



让我们来看看您如何能够保护您的财富，并确保它是正确地传递给您的受益者，否则，所有的财富传承可能是徒劳及无法在需要时，移交给最需要的人，或者更糟糕的是，他们或会在无意之中传承给不该接受有关资产的人士。

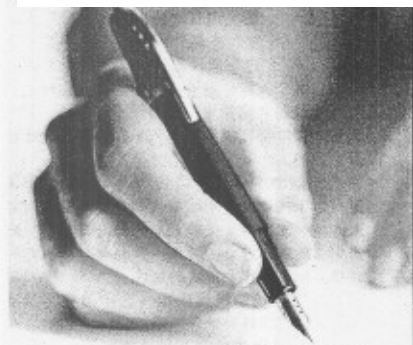
因此，我们强调必须对遗产进行规划，因为我们不希望只是提醒马来西亚公共积累财富，而省略强调在适当时候将财富转移给受益者或家属。

遗产规划包括各种其他事项，包括遗嘱及成立委托基金。不过，如果您选择只是做一个简单的遗嘱，我们认为，这是跨出一大步，确保您的财富最终是由家属所接收。

考虑到适当水平的资讯和教育，我们相信很多人会同意遗产规划的重要性。然而，令人惊讶的是，大约 95% 的马来西亚人并无意愿立遗嘱，并认为拥有足够的时间作准备！

拖延的昂贵代价

COSTLY PROCRASTINATION



拖延和忽略的后果

没有设立遗嘱对于一个家庭或造成非常大的影响，尤其是那些较为依赖，或没有能力在财务上获得保护的一群。

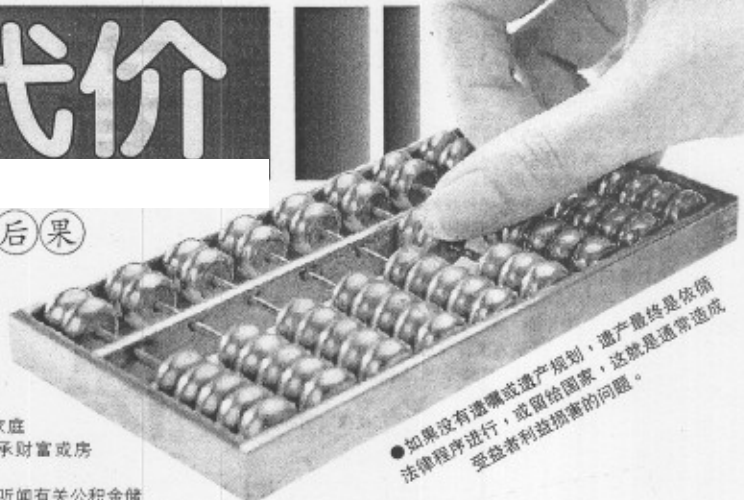
试想，一个家庭是何等的沮丧和痛苦，首先是在失去养家的主干，更疼痛若的是，该人是唯一的家庭支柱，然后再得知无法及时获得继承财富或房产。

另一种较常见的故事，我们总是听闻有关公积金储蓄出现状况，即有寡妇声称其已故丈夫的公积金储蓄是留给了他的前女友而不是给他们，就只因为他忘记了或根本不介意更新受益人的细节。

这些都是令人可惜的例子。一个小小的努力可以拯救家庭财务困境和精神痛苦。在这种情况下，遗嘱并不用于分配公积金储蓄，有关的财务规划顾问应突出此事项。

许多遗嘱的延误，主要是因为他们认为这是一个棘手任务，涉及复杂的法律过程，并认为这些都是“富有”的才会有的麻烦。

这种情况，在过去 10 年来都屡屡发生。如果我们肯作些功课，我们会发现其实是有受托人，遗嘱顾问，可以让整体编写遗嘱的过程变得轻而易举。



迷信与家庭幸福感

与保险的情况大致相同的是，一些华人社区认为立下遗嘱是不吉利的事，因这关系到解决有关死亡的问题，以及焦点放在房产与保险的分配。

但矛盾的是，也有许多人会找出一些资金作为自己的葬礼，担心他们的孩子将为他们风光大葬，也有许多人拒绝了任何保险与立遗嘱。

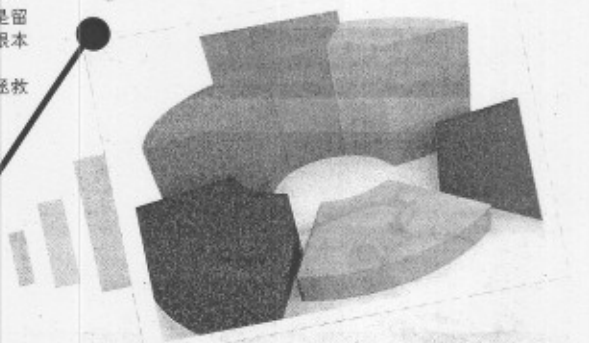
许多孩子都不敢在长辈面前提出这个课题，害怕父母是认为是在“谋取财产”。但是，让我们权衡了这一点，应着重迷信或家庭幸福？

遗产规划的好处

只用一些小准备，即可规划长远。让我们来看看遗产规划的好处：

地产持有人可以控制资产分配，并确定到底是谁为其理想的受益者。

有人会从死者的遗产中进行分配资产会更快、更有效，及成本更低，因为这将避免许多繁琐的手续。但通常，如果一个人去世没有遗嘱，遗产将被冻结后。解冻的过程中和分配资产需要很长的时期，它有可能导致立即金钱解困的家庭成员面对财政困难。



房产规划减付政府税务

房产规划可以减少支付给政府的税务，让更多的资金被转移给受益人，这些往往可以节省可观的数额。

房产持有人选择指定的遗嘱执行人。然而，他们应该向专业人士执行并管理有关房产，而不是为了省下成本而提名无经验的亲戚朋友。

如果你有大批的珍贵收藏品（古董，艺术品等），请务必留下一个非常具体的指示，解释这些该如何进行处置—如通过一个具体的拍卖行或信誉良好的经销商。

如果房地产业主的孩子年龄在 18 岁以下，他们可以任命一名法定监护人照顾的儿童的利益和福祉。

选择在于个人的手中，即是否有良好的房地产拟定计划或依照法律简单地分配遗产。

如果没有遗嘱或遗产规划，遗产最终是依照法律程序进行，或留给国家。这就是通常造成受益者利益损害的问题。

从中吸取教训，当您作出了一个遗嘱，请确保与您关系密切并信任的家庭成员都了解它和它的下落，即它保存在那里。

否则，就会落得没有立下遗嘱一样！



Costly Procrastination

Did you manage to catch a Chinese HK series on Astro On Demand dwelling on the saga of a family running an important business back in ancient China?

When the patriarch of the family passed away, his fourth wife – the heroine of the drama – made this comment, “The day after the funeral procession, will be the day when great trouble starts.”

She was making reference to the inheritance issue of the family’s business and fortune. For ideally, the great portion of it should be handed over to the first born. Alas, the first born was not one who has the integrity to run and sustain the family’s business and fortune. Various means of deceit and unscrupulous manipulations were put to use to ensure that the first born inherits the business and fortune, as he had earlier angered his father to the point of him being disowned as one of his children.

The patriarch would surely turn in his grave if all his hard-earned fortune and business landed in the hands of his prodigal son. Imagine the heartache of family members who have offered blood, toil, tears and sweat for the business.

Our column all this while has been providing direct and indirect information on how you can build your wealth. Now, let’s see how you could PROTECT your wealth and ensure that it is properly passed on to your intended beneficiaries, otherwise all your financial successes may be in vain and the wealth not accessible when needed most, or worse if they are inadvertently passed on to people who are not supposed to receive them.

Thus, we reiterate the importance of estate planning as we do not wish to just advise the Malaysian public in accumulating wealth while omitting to stress the importance of planning for a transfer of this wealth to their intended beneficiaries or dependants at the appropriate time.

Estate planning encompasses among various other matters, will writing and setting up of trusts. However, if you choose just to do a simple will, we believe that this basic move should be a big step upon ensuring your wealth is received by your dependents in a hassle free manner.

Given the appropriate level of information and education, we believe many would agree on the importance of estate planning. However, we were surprised to learn that about 95% of Malaysians procrastinate in writing their will as they do not perceive the need and feel that there is ample time to do so!

The Price To Pay For Procrastination And Neglect

The impact of not having a will would be very great in the families of those who have dependents who are less able or unable to fend for themselves. Just imagine the frustration and misery a family would have to go through, first in losing a bread winner and worse if that person were the sole provider, and then learn that they could not have access to any of his/her wealth or estate on a timely basis.

Another common story we always hear about is EPF savings, where mourning widows claim that their late husband's EPF savings would go to his ex-girlfriend instead of to them, just because he had forgotten or had not bothered to update the beneficiary details of his EPF savings. What a pity. A little effort could have saved the family financial distress and mental anguish. In such a situation, while a will is not used in distributing the EPF savings, the estate planning advisor would have highlighted such matters to the individual.

Easily Available

Many delay in making a will because they think that it is a troublesome task and involves complicated legal processes that they may have no inkling about, and only "rich" people go through such trouble.

That may have been the situation more than 10 years ago. If we were a little hardworking, we would have found out that there are parties out there, such as trustees and will-writing consultants, who make the will-writing process a breeze.

Superstition Vs Family Well-Being

As with insurance, some in the Chinese community are adverse to addressing issues related to death, which is a focal point of estate planning and insurance. There is a paradoxical behaviour here though. While, many would set aside some finances for their own funeral, fearing that their children would not give them a grand send off, there are also many who refuse to have anything to do with insurance and will writing.

Children would not dare bring up this subject to their parents for fear of being labelled as "vultures".

But, let's weigh this out, which is more important, superstition OR family well being?

Benefits

A little preparation goes a long way. Let's look at the benefits of estate planning:

- Estate owners can control the disbursement of assets and determine exactly how their estates are divided to their desired beneficiaries.
- It is likely that the distribution of the assets from the deceased's estate would be faster, more efficient and less costly because a lot of red tape that would hinder the process can be avoided. Normally, if one passes away without a will, the estate will be frozen upon his or her death. The process of unlocking and distributing the assets in an estate takes a long period and it may cause financial hardship to family members who need the money immediately.

- Estate planning can help reduce the amount of taxes that are paid to the government. This will result in more money being passed to beneficiaries. These savings can often be very sizeable amounts.
- Estate owners can choose and designate the executor(s) who will carry out the instructions set out in the will. However, they should engage professionals who have the expertise to administer the estate rather than nominate inexperienced relatives and friends in an attempt to save on estate administration costs. If one has a sizeable accumulation of valuable collections (antiques, art etc), make sure one leaves very specific instructions on how these are to be disposed (if it comes to this) – e.g. via a specific auction house or to a reputable dealer.
- If the estate owners have children who are under the age of 18, they can appoint a legal guardian who will look after the childrens’ interests and welfare in the event of the death of both parents.

The choice is in the hands of the individual on whether to have a well-drafted estate plan or to simply leave the distribution of that estate in the hands of the law. When there is no will or estate planning, a person’s estate is left to the devices of the law or the state. This is where the problems usually start to arise to the detriment of the beneficiaries.

Coming back to the Chinese HK series, the patriarch did have a will after all! But needed time to be retrieved. Only his trusted fourth wife new about the will and the will superseded all the hanky-panky doings of the unscrupulous people eyeing the family’s business and fortune.

One more lesson to learn from this, when you have made a will, please ensure your close and trusted family members are informed of it and its whereabouts i.e. where it is kept. Otherwise, it is like not making a will at all!



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