

Self Assessment

1. For Muslims, estate planning may be more structured. Which of the following statement(s) is/are correct?
 - I. The Wills Act 1959 does not apply to Muslims making a Will in Malaysia.
 - II. For distribution of property the Syariah laws of the Shaffi School of Islamic Jurisprudence applies.
 - III. Property acquired during marriage is called Harta Sepencarian and will pass on to the surviving spouse and children.
 - A. I only
 - B. II only
 - C. III only
 - D. All of the above

2. The terminology used that relates to estate planning for Muslims include the following. Which amongst the list is not correct?
 - I. The Wasiat is a Muslim will.
 - II. Gifts given away inter vivos is called Hibah.
 - III. Faraid refers to testate distribution of Muslim property.
 - IV. Baitulmal refers to funds of the Muslim community
 - A. I only
 - B. II only
 - C. III only
 - D. IV only

3. Which of the following of the hukum faraid distribution are correct?
- I. If the wife dies leaving a husband, son and daughter, the husband is entitled to $\frac{1}{4}$ of the estate, the son $\frac{1}{2}$ and the daughter $\frac{1}{4}$.
 - II. If there are no children and the husband survives the wife, the husband receives $\frac{1}{2}$ of the estate and the balance goes to Baitulmal.
 - III. If the husband dies leaving a wife, son and daughter, the wife receives $\frac{1}{8}$, the son $\frac{7}{12}$, the daughter $\frac{7}{24}$.
- A. I only
 - B. II only
 - C. III only
 - D. All are correct
4. Muslims are advised to write a will. The main advantage is
- A. The entire estate may be given to non legal heirs if desired
 - B. It would be easier to administer the estate because of the Probate process.
 - C. The estate distribution need not follow hukum faraid principles
 - D. At least two-thirds of the estate may be given to non-muslims if desired.
5. With reference to administration of the estates of Muslim. Which of the following are true?
- I. The Wills Act 1959 applies to Muslims
 - II. The Probate and Administration Act 1959 applies to Muslims
 - III. The Statutory Trust created by Paragraph 5 of Schedule 10 (Section 130) of Financial Services Act 2013 does not apply to Muslims
 - IV. Muslims are not allowed to apply for administration under the Small Estates (Distribution) Act 1955.
- A. I and II only
 - B. I and III only
 - C. II and III only
 - D. II and IV only

6. Which of the following are true?
- I. Non-Muslims cannot inherit from the estate of a Muslim
 - II. A Muslim testator can Will away one-quarter of his estate to non legal heirs.
 - III. By means of a valid disposition, a Muslim can give away less than one-third of his estate to Non-Muslims.
- A. I and II only
 - B. I and III only
 - C. II and III only
 - D. All the above
7. During their life-time, Muslims are allowed to give inter-vivos gifts. The following, except one are examples of such gifts
- A. Transfer of house
 - B. Absolutely assignment of a life insurance policy
 - C. Naming a nominee of life insurance policy moneys
 - D. Irrevocable trusts
8. The „Sijil Faraid” is
- A. Given by the High Court
 - B. Equivalent to the Letters of Administration
 - C. A Certificate confirming the benefit of the legal heirs
 - D. A Distribution Order given by Amanah Raya Bhd
9. Upon the death of a EPF contributor, who is a Muslim. The moneys are paid
- A. only upon obtaining the Sijil Faraid
 - B. only after the Will has gone through the Probate process
 - C. to the named nominee
 - D. only to the administrator of the estate.

10. Which one of the following features of the Islamic law of distribution is true?

- A. The wife of the deceased is always entitled to a quarter of the estate
- B. The husband of the deceased always inherits half the estate
- C. The wife of the deceased inherits the whole estate if she is the only legal heir surviving
- D. Where the deceased leaves one daughter as the only legal heir, she inherits only half the estate

Answers: 1-C, 2-C, 3-D, 4-B, 5-C, 6-D, 7-C, 8-C, 9-C, 10-D

