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- Course Title:** Probate Seminars (Part 3): Rectification of Wills
- Speaker:** Goh Kok Yeow- Head of Intellectual Property and Probate/Trusts Practice, De Souza Lim & Goh LLP
- Duration:** 108 minutes
- Course description:** **SINGAPORE COURTS' NEW POWER TO RECTIFY WILLS - SECTION 28, WILLS ACT: PROBLEM SOLVER OR CREATOR OF NEW PROBLEMS?**

In *Cheo Yeoh & Associates LLC and another v AEL* [2015] SGCA 29, the Court of Appeal had stated that, unlike the courts in England and Wales, the remedy of rectification of wills is not available in Singapore as Singapore courts do not have such a power. That omission has been quickly rectified [pardon the pun] by Parliament, as Singapore Courts will very soon have powers to rectify wills as a new Section 28 has been introduced to the Wills Act, which was included as one of the provisions in the Statutes (Miscellaneous Amendments) Act 2016.

It is important that every solicitor whose practice includes probate and administration work (whether it is non-contentious or contentious) must familiarise himself or herself with Section 28, Wills Act, as it has very wide-ranging ramifications, not least because the availability of the remedy of rectification will ironically open new channels of claims against solicitors in connection with wills preparation.

The third part of the Probate Seminars will cover:

- What is Section 28, Wills Act and its scope?
- When and in what ways can a will be rectified? As Section 28 is *in pari materia* with England's Section 20, Administration of Justice Act 1982 (albeit with one particularly important difference), relevant case law will be discussed.
- At what stage should rectification be sought? Steps to be taken for a Section 28 application.
- Change in advice to executors regarding administration of estates by reason of Section 28.
- What difference(s) are there between the English courts' powers and the Singapore courts' powers to rectify wills?
- Potential problem areas for solicitors that may arise in connection with Section 28.

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About the speaker:



Goh Kok Yeow

Head of Intellectual Property and Probate/Trusts Practice, De Souza Lim & Goh LLP (Chairperson, Probate Practice and Succession Planning Committee, The Law Society of Singapore)

Goh Kok Yeow is the Chairperson of the Law Society of Singapore's Probate Planning and Succession Planning Committee. He is also a Senior Teaching Fellow of the Singapore Institute of Legal Education (SILE) since 2010, and he is the Subject Co-ordinator and lead lecturer for the Wills, Probate & Administration (WPA) subject for the Preparatory Course leading to Part B of the Singapore Bar Examinations conducted by the SILE.

He was called to the Singapore Bar in 1988, and he has been a Partner of De Souza Lim & Goh LLP since 1991, and he specialises in probate and trust matters, which often includes complicated as well as cross-border succession cases.

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