

THE IMPACTS OF NON-ADMINISTERED ESTATES IN WEST MALAYSIA: AN ANALYSIS

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In Malaysia, non-administered estate refers to the estate of a deceased owner that has not been administered by the beneficiaries even after six months has passed from the owner's death. The non-administered estates in West Malaysia are governed by the Small Estate (Distribution) Act 1955, the Public Trust Corporation Act 1995, and the Probate and Administration Act 1959. However, the estate administration procedures have lacuna as the system does not assist to trace the estates if no application is made by the beneficiaries to administer such estates. Consequently, the total number of non-administered estates cannot be determined, despite claims that these estates have various impacts. Accordingly, this paper aims to analyse the impacts of non-administered estates from the Islamic, socioeconomic, and legal viewpoints. The discussion adopts the doctrinal analysis through examination of the current primary and secondary materials such as case law, statutory provisions, and other non-legal and legal literature. This paper reveals that the impact of non-administered estates from the legal perspective are reversion, forfeiture, acquisition of land by the Government, multiple death, and non-exercisable owner's rights. From the Islamic perspective, the impacts are inconsistency with maqasid Shari'ah, misappropriation of property, and problem associated with the deceased's unpaid debt. Meanwhile, the impacts from socioeconomic perspective are depreciation of estate's value, loss of income, and deprivation of property.

INTRODUCTION

In cases of non-administered estates, no application has been made for letters of administration or probate to the estate of a deceased individual, after six months has passed from the individual's death. Apart from that, the beneficiaries may have applied to administer

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the estate, but the case has not been settled or full administration has not been granted yet due to a number of factors including dispute among the beneficiaries. Under the law, non-administered estates shall be vested in the Corporation and are governed by Section 18 of Small Estate (Distribution) Act 1955; Section 16 of Public Trust Corporation Act 1995; and Sections 39 and 81 of Probate and Administration Act 1959. Nonetheless, the estate administration procedures have lacuna as the system does not assist to trace the estates if the beneficiaries have not made any application to administer them. Consequently, the total number of non-administered estates in Malaysia cannot be determined. Nevertheless, in 2005, 900,000 out of 6.2 million lands were reported to still be registered to and owned by a deceased individual.¹ Meanwhile, in 2007, report in local news revealed that about RM40 billion worth of more than a million inheritance cases were still unclaimed,² with Malays' properties making up approximately RM38 billion of the whole portion.³ Although the statistics did not present separate figures for the shares of non-Muslims and Muslims, the latter is believed to contribute to a majority of the assets.⁴ This study asserts that numerous impacts may arise from the non-administered estates, not only from the economic perspective in terms of loss to the country, but also significant impacts from the legal, Islamic, and socioeconomic perspectives. Figure 1 summarises the discussion on the impacts of non-administered estates in West Malaysia.

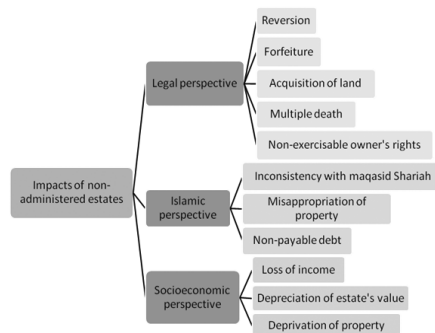


Figure 1: The Impacts of Non-Administered Estates

IMPACTS FROM LEGAL PERSPECTIVE

The impacts of non-administered estates from the legal perspective include reversion, forfeiture, acquisition of land by the Government, multiple death, and non-exercisable owner's rights. These impacts are based on the Land Acquisition Act 1960 (Act 486), the National Land Code 1965, the Town & Country Planning Act 1976 (Act 172), and other statutes applicable to the topic.

Reversion by the Government

If the estate of a deceased remains unclaimed by the beneficiaries, this can lead to the reversion of the non-administered estate by the State Authority.¹ In terms of land's rights, reversion is defined as becoming the State Authority's property again.² As per Section 46 (1) of National Land Code 1965, among others, the land may be reverted to the State Authority, in the event of the registered proprietor's death along with the absence of successors.³ After the reversion of the land to the State Authority, all permanent buildings on the land that cannot be removed⁴ will be vested in the State Authority. Section 47 of National Land Code 1965 dictates that the State Authority is not responsible to pay any compensation for any of the said buildings.⁵

Hence, if no petition has been filed to apply for the representation of the original proprietor's estate, and no petition has been lodged for the distribution of that estate under the Small Estates (Distribution) Act 1955, the Land Administrator may make, or order for an endorsement to that effect on the register document of title for the land,⁶ reverting the land to the State Authority. In cases involving undivided share, the land will be vested in the State Authority at the end of the one-year period from the publication date of the notice, unless a petition has been lodged or filed for the distribution of or a grant of representation to the estate of the original proprietor by that time.⁷

Forfeiture by the Government

By virtue of Section 93 of National Land Code 1965, the alienated

lands are subject to pay annual rent to the State Authority. In a majority of non-administered estates' cases, payment of the estates' annual rent is usually neglected. This negligence may subject the land to forfeiture as stated in Section 100 of National Land Code 1965. Furthermore, according to Section 130 of National Land Code 1965, upon the land's forfeiture, no payment of compensation will be made, including in relation to any existing building on the particular land.⁸

Acquisition of Land by the Government

The general rule is the right to property ownership is not absolute and is subject to the rights of the State as *eminent domain*. This is because acquisition of a private property may be justified for the purpose of the public.⁹ This land acquisition concept is governed by the Land Acquisition Act 1960. Under Section 3 of the Act, the State Authority can acquire any land required for any public purpose; or beneficial to the country's economic development or any part thereof, or to the general public or any public class; or for mining, residential, commercial, agricultural, recreational, or industrial purposes, or any combination of these purposes.¹⁰

Upon completion of the related procedures for the land acquisition by the Land Administrator, the owner of the acquired property would receive sufficient and fair compensation payment based on the land value.¹¹ Nonetheless, in the event of public utility purpose, the State Authority may grant total or partial exemption from any fee payment to the State or Federal Corporation which is expressly assigned to manage the land under any written law.¹²

For non-administered estates with registered land owner who has passed away, is untraceable, or refuses compensation, the Land Administrator will make an application to deposit the compensation monies with the High Court. Conversely, if the beneficiary of the deceased registered land owner has been traced, the Land Administrator may deposit the compensation monies with the Public Trust Corporation or the High Court.¹³

Subsequently, the beneficiaries of the deceased may withdraw the compensation from the High Court, either by furnishing the Land Administrator with letters of administration from the High Court or estate distribution order from the Estates Distribution Division. The Land Administrator will submit an affidavit to the Court Registrar and the Court will issue the compensation cheque. Meanwhile, for the compensation monies deposited into the Public Trust Corporation, the beneficiaries have to provide the corporation's manager with the letters of administration or distribution order in order for the compensation cheque to be issued.

Multiple Death

Multiple death refers to land which is not administered upon the death of the owner, followed by the beneficiaries' death. Cases of multiple death are complicated, particularly when the portion of land is small, but it has numerous beneficiaries.¹⁴ A clear example of the non-administered estates led by multiple death is Kampong Bharu's case. Developed over 113 years ago and covering a total area of 307.73 acres with 7 villages, Kampong Bharu is situated in Section 41, Kuala Lumpur.¹⁵ The statistics in 2010 outlined the existence of 1,355 lots in Kampong Bharu, with 5,300 registered owners of these lands, while the total population of the vicinity was 18,732 people.¹⁶

Notably, under the Land Acquisition Act 1960, non-administered estates can be reversed, forfeited, or acquired by the Government. However, this research proposes that the rent of the non-administered lands in Kampong Bharu is still payable by the beneficiaries as they still occupy the lands and the lands are not forfeited by the Government. In addition, reversion cannot be applied to Kampong Bharu as the beneficiaries have a real claim on the lands although the lands are not being administered. Furthermore, the Government has announced that the development of Kampong Bharu will not apply the Land Acquisition Act 1960.¹⁷ Thus, the issue of multiple death in Kampong Bharu may not be solved through the acquisition or

reversion of the lands, as they must be administered by their beneficiaries.

The multiple death causes loss to the beneficiaries because they cannot claim their rights although the estates are located at the high value commercial areas. Apart from complicating development, multiple death also cause difficulties to the land valuation process, and distribution of the development's benefits.¹⁸ Aligning the development of Kampong Bharu with the development of the golden triangle is a complex initiative due to few major issues, including multiple death.

Kampong Bharu Development Corporation Act 2011 (Act 733) was passed by the Parliament on December 7, 2011, whereas the Kampong Bharu Development Corporation (KBDC) was established on April 1, 2012. KBDC has been entrusted as the facilitator, prime mover, and coordinator in Kampong Bharu's redevelopment. The corporation's major role is to be the development agency that monitors, coordinates, supervises, and acts as a mediator among the shareholders, developers, and land owners.¹⁹ Other main functions of KBDC include implementing strategies, policies, and directions according to the plans prepared under the Federal Territory (Planning) Act 1982 (Act 267).²⁰

In 2015, Kampong Bharu Detailed Development Master Plan (PITPKB) which is a project spanning over twenty years period was launched, and it was expected to be completed by 2035. The development was planned to be executed in three phases, requiring a projected cost of RM43.07 billion,²¹ which includes RM30 billion for construction.²² Nonetheless, until now, the development has made no progress since its earliest stage due to the multiple death issue. In the process of possessing the land parcels, KBDC will have to negotiate with more than 5,300 land owners of approximately 1,355 lots. A majority of these lands are inherited traditionally by the owners from their ancestors.²³ In order to carry out the development, all of the owners must be discovered to obtain their approval. Notably, earlier attempts to revamp this Malay reserve settlement also failed due to the complexity of attaining the consent from both the owners and beneficiaries. In

fact, Islamic inheritance law has further complicate the matter as the parcels are split into smaller plots.²⁴

Few experts opined that if all recommendations cannot be carried out, the Government may have to apply the Land Acquisition Act 1960 to compel the land owners to sell their land. Nevertheless, this option still poses its own challenges, particularly in terms of the government's financial constraint, thus, it can only be fully realised on a willing buyer-willing seller basis. In comparison, the Malaysian Government may need to implement new redevelopment laws. For example, in Singapore, 80% consensus from the residents for a redevelopment proposal compels the remaining 20% to assent to the majority.²⁵

Apart from that, in 2010, the value of lands in Kampong Bharu was reported to exceed RM20 billion in the event that the residents accept the redevelopment concept which would realise the area's full potential.²⁶ However, five years later, this value has increased as the detailed master plan of Kampong Bharu's redevelopment reported an estimated gross development value of RM61 billion.²⁷ The conversion of land status would enable the land owners in Kampong Bharu to enjoy far higher land value. Hence, acceptance of the Government's proposal would mark a new era for Kampong Bharu's residents.²⁸

Non-exercisable Owner's Rights

Beneficiaries who do not administer the estates are not able to exercise the rights of owner as stated in Section 92(2) of National Land Code 1965, *inter alia* the right to partition or subdivide the land; the right to affect leases, transfers, surrenders, charges, and any other dealings; the right to subdivide any building; and the right to willingly dispose of the land, or any undivided share therein.²⁹

Besides, these beneficiaries may not develop the land without the planning permission as provided in the Town and Country Planning Act 1976. Section 19(1) of the Act dictates that no individual, apart from a local authority, could start or carry out any development, without the grant of planning permission for

the respective development.³⁰

Furthermore, Section 21 of Town and Country Planning Act 1976 outlines that the owner of the land is the one who must submit the application for planning permission. If the applicant is not the owner of the land for the planned development, the application must enclose an endorsed, written consent from the owner.³¹ Accordingly, no planning permission can be applied as the land owners had passed away. As a result, the development on the lands may not progress and numerous substandard housing accommodation stem from these non-administered estates.

IMPACTS FROM ISLAMIC PERSPECTIVE

Properties have a great significance in Islam, hence, the Islamic principles emphasise on how to gain property, how to utilise it, and how to manage the property after the death of the owner. The non-administered estate is an estate that has not been administered yet, but also cannot be distributed. This type of estate must be protected because it has a lot of impact in terms of Islamic principles such as inconsistency with *maqasid Shari'ah*, misappropriation of property, and the problem of unpaid debt of the deceased.

Inconsistency with Maqasid Shari'ah

Maqasid Shari'ah literally means objective, and the term has two other main definitions as per two scholars after Al-Sha'ibi. Ibn Ashur defined *maqasid Shari'ah* based on two aspects. Firstly, the general aspect which is the purpose and wisdom behind the enactment of all or most of the *Shari'ah* ruling. This definition is more related to the general objective of *Shari'ah*. The second definition of *maqasid Shari'ah* is very specific. It is linked to the explicit objective that is designed to attain specific benefits in the daily activities of people.³² Meanwhile, Al-Fasi defined *maqasid Shari'ah* as the end sought behind the enactment of each of *Shari'ah* ruling and the underlying secret.³³ Notably, it is submitted that non-administered estates do not adhere to the elements of *maqasid Shari'ah* in terms of protection of life (*al-nafs*), protection of property (*al-mal*), and protection of religion (*al-din*).

Firstly, not administering the estates contradicts the concept

of *maqasid Shari'ah* related to the protection of religion. An example is in the case of a person who converted to Islam (*muallaf*). A number of families may oppose the conversion of the *muallaf*, causing many *muallaf* to continue living without property. If the *muallaf* receives a portion from the will of any deceased individual, the non-administered estate would deprive the *muallaf's* right to benefit from the will. A worst case situation that may happen is if they blame Islam and revert to their old religion. This can break the chain of *maqasid Shari'ah* in relation to the element of protection of religion.

Secondly, the non-administered estates do not adhere to the Islamic principle on the basis of protection of life. Whenever someone passes away, the beneficiaries must expedite the estate administration processes which include paying the debts of the deceased and distributing the estates to the entitled individuals based on the concepts of will and *faraid*. Delay in the administration of estates would result in the estates being categorised as unclaimed estates, and this defies the elements of protection of life. Until the estates are being fully administered, they cannot be distributed and the beneficiaries cannot enjoy their rights. If the beneficiaries need property, for example those who are poor, orphan, or sick, the non-administered estates deny their rights and could cause them to suffer.

Last but not least, non-administered estates are not aligned with the concept of protection of property (*al-mal*) in the theory of *maqasid Shari'ah*. The aim of estates left by the deceased is the estates can be used and enjoyed by the beneficiaries, especially when the deceased was the breadwinner of the family, so that the dependents of the deceased can continue their life comfortably. However, the non-administered estates may not be enjoyed by the beneficiaries of the deceased because the ownership of the estates is still unsettled. Apart from that, the productive elements in non-administered assets cannot be realised to benefit the beneficiaries from the economic and social perspectives, among others. Property is an important element in *shariah* as it enables daily life to progress smoothly. By not administering the estates,

the main purpose of wealth is removed and this opposes the gist of the protection of property.

In addition, non-administered estates contradict *maqasid Shari'ah* in the concept of fair distribution of property (*al-rawaj*). This is because the estates cannot be distributed but instead, left to freeze and cause loss to the beneficiaries. The non-administered estates are similar to the properties frozen under the management of rich people which are not distributed to the deserving individuals accordingly,³⁴ and are contrary to the *al-rawaj* and *Shari'ah* principles.

Allah (*s.w.t.*) has taught Muslims regarding the concept of *al-rawaj* which may either be through charity, will, or *faraid*.³⁵ Jabir was recorded saying that Allah's Messenger said to a man: "Start with yourself and grant it some charity. If anything remains, then spend it on your family. If anything remains, then spend it on your relatives. If anything remains, then spend it like this and like that (on various charitable purposes)."³⁶ Non-administered estates may also encourage the attitude of wasting which is opposed to the principle of property in Islam. Wasting or "*tabzir*" is a negative attitude in the eyes of Islam. It is condemned by Allah's and His Prophet in the Qur'an and *Sunnah*. It must be emphasised that the non-administered estates are considered as a waste³⁷ to the beneficiaries and the country as a whole because the frozen estates cannot be utilised. If such estates are liquidated, they may benefit many areas and sectors. For example, they can be channeled for poor people, orphanage centres, universities, hospitals, mosques, and many more. Nonetheless, the "delaying" custom in the Malay community is perceived to have caused the wastage of inherited lands without any revenue, despite the fact that the lands have the capability to generate prolonged wealth and income.³⁸

Misappropriation of Property

Non-administered estates mean that the estates are left frozen, without administration, and consequently, they are not distributed accordingly to the rightful beneficiaries. By not administering the estates and not distributing them to the rightful beneficiaries,

this presents opportunities for other people to gain such estates. For example, a beneficiary who manages a deceased's estate that has not been administered yet may habitually consume its crops or use the rent money from the house on the land of inheritance, without the consent of the other heirs, whilst the property is supposed to be owned by the other heirs with specific shares.³⁹ Although this may seem normal, the act contradicts the Islamic principle which prevents Muslims from gaining a property through unlawful manner, for instance, without the owner's consent. It was narrated that Abu Hurairah said: "The Messenger of Allah said, there will come a time when a man will not care where his wealth comes from, whether (the source is) halal or haram".⁴⁰

The situation is worsened if the estate is owned by an orphan. The act is extremely condemned by Islam as per the Hadith narrated by Abu Huraira: "The Prophet (*s.a.w.*) said, avoid the seven great destructive sins. The people enquire, o Allah's Messenger (*s.a.w.*)! What are they? He said, To join others in worship along with Allah; to practise sorcery; to kill the life which Allah has forbidden except for a just cause according to the Islamic law; to consume *riba* (usury); to take an orphan's wealth; to give back to the enemy and flee from the battlefield at the time of fighting; and to accuse, chaste women, who never even think of anything close to chastity and are good believers".⁴¹

Hence, in order to avoid acquiring or using the property unlawfully, the properties must be distributed immediately to the eligible beneficiaries after the funeral process of the deceased is completed. This is to prevent the formation of an undivided estate which will become a mixed property, increasing the complexity in distinguishing the portion of each beneficiary.⁴²

To that end, the beneficiaries must play their role in administering the estate of a deceased as soon as possible, so that no sin will be incurred by gaining the property in an unlawful manner, whether consciously or not. In this way, the beneficiaries will also obtain and enjoy their respective right, without meddling with the rights of others, especially in the case involving orphans. Plus, in order to ensure harmony in the society, Islam emphasises

that Muslims need to accumulate wealth through lawful means and prevent oneself from taking the rights of others.⁴³

Non-payable Debt

After the funeral process of a deceased is completed, the beneficiaries must expedite the settlement of the deceased's debts. This practice has been encouraged in a Hadith of Prophet (*s.a.w.*) as Abu Hurairah narrated that the Messenger of Allah (*s.w.t.*) said: "The believer's soul is suspended by his debt until it is settled for him".⁴⁴ The above Hadith highlights that the debt of a deceased must be settled immediately. Notably, the debt of the deceased can be paid through the estate that he left but the debt cannot be paid until the estates are administered. Particularly, the estate is an asset for the payment of the deceased's debt as stated in Section 67 of the Probate and Administration Act 1959 (Act 97).⁴⁵ As long as the estates are not being administered, the debt of deceased cannot be settled whether it is a debt to Allah nor to mankind,⁴⁶ therefore, the beneficiaries must expedite in administering the estate of the deceased so that his debt can be settled, not harming the deceased in the hereafter.

IMPACTS FROM SOCIOECONOMIC PERSPECTIVE

Socioeconomic is the social science that examines how economic activities affect and is shaped by social processes. Generally, it analyses how societies regress, progress, or stagnate due to their regional, local, or global economy.⁴⁷ From the socioeconomic viewpoint, the impacts of non-administered estates include loss of income, depreciation of estate's value, and deprivation of property.

Loss of Income

As stated earlier, the value of non-administered estates is significant. If these estates may be managed and channeled into the Muslim economy as a source of income, they can help to improve the economy of the Muslims as a whole. If the estates are liquidated, the profits may be used for the purpose of developing the field of research and development through the provision of research grants

to researchers. Apart from that, liquidation may be performed through the purchase of houses which were allocated to *Bumiputera* but are released due to the lack of buyers. This step facilitates the *Bumiputera* people and serves as a long-term investment for the Government. The fund can also be utilised to generate *waqf* by building women shelters, hemodialysis centres, *waqf* hospitals, *waqf* schools, *waqf* universities, *waqf* banks, and other *waqf* infrastructures.⁴⁸

The delay in administering the estates has left a large proportion of agricultural lands that can generate significant returns not administered.⁴⁹ Additionally, in cases of individual or family business, the beneficiaries are not able to secure funding from banks or financial institutions to expand the business. This is due to their failure to obtain the proof of ownership for the land since the title of the estate is still registered under the name of the deceased. As a result, the credit facilities that may be available for their capital to develop the land could be denied.⁵⁰ For instance, beneficiaries who work as farmers are not able to maintain or develop their land, resulting in the loss of a source of income to support their daily life. Non-administered estates have led to numerous negative impacts since the estates are frozen and cannot be utilised. The beneficiaries who have a right to the estates are not able to claim their rights, and may not enjoy their portion from the estates. These problems should not be left unsolved due to their significance to both the rightful heirs and the country.⁵¹ In conclusion, the non-administered estates only lead to negative impacts, plus, a saying emphasises that even improperly administered God's law may lead to injustice.⁵²

Depreciation of Estate's Value

The non-administered estates are a waste to the country as they cannot be developed and in many cases, are left idle. This is evident in lands with high commercial value which cannot be developed due to the issues related to the distribution of inheritance in areas such as Kampung Haji Abdullah Hukum, Sungai Penchala, Kampong Bharu, Ulu Klang, and Kampung Kerinchi.⁵³ It can

also be seen in the middle of Jalan Tun Dr Ismail, Jalan Ampang, Jalan Tun Razak, and Jalan Tunku Abdul Rahman through the idle, abandoned Malay houses.⁵⁴ In addition, the situation is dire as the properties of the Malay community which reaches the value of millions of Ringgit do not seem to benefit the beneficiaries⁵⁵ due to their status of non-administered estates.

Furthermore, in the High Court of Pahang, the judge Datuk Mohamed Apandi Ali, undertook a case of dispute regarding an estate which took up to 50 years to be finalised. During this period, depreciation of asset in terms of values had caused loss to the beneficiaries. This is because, for example, the value of RM50 note over fifty years ago is different from the value of the same note nowadays. The heirs may have lived in difficult circumstances during the period, although they have a right⁵⁶ to the estate. If the beneficiaries could cooperate to settle the dispute among them, they would have been able to obtain their rights earlier without suffering any loss and harm. Therefore, the beneficiaries must act immediately in administering the estate of a deceased so that the problem of non-administered estates does not result in loss to the beneficiaries.

Deprivation of Property

The estate that is left by a deceased is for the benefit of the heirs. The estate is not created and left by the deceased to be frozen and cannot be utilised by the beneficiaries. The habit of neglecting and delaying in administering the estate has resulted in the abandonment of many agricultural lands in the villages which became wildlife nest for animals such as monkeys and wild boars.⁵⁷ Besides, long-term or permanent development may not be carried out as long as the estate is not administered due to the uncertainty of the land ownership.⁵⁸ Instead of being utilised for the benefit of the rightful heirs, these unclaimed estates have caused loss to the beneficiaries and the country as they are left frozen. The non-administered estates that are left idle can also lead to other problems, for example, used as a gathering site for drug addicts, nest for Aedes mosquitos, and many more.

The abandoned non-administered estates can also attract

unlawful occupiers or squatters to use and benefit from the land. A squatter refers to a person or body who occupies a land or premise without the lawful consent or agreement of the legal owner, whether through a lease or license. The land is usually “taken” by the squatter when left idle for many years. Consecutively, this land is utilised for various purposes such as cultivation, residence, industry, and business.⁵⁹ Apart from being illegal occupiers, the squatter phenomenon also leads to a number of issues including substandard housing accommodation caused by inadequate public infrastructure and facilities; insufficient sanitation and water supply;⁶⁰ health problems;⁶¹ social issues; and environmental degradation.⁶²

CONCLUSION

In short, the study revealed the impacts of the non-administered estates from three perspectives: legal, Islamic, and socioeconomic. From the legal perspective, several impacts of non-administered estates are evident, namely the reversion and forfeiture as provided under the National Land Code 1965; and acquisition of land by the Government as stated in the Land Acquisition Act 1960. Meanwhile, the multiple death also occurs especially in the cases of the non-administered estates. The obvious example of the non-administered estates led by multiple death is the lands in Kampong Bharu, with total area of 307.73 acres. Apart from that, by not administering the estates, the beneficiaries cannot exercise the rights of owner to the land as provided in the National Land Code 1965 and the Town and Country Planning Act 1976.

From the Islamic perspective, the non-administered estates do not adhere to the elements of *maqasid Shari'ah*. In particular, the concept may cause the property to be gained through unlawful manner, and lead to the delay in payment of the deceased's debt until the estate is being administered. The non-administered estates also affect the socioeconomic aspect via loss of income, depreciation of the estate's value, and deprivation of the property. It is important to emphasise that if the non-administered estates can be managed properly, their high value can assist in improving the economy of

the Muslims as a whole.

Thus, it is submitted that the non-administered estates would only cause loss to both the beneficiaries and the country. A lot of parties would be affected by the non-administered estates, including the orphan, the widow, the family members, the beneficiaries, as well as the deceased himself although he had passed away, in terms of his debt which is not yet settled. Although numerous reports have been published on the increasing values of the unclaimed, non-administered estates which have turned into a major recurring problem,⁶³ and a lot of impacts from non-administered estates have been identified, the Government has not establish any cohesive mechanism to solve this issue yet. Therefore, the relevant parties must be responsible to establish and take the initiative and progressive steps in order to ensure that such estates can be liquidated, and consequently, benefit the rightful beneficiaries, the country, and the public at large.

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