## 1958 年马来西亚遗产分配法令

## Malaysia Distribution Act 1958 (Amended 1997)

| •          |           |      | ,    |  |
|------------|-----------|------|------|--|
| 家庭成员       | 财产归属权     |      |      |  |
|            | 父母        | 配偶   | 子女   |  |
| 父母         | 100%      |      |      |  |
| 配偶         |           | 100% |      |  |
| 子女         |           |      | 100% |  |
| 配偶 + 父母    | 50%       | 50%  |      |  |
| 配偶 + 子女    |           | 33%  | 66%  |  |
| 子女 + 父母    | 33%       |      | 66%  |  |
| 配偶+子女+父母   | 25%       | 25%  | 50%  |  |
| 没有配偶+子女+父母 | 兄弟姐妹      |      |      |  |
|            | 祖父母       |      |      |  |
|            | 祖父母的兄弟姐妹  |      |      |  |
|            | 曾祖父母      |      |      |  |
|            | 曾祖父母的兄弟姐妹 |      |      |  |
|            | 政府        |      |      |  |

## Malaysia Distribution Act 1958 (Amended 1997)

| Comily Momboro            | Legal Beneficiary(s)         |        |       |
|---------------------------|------------------------------|--------|-------|
| Family Members            | Parent                       | Spouse | Issue |
| Parent                    | 100%                         |        |       |
| Spouse                    |                              | 100%   |       |
| Issue                     |                              |        | 100%  |
| Parent + Spouse           | 50%                          | 50%    |       |
| Spouse + Issue            |                              | 33%    | 66%   |
| Parent + Issue            | 33%                          |        | 66%   |
| Parent+Spouse+Issue       | 25%                          | 25%    | 50%   |
| No<br>Parent+Spouse+Issue | Siblings                     |        |       |
|                           | Grandparent                  |        |       |
|                           | Grandparent's siblings       |        |       |
|                           | Great-grandparent            |        |       |
|                           | Great-grandparent's siblings |        |       |
|                           | Government                   |        |       |

| <b>没有</b> 遗嘱                         | 有遗嘱                        | 家族信托                             |
|--------------------------------------|----------------------------|----------------------------------|
| 受益人同意选择 <mark>管理人</mark>             | 选择执行人                      | 选择 <b>信托保</b> 护人                 |
| 资产冻结 3年-5年<br>(银行户口,房地产,<br>股票,公司股权) | 资产冻结 <b>6月-1年</b>          | 资产 <b>免</b> 冻结                   |
| 2 担 <b>保人</b><br>(担 <b>保</b> 遗产总价值)  | 无需担保人                      | 避免资产被分割<br>(生意,婚姻,金钱骗局)          |
| <b>法庭决定</b> 监护人                      | 选择监护人                      | 避 <b>免一次性</b> 释放资产<br>以导致挥霍无度的习惯 |
| 申请LA律师费<br>RM8,000-RM18,000          | 申请GP律师费<br>RM4,000-RM6,000 | <b>无需在法庭上宣</b> 读<br>(绝对保密)       |

| Intestacy (Without will)   | Testacy (With will)                        | Family Trust                  |
|--|--|-------------------------------|
| Need to agree to pick administrator  | Appoint executor                           | Transfer ownership to trustee |
| Assets frozen for 3 years - 5 years (Bank account, property, Share, Company's Share) | Assets frozen for 6 months - 1 year        | Assets will not be frozen     |
| 2 Sureties   | No need sureties                           | N/A                           |
| Guardian judged by Court   | Appoint Guardian                           | N/A                           |
| Lawyer fee to obtain LA<br>RM8,000-RM18,000  | Lawyer fee to obtain GP<br>RM4,000-RM6,000 | No court orders required      |