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A summary of the common information required for the preparation of a Last Will and Testament.

Introduction

A Last Will and Testament is a legal document detailing how an individual would like his/her possessions and affairs disposed of upon his/her death.¹

A valid and enforceable Last Will and Testament would allow the appointed executor(s)/executrix(s) to apply for a Grant of Probate upon the testator/testatrix's death.²

A Grant of Probate application is relatively straightforward and in many cases, the Grant of Probate is issued within one to two months from the filing of the application.

¹ "Last Will and Testament." 4 May 2015. <https://legaldictionary.net/last-will-and-testament/>

² The application would be pursuant to Order 71 Rule 5 of the Rules of Court 2012

Information Required

In order to prepare a Last Will and Testament, the following are some common information required:

- i. The testator/testatrix's full name, NRIC no., and current correspondence address;
 - ii. The executor(s)/executrix(s)'s full name, NRIC no., and current correspondence address;
- optionally, the testator/testatrix can also include back-up executor(s)/executrix(s) in the event the first choice executor(s)/executrix(s) death occurs before the death of the testator/testatrix.



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- iii. The beneficiary's/beneficiaries' full name, and NRIC no.;
 - optionally, the testator/testatrix can also include back-up beneficiaries in the event the first choice beneficiary's/beneficiaries' death occurs before the death of the testator/testatrix.
 - for moneys in banks, the name of the bank, and the account number;
 - for shares, the testator/testatrix's Central Depository System account number, the name of company/companies, and number of shares in those company/companies.
- iv. A list of the testator/testatrix's assets and their details;
 - for immovable properties, the address of the property, and the ownership status of the property (e.g. jointly owned, solely owned);
 - for cars, the model of the car, its number plate;
- v. The manner of distribution for each specific asset; and
 - where there are two or more intended beneficiaries for a specific asset, the testator/testatrix can consider equal distribution, or distribution according to a unique percentage/ratio.



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- alternatively, the testator/testatrix can bequeath his/her assets wholesale to a beneficiary/the beneficiaries (e.g. all movable properties to Beneficiary A, all immovable properties to Beneficiary B).

- vi. The names and NRIC no. of two (2) individuals who will be the witnesses to the Last Will and Testament.

- generally, witnesses to the Last Will and Testament are younger than the testator/testatrix.

- If the witnesses to the Last Will and Testament are alive at the time of the Grant of

Probate application, they would have to affirm an affidavit that they witnessed the testator/testatrix execute the Last Will and Testament.

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