

Administration of estates in Malaysia: Law and procedure. By Akmal Hidayah Halim. Selangor, Malaysia: Sweet Maxwell & Asia, 2012, pp. 221. ISBN: 978-967-5040-84-9.

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Akmal Hidayah Halim, the author of the volume under review, has earlier published *The Law of Wills and Intestacy in Malaysia* (Selangor, Malaysia: International Islamic University Malaysia, 2009). *Administration of Estates in Malaysia* is based on the author's Ph.D. thesis. The subject matter of this book is extremely important in the legal fraternity as it deals with property left by the deceased. There are many cases in Malaysia where the money and property left by the deceased has gone unclaimed either because the members of general public were unaware of the procedure to follow in claiming the estates or because the deceased failed to name the legal administrator of the estate upon his/her death.

The book consists of seven chapters amounting to a total of 221 pages of which 65 pages contain appendices. Of the seven chapters, the first three chapters deal with substantive laws and the last three chapters deal with procedural laws. The slim, six-page introductory chapter explains statutes of general application, namely, the Rules of the High Court 1980 [PU(A) 50/1980], Probate and Administration Act 1959 (Act 97), Small Estate (Distribution) Act 1955 (Act 98) and Public Trust Corporation Act 1995 (Act 532). This introductory chapter, however, remains silent on the reasons for embarking upon the research project at hand, the framework and the data sources. A couple of pages explaining these important matters could have improved the quality of the book.

An estate is defined by Akmal Hidayah as “all money and property that person owns, especially everything that is left when he dies, the distribution of which, as required by law, shall only be effected when the death is proven” (p. 1). Administration of the estate refers to the process of transferring properties held by the deceased to the rightful beneficiaries or other interested parties including the government. Estate administration is necessary to ensure that the rightful beneficiaries

enjoy the resource rather than letting the resource remain in limbo. There are a few books available on the subject dealt with by Akmal Hidayah. Among those Mahinder Singh Sidhu's *The Law of Wills, Probate Administration, and Succession in Malaysia and Singapore: with Cases and Commentaries* (Petaling Jaya, Malaysia: International Law Book Services, 1997) needs special mention. Sidhu covers almost all the issues relevant to the administration of estates but misses a number of important aspects relating to the administration of real and small estates as well as the law on the execution of the wills. Akmal Hidayah's work should be appreciated for being comprehensive and focusing exclusively on Malaysia.

Akmal Hidayah analyses the legal issues involved, and gives a procedural framework relating to estate administration for Muslims and non-Muslims in Malaysia. She analyses the jurisdiction, scope and procedure for estates administration of the three main administrative bodies: the High Court, the Small Estates Distribution Section and the Public Trust Corp (Amanah Raya Berhad) in chapter two. The information contained in this chapter is meaningful as it informs the general public of the procedures involved and the proper place to send in their applications. The book provides charts to illustrate the process flow of the administration as well as sample forms to serve as quick references to the process. The author also delves into the execution of trusts and wills, which has the effect of determining the jurisdiction of the administrative bodies.

Chapter three of the book deals with trusts which are considered as equitable obligations upon the trustee to take care of the property for the benefit of the legal heirs and other beneficiaries. Here, the author classifies a trust into four categories: express trust, resulting trust, constructive trust and statutory trust. A fifth category is called the bare trust which is for the sale and purchase of land. For unexplained reasons, the author focuses more on the express trust. She cites few Malaysian and English cases with regard to the validity of a trust in Malaysian law and English law. Later the author also touches on the issue of gift inter vivos (*hibah*). The book also contains an interesting chapter four that deals with wills and *wasīyyah* discussing the conditions to be fulfilled for executing such wills. In this chapter, the author compares the wills of the non-Muslims with *wasīyyah* for the Muslims and its implications. The book also deals with the procedures in the High Court (chapter

five), procedures in the small estates distribution section (chapter six) and a short eight-page final chapter dealing with procedures in the Public Trust Corporation which deals with the movable property not exceeding 600,000 Ringgit Malaysia left by the deceased.

The book is apparently written with the general public in mind. It explains the steps involved in getting the benefits as legal heirs to a deceased's estate. To further facilitate the understanding, as the author rightly points out in the preface, the book illustrates "the process flow for the administration of estates" in the form of charts. The book should, therefore, serve the public well. The book, however, fails to attain its second objective which is to highlight "the lacunae or ambiguity of the statutory provisions that may affect the process of administration" (p. iii). Admittedly, there are occasional references to some of the ambiguities in the book but these are not spelled out clearly. Hence it escapes the attention of casual readers. What then is the conclusion of the book? Unfortunately, the author has not provided any concluding chapter summarizing the findings, threading together the various chapters and listing the contributions this book makes. In the absence of this chapter, the readers are left to figure out for themselves the benefits of perusing this otherwise well-written book. The book, nevertheless, succeeds in examining the laws and procedures as provided by the applicable statutes in the administration of estates in Malaysia.

Modern China's ethnic frontiers: A journey to the West. By Hsiao-ting Lin. London: Routledge Studies in the Modern History of Asia, 2011. pp. 192. ISBN: 978-0-415-58264-3 (Hardcover).

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China is generally known for its phenomenal economic growth mostly due to its capacity to manufacture products at low-cost. However, there are other features of this country which are the subjects of scholarly works. Studies carried out on China's ethnic-frontiers territoriality is of particular importance. However, the main focus of most of those studies