

THE PUBLIC TRUSTEE
PRACTICE CIRCULAR NO. 2 OF 2000
THE WILLS REGISTRY

A INTRODUCTION

The Public Trustee is setting up a confidential Wills Registry ('Registry') on 1st January 2001. The Registry will act as a central information centre for all Wills that are drawn up, of which notice has been given to the Public Trustee. The information available on the Wills will be useful to solicitors and testators in any subsequent Wills that are to be drawn up by testators or, upon the death of the testators, in the administration of their estates. The setting up of the Registry follows discussions held between the Public Trustee's Office and the Law Society of Singapore.

B INFORMATION TO BE DEPOSITED WITH THE REGISTRY

Solicitors need to deposit with the Public Trustee in the prescribed form (Form 5), the following information on Wills that have been drawn up:

- (a) Particulars of the Testator;
- (b) Date of Will and Codicil (if any);
- (c) Particulars of the Solicitor who has drawn up the Will;
- (d) Particulars of the Custodian of the Will; and
- (e) Particulars of the Informant.

C CONFIDENTIALITY OF INFORMATION

The confidentiality of information pertaining to a Will deposited with the Registry will be strictly protected. For this reason, information at the Registry will only be released to solicitors acting for the testator or his estate and to approved persons, upon the death of the testator, as listed in Paragraph D. There will also be limited access to authorised officers within the Registry to such information.

Under no circumstances should a copy of the Will and/or its contents be furnished to the Public Trustee. The Public Trustee will not accept any copy of a Will tendered to him.

D OBTAINING INFORMATION PERTAINING TO A WILL

Only the following persons may make a search for information pertaining to a Will by submitting the prescribed Application Form (Form 6) to the Public Trustee's Office :

- (a) the solicitor who is assisting the testator to draw up any subsequent Will;
- (b) the testator himself, upon proof of his identity;
- (c) the solicitor acting for the estate of the deceased testator's next of kin or beneficiary, upon production of the testator's death certificate; and
- (d) the next of kin of a deceased testator, upon production of the testator's death certificate and documents establishing his relationship with the testator.

E INFORMATION PROVIDED BY THE PUBLIC TRUSTEE IN RESPECT OF A WILL

The following information will be made available to an approved applicant:

- (a) Particulars of the Testator;
- (b) Date of Will and Codicil (if any);
- (c) Particulars of the Solicitor who has drawn up the Will;
- (d) Particulars of the Custodian of the Will; and
- (e) Particulars of the Informant.

F FEES AND CHARGES

- (a) Deposition of information – FREE
- (b) Costs of a search application – S\$10.00.

G REQUEST FOR INFORMATION ON ALL WILLS

The success of the Registry will largely depend on the extent of support and cooperation received from solicitors in maintaining the Registry. As the setting up of the Registry will considerably assist solicitors in obtaining information on Wills that have been previously drawn up, solicitors are urged to make the depositing of information on a Will at the Registry as part of their work procedure in the drafting of Wills. The Registry would also need complete information on all Wills that solicitors have previously drawn up so that the information on Wills at the Registry can be as complete as possible.

H HOW TO OBTAIN THE PRESCRIBED FORMS

Form 5 and Form 6 can be downloaded from the Public Trustee's website at <http://www.ipto.gov.sg/> Alternatively, solicitors/applicants can request for the forms to be faxed or posted to them by calling IPTO's Forms-On-Demand Service Hotline at Tel: 63251420. Details for the online submission of the forms via Internet will be announced in due course. To assist solicitors to explain the purpose of the Registry to their clients, Information Sheets on the Registry will be circulated to all solicitors and will also be made available at the Public Trustee's Office and on our website.

I CONTACT PERSON FOR QUERIES

For queries regarding this Practice Circular, please contact Ms Ching Wee Ling (Manager, Trust Division) at Tel: 63251496 or by e-mail at ching_wee_ling@ipto.gov.sg

**PUBLIC TRUSTEE
SINGAPORE**

18 December 2000

(This Practice Circular is also available on The Insolvency & Public Trustee's Office website at <http://www.ipto.gov.sg/>)