJPR, Form 169(f) FJCPD	Letters of administration during infancy limited until the infant obtains a grant to himself or herself.	a. When all the beneficiaries are minors (under 21 years of age) or all the adult beneficiaries have renounced and the applicants are acting on behalf of the minors. b. The applicants have the required capacity to make the application under Part 6, rule 24 FJPR – i. both parents; ii. statutory guardian as defined under Part 6, rule 1 FJPR; iii. testamentary guardian; iv. guardian appointed by a court of competent jurisdiction; v. nominee of an infant beneficiary who has attained the age of 16 years; or vi. an assigned guardian.	Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – During Infancy)

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 22 PAA, Part 6, rule 26 FJPR	Letters of administration for the use and benefit of a beneficiary who lacks mental capacity (“P”), limited until the beneficiary ceases to lack capacity and obtains a grant to himself or herself	<p>a. Where –</p> <ul style="list-style-type: none"> (i) the sole beneficiary lacks mental capacity; (ii) beneficiaries with equal right who are not under disability renounce their right to a grant; or (iii) other adult beneficiaries who would usually have lower priority if P had capacity do not want to apply for a grant. <p>b. The Applicant is the person to whom the care of P’s estate has been lawfully committed.</p> <p>Note: Renunciations of the right of P to probate or administration when he or she regains capacity cannot be renounced by any person on his or her behalf.</p>	<p>Originating Application for Grant of Probate/Resealing</p> <p>– Letters of Administration (LA – Letters of Administration</p> <p>- Add “limited until the beneficiary ceases to lack capacity and obtains a grant to himself/herself” in the “Are there any limitations to the grant?” section.</p>

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 23 PAA	Letters of administration limited to trust property	<p>a. The property is legally held in the deceased's name.</p> <p>b. The deceased had no beneficial interest in the property and holds the property on trust for another person.</p> <p>c. The deceased does not have a representative who is able and willing to act.</p> <p>d. The Applicant is the person beneficially interested in the trust property, or someone acting on his behalf.</p> <p>Note: The Applicant is required to clear the rights of deceased's personal representatives</p>	<p>Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Letters of Administration) Add “Limited to specific property” in the “Are there any limitations to the grant?” section and state the trust property</p> <p>If the applicant is the attorney of the beneficial owner of the trust property – Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Power of Attorney) Add “Limited to specific property” in the “Are there any limitations to the grant?” section and state the trust property</p>

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 24 PAA	Letters of administration limited to collection and preservation of property	<ul style="list-style-type: none"> a. When it appears necessary for preserving the property of a deceased person. b. The Court may grant letters of administration to any person whom the court thinks fit. 	<p>Originating Application for Grant of Probate/Resealing</p> <p>– Letters of Administration (LA – Letters of administration)</p> <p>Edit the OA prayer to include the proposed directions in relation to the preservation of the property</p>

PAA/FJPR/FJCPD 2024/Form	Application	When to file the application	Suggested eLitigation option to use
s 25(2) PAA, Form 162(d) FJCPD, Form 169(d) of FJCPD	Letters of administration for an unadministered estate	<ul style="list-style-type: none"> a. Previous grant has been issued. b. All personal representatives named in previous grant have died. c. The Estate is not fully administered. 	<p>Originating Application for Grant of Probate/Resealing – Letters of Administration</p> <p>Select “LA – Unadministered Estate” (for intestacy) or “LA – Unadministered Estate with Will Annexed” (if there is a will)</p> <p>Note: s25(2) PAA refers to letters of administration being granted in respect of the unadministered estate. A fresh application for a grant for the unadministered estate is required. The procedure in relation to revoking and amending a grant does not apply to a situation under s 25(2) PAA (see Paragraph 217(12) FJCPD).</p>

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s 26 PAA	Grant of probate or letters of administration with exception	<p>a. The first grant is made subject to exceptions as the will or circumstances require.</p> <p>b. A further grant is to be made on the part of the estate that was excluded in the first grant.</p>	<p>Originating Application for Grant of Probate/Resealing</p> <p><u>1st grant</u></p> <p>If there is a will</p> <ul style="list-style-type: none"> - Select “Probate” - Add “Limited to specific property” in the “Are there any limitations to the grant?” section and state the property to be administered under the grant <p>If there is an intestacy</p> <ul style="list-style-type: none"> - Select “LA – Letters of Administration” - Add “Limited to specific property” in the “Are there any limitations to the grant?” section and state the property to be administered under the grant <p><u>Further grant</u></p> <p>As above</p>

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s 27 PAA	Administration when a limited grant has expired and some part of the estate is unadministered	<ul style="list-style-type: none"> a. The limited grant has expired due to the passing of time or the happening of the specified event (e.g. the first grant is a LA during infancy and the minor beneficiaries have attained the age of 21). b. There is still some part of the deceased's estate which is unadministered. c. The Applicant is a person to whom the original grant might have been made. 	Originating Application for Grant of Probate/Resealing – Letters of Administration (LA – Letters of Administration)
s 29 PAA, Paragraphs 214 and 215 FJCPD	Dispensation of sureties, reduction in number of sureties or bond amount	<p>When security by bond in the prescribed form by the grantees and 2 sureties is required by the Court.</p> <p>Note: The administration bond must still be provided even if sureties are dispensed with.</p>	Summons

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s 32 PAA, Part 6, rule 33, Part 7, rule 2 FJPR, Paragraph 217 FJCPD	Revocation of grant	<ul style="list-style-type: none"> a. When the administrator/executor is longer legally capable of acting (e.g. by becoming a bankrupt or losing mental capacity); or b. When there is sufficient cause (e.g. there has been improper administration of the estate). 	<p><u>Non-contentious application</u> Summons in the file where the grant is issued if –</p> <ul style="list-style-type: none"> (a) there are special circumstances; or (b) on the application or with the consent of the person to whom the grant was made. <p>(Please refer to textbooks for what constitutes special circumstances.)</p> <p><u>Contentious application</u> By way of an Originating Claim</p>
s 46, 47 PAA, Form 162(f) FJCPD	Re-sealing	<ul style="list-style-type: none"> a. There is a foreign grant from a Commonwealth country or gazetted territory (currently the only gazetted territory is Hong Kong Special Administrative Region of the People's Republic of China). b. The document to be sealed has the same effect which, under the law of Singapore, is given to probate or letters of administration. c. The Applicant files the grant of probate or letters of administration, or a certified copy, sealed with the seal of the foreign court. 	<p>Originating Application for Grant of Probate/Re sealing - Re sealing (Option is only available in the HCF)</p>

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s 54 PAA	Order to bring in will	a. If there is reason to believe that the will of a deceased person is in the possession or under the control of a person, or that the person has knowledge of the existence of such a will. b. The court may order that the person produces the will at the registry, or attend before a court to be examined in relation to the will.	Originating Application (Probate Related)
s 57 PAA, s 67 PAA, Order 32 of the Rules of Court 2021	Administration of Assets	An application for the guidance or decision of the court in relation to the administration of the estate, including - a. an order requiring an administrator or executor to provide and verify accounts; b. an order approving any sale, purchase, compromise or other transaction by an administrator or executor. When taking accounts, the court will take into consideration the testamentary and other expenses (including funeral expenses) incurred by the administrators or executors.	Originating Application (Probate Related)

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s 66 PAA, Part 16, Division 4 FJPR	Executors' or administrators' commission or remuneration	When the executors or administrators are claiming commission or when professional administrators are claiming remuneration	<p>For the court to determine if commission should be payable and to fix the commission payable</p> <ul style="list-style-type: none"> - Originating Application (Probate Related) <p>For the court to assess the remuneration claimed under Part 16, rule 25 FJPR</p> <ul style="list-style-type: none"> - Bill of Costs