

Common Terms	Definition
<u>Adoption</u>	The adopted child, who is legally adopted with an adoption order, is to be treated as the legitimate offspring of the adoptive parents. When the adoptive parents or the adopted child or any other next-of-kin dies intestate, the assets are to be distributed as if the adopted person was the child of the adoptive parents born in lawful wedlock. However, this is not applicable under Muslim law. Under Muslim law, an adopted child has no right to inheritance if the adoptive parents die and vice versa.
<u>Administration of Estates</u>	Process of realising and distributing the deceased's assets to the beneficiary(s).
<u>Administrator</u>	A person who is appointed by the Court to manage the estate of a deceased person if there is no will.
<u>Beneficiary(s)</u>	The persons named in the will / next-of-kin(s) to benefit from the distribution of the estate in accordance with the Intestate Succession Act, or the Administration of Muslim Law Act.
<u>Blood relationship</u>	Next-of-kin / relative (parents, child, sibling(s), grandparents, aunt(s), uncle(s), cousin(s) etc.) related by birth, not by marriage
<u>Child / Children</u>	Child/children means a legitimate child and includes a child adopted by virtue of an order of Court.
<u>Consolidated Fund</u>	<p>The Consolidated Fund is analogous to a bank account held by the Government of Singapore.</p> <p>The Consolidated Fund shall be liable to make good all sums required to discharge any liability which the Public Trustee, if he were a private trustee, would be personally liable to discharge, except where the liability is one to which neither the Public Trustee nor any of his officers has in any way contributed, and which neither he nor any of his officers could by the exercise of reasonable diligence have averted, and in that case the Public Trustee shall not, nor shall the Consolidated Fund, be subject to any liability.</p>
<u>Common Fund</u>	All capital monies available for investment which come into the hands of the Public Trustee are to be placed in a fund known as the Common Fund.
<u>Divorce</u>	Dissolution of marriage.
<u>Domicile, or domicil</u>	A person's domicile will usually be in the country or state where he is mostly connected, and this is generally, but not always, where the individual has his permanent home. A person can possess only one domicile at any one time. For some people who may have several 'residences' and other assets in different countries, his personal

	<p>representatives may have to confirm and prove the most probable country of domicile.</p> <p>According to Section 4 of the Intestate Succession Act (Chapter 146), the distribution of the <u>movable</u> property of a deceased shall be regulated by the law of the country in which he was domiciled at the time of his death. For the distribution of the <u>immovable</u> property of a person Deceased, it shall be regulated by Intestate Succession Act wherever he may have been domiciled at the time of his death.</p>
<u>Estate</u>	Assets and liabilities of the deceased at the time of his death.
<u>Estate Duty</u>	Tax imposed upon the value of the deceased's property.
<u>Executor</u>	<p>Person appointed by the deceased in his will to help distribute his estate.</p> <p>Examples of the duties of an executor are to realise the estate, to pay the debts in their proper order; to lodge estate duties, and distribute the residue among the persons entitled. Before the executor can carry out his duties, he must apply for a Grant of Probate from the Court to empower him to do so.</p>
<u>Grant of Probate</u>	A legal document issued by the Court confirming that the will is the last will made by the deceased. It also gives the executor(s) full authority to deal with all matters relating to the estate.
<u>Guardian</u>	Legal authority over a child who is a minor. For a legitimate child – both parents are the natural guardians. For an illegitimate child, the mother is the natural guardian. Where another person is the guardian, the Court must order that the person be appointed.
<u>Indemnify</u>	Promise to compensate someone in case of loss, hurt or damage.
<u>Intestate</u>	<p>There is no will made before one passed on.</p> <p>Intestate estates would be settled by an administrator appointed by the Courts as opposed to an executor named in the will in testate estates.</p>
<u>Issue</u>	The issue of a person consists of his or her children (legitimate or legally adopted) and the descendants of any deceased children.
<u>Joint Tenants</u>	<p>Ownership by two or more persons of the same property. When one of the owners die, the surviving joint owner inherits the deceased's property.</p> <p>When property is jointly owned, the ownership will automatically pass on to the survivor/s upon the death of the other joint owner. As a result, property under joint ownership does not form part of a person's estate. It cannot be disposed of by a will or under the intestacy laws.</p>
<u>Legal Aid</u>	Legal aid provided to a person when he is unable to afford a legal representation for a specific list of civil proceedings.

	The scheme is given to persons whose disposable income and capital fall within the limits prescribed from time to time.
<u>Letters of Administration</u>	Letter from the Court appointing a person to legally administer the estate.
<u>Maintenance</u>	Monies paid as allowance from the deceased's estate/CPF monies for a minor's maintenance and education, etc.
<u>Mentally Disordered Person</u>	Any person found to be of unsound mind or suffering from mental illness, or incomplete development of mind, psychopathic disorder. This person is also deemed to be incapable of managing himself or his affairs. The Court may appoint a Deputy to look into the well-being of this person and a Deputy to manage his financial affairs.
<u>Minor / Infant</u>	A person under the age of 21 years old. An infant may be described as a minor. A minor has no full legal capacity. A minor cannot be an executor. The age of majority for a minor to claim a deceased member's nominated CPF monies is 18 years old.
<u>Nisi</u>	A decree, order, rule, declaration, or other adjudication of a Court that has no force unless a condition has been met. <u>Decree Nisi Absolute</u> It is the final decree that dissolves the marriage.
<u>Next Friend</u>	When a person with mental incapacity is not able to make legal decision, the Court will appoint a person to act on his behalf. This person is called a Next Friend when the protected person is the plaintiff and Guardian ad litem when the protected person is the defendant. It may also refer to the next-of-kin/closest person for the claimant and the defendant.
<u>Notary Public</u>	A person with the power in law to witness the signing of any deeds or writings, or makes certified copies of them in order to render the same authentic (make them official), especially for use abroad.
<u>Oaths</u>	Swear by the truth. To have made a solemn promise to tell the truth.
<u>Power of Attorney</u>	Legal document allowing a person to assume the rights and duties of another. A legal document by which one person is empowered to manage the assets and financial affairs of a live person. The appointment must be made when the person is of sound mind. The attorney must sign an acceptance of the appointment. The attorney is not entitled to exercise his powers for his own

	<p>benefit. A power of attorney ceases when the donor dies. The executor named in the will will take over the responsibilities of the estates.</p> <p><u>General power of attorney</u> A general power of attorney continues to function only when the donor is of sound mind. This is useful if one is going overseas for an extended period of time.</p> <p><u>Lasting power of attorney</u> A lasting power of attorney continues to operate even if one become of unsound mind due to disability or illness. This allows the attorney to continue managing the affairs even though one is unable to make rational decisions.</p> <p><u>Sleeping power of attorney</u> The attorney may be appointed but the time for him to act might be delayed. The attorney may act on written request either immediately or at later date.</p> <p><u>Substitute power of attorney</u> To safe assets in the event that the attorney passed away or is made a bankrupt, it is wise to consider the appointment of a substitute. The substitute will then be able to take over.</p>
<u>Presumption of Death</u>	A person is assumed to be dead under the law when the person is absent for seven years and the petitioner has no reason to believe that the person is living.
<u>Probate</u>	The process of proving that a will is valid, followed by the administration of the estate of a dead person according to the terms of the will.
<u>Resealing of Grant</u>	<p>Seal over an overseas grant for distribution of assets of non-residents.</p> <p>When a non-resident dies, leaving Singapore assets, these assets are frozen and cannot be dealt with. If the deceased's overseas grant is obtained in the Commonwealth, the grant must be re-sealed and deposited with the Singapore Court. Resealing means to have the overseas grant sealed with the Singapore Court's seal.</p>
<u>Renounce</u>	To give up the rights of inheritance.
<u>Separation Deed</u>	Legal document for married couples to live separately under mutual terms. However, the legal state of the marriage remains unchanged .i.e. the husband and wife is still considered legally married.
<u>Tenants in Common</u>	<p>Tenants in Common is an arrangement whereby there is concurrent, or simultaneous ownership of the property between two or more parties.</p> <p>When property is owned as tenancy-in-common, the deceased person's share of the property does not automatically pass on to the surviving owner(s). The deceased's share of the property is distributed according to</p>

	the terms of the will. Where there is no will, the deceased's share of the property will be distributed according to the intestacy laws, or the Muslim law.
<u>Testator</u>	Person who makes the will.
<u>Trust</u>	A trust is a responsibility created by the donor transferring his assets to a person (trustee) to hold and control for the benefit of a third party (beneficiary). The trust can be created during the lifetime of the donor or by his will.
<u>Trustee</u>	Person responsible for the trust where the person holds and controls the assets for the advantage of some else.
<u>Unclaimed Funds</u>	Upon the conclusion of the administration of the estate of a deceased, if there are monies in the hands of the Public Trustee which cannot be distributed in accordance with the law, the Public Trustee shall credit those funds to Unclaimed Funds. These funds shall be kept in the account for 7 years and if the monies remain unclaimed at the expiration, the funds together with any interest earned shall be paid into the Consolidated Funds. If any claim is made to the satisfactory of the Public Trustee, the amount shall be paid to him without the interest from the Consolidated Funds.
<u>Will</u>	A legal document expressing a person's wishes with regard to who shall receive the person's assets after his death.