



ADMINISTRATION OF INHERITANCE IN MALAYSIA: DEVELOPMENT AND LEGAL CHALLENGES IN MANAGING FELDA

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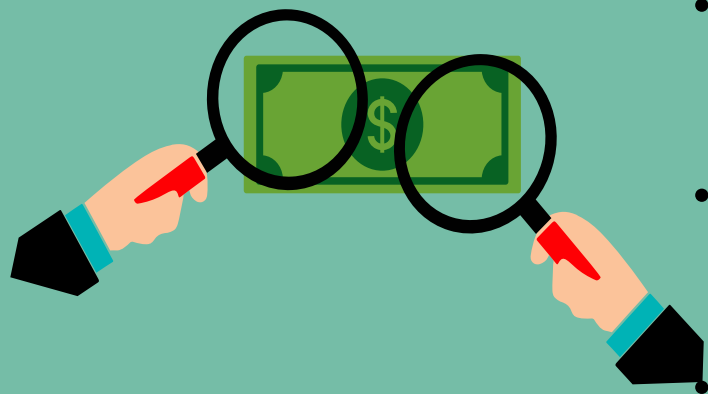
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ACKNOWLEDGEMENT



INTRODUCTION



- FELDA was established on July 1, 1956 by the late Tun Abdul Razak who served as Rural Minister and Deputy Prime Minister at that time
- The aim of establishment of FELDA is to eradicate poverty in the countryside, close the economic gap between races and implement the development of the interior.
- Behind the story of success of development in FELDA, there are problems and challenges that arise, especially related to estate administration that need immediate action by the authority
- In this paper, the researcher will elaborate more about the development and legal challenges in managing FELDA especially in the administration and distribution of the land upon a settler's death.

RESEARCH METHODOLOGY



1

The researcher undertakes a socio-legal approach, which focuses on how the FELDA develop and the legal challenges in managing FELDA especially regarding inheritance in Malaysia

2

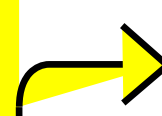
As a non-doctrinal study, this research employs a qualitative approach

3

Primary data such as semi-structured interviews, survey via questionnaire through SPSS Version 23 and Focus Group Discussion (FGD)

4

Secondary data, such as library-based research, journal articles, books, and legislation and case law are also used to achieve the research objectives



ANALYSIS OF ESTATE ADMINISTRATION IN FELDA



The heirs of the deceased must report first the death of the settler to the FELDA Office

FELDA has its own restrictions imposed by the Land (Group Settlement Areas) Act 1960 that must be adhered to

If a settler has more than two children, the settler can only transfer his FELDA to two of his children

if the heirs do not agree with the appointed administrator, the administrative bodies have the right to appoint two nominees

ISSUES REGARDING ESTATE ADMINISTRATION OF FELDA



Not all heirs have the right to transfer FELDA after the settler's death

No sale, purchase, transfer, pledge, rental, grant and bequest can be made on FELDA, except with the written consent of FELDA

The appointed administrators are merely administrator of the FELDA



WAYS TO OVERCOME THE CHALLENGES IN ESTATE ADMINISTRATION INVOLVING FELDA




a) The settler make will during lifetime.

b) Malaysia government amend the Land (Group Settlement Areas) Act 1960

c) The authorities organize talks or campaigns regarding estate administration of FELDA

CONTRIBUTION



The author has make analysis and compare the estate administration between FELDA and normal land

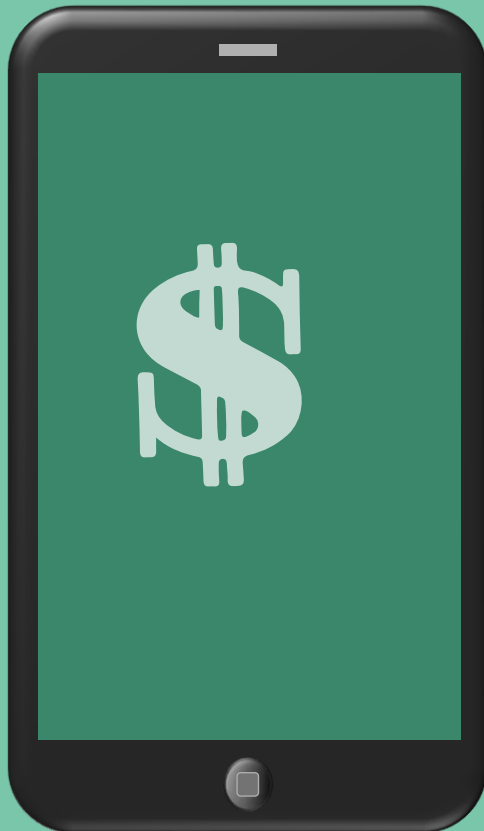


The author list down the issues created from the restrictions imposed by FELDA



As for the last part, the author suggests ways on how to overcome the issues

IMPLICATION



Contribute not only from an academic point of view but also from the practical perspective

This research can achieve all the objectives set at the beginning of the research

The research conducted will provide a guideline to resolve issues in estate administration pertaining to FELDA

CONCLUSION



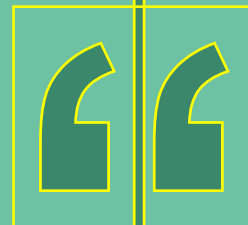
Although inheritance at FELDA is quite complicated to implement, but if seen from the positive side, there are actually many benefits that can be obtained



The public should open their eyes to accept inheritance in FELDA in a positive way and ignore the slander and insults thrown at FELDA.



It is hoped that all parties, especially FELDA, can take the recommendations into account and apply them so that the issue related to FELDA's inheritance can be resolved effectively and efficiently.



ACKNOWLEDGEMENT

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THANK YOU