

## AVOID MAKING WILL ONLY WHEN FATE KNOCKS ON YOUR DOOR

There was news that there was once a passenger, upon realizing that his fate was near, he desperately wrote a letter that went on ‘dearest, please take good care of our children.’ This short sentence itself showed the naive intention of the passenger, in belief, that his wife would take good care of their children. But, could this short sentence take any legal effect similar to making a Will?

Unfortunately, not. That is merely some form of endearment, not sharing equal status as a Will. In order for a Will to take legal effect, it must comply with the necessary requirements stated by the law. One of the important requirement is that there must be two witnesses and must be signed in writing or fingerprint. Also, the person must have the mental capacity to sign the Will, independent from any form of duress. Imagine the person seeking the help of a practitioner during the last minute before his death, does he still have the mental capacity to understand what he is signing? Failing to comply with these requirements would render the Will invalid. As such, why people do not make their Wills earlier but choose to wait until the very last minute on their death beds?

### **AVOID PROCRASTINATION, SUPERSTITION AND MISCONCEPTION**

Bad habits such as procrastination, superstition and misconception are key contributory factors as to why people often wait until the very last minute to make their Wills. Actually, in drafting a Will, we are merely drafting out one’s intention as to how to distribute his estate. Such legal effect only takes place upon the demise of that person. Hence, the making of Will and death are total strangers. The drafting of Will should not be undermined in a careless manner. In fact, it should also be made under proper conditions in order to benefit the members of the family.

If one has wishes to make a Will, the right time to make one is: DO IT NOW. I sincerely advise you to prevent from putting yourselves in such desperate “last minute” situation. It is similar to the time when one is about to enter the operation theatre. In the heat of the moment, can one really make a

wise decision as to the proportion of the estate and/or the beneficiaries? In such an a2a situation, it is very doubtful that one could truly explore his true intentions as to who are the beneficiaries and the proportion they ought to receive. Needless to say, people on their death beds would not even have the mental capacity to understand what they are signing.

Most people have signed various forms of legal documents, ie, sale and purchase agreement, business agreement and etc during their lifetime, but they have often neglected the most important legal document, that is Will. A will contains a person's last wishes, arrangements and intentions before the fate knocks on his door. A will is also a lantern that lightened our family during the dark moment of their lives. Through the instrument of Will, a breadwinner is able to make financial arrangement to benefit his family immediately during the solemn hour. This 'lantern' will shine them a fortress when they are facing this calamity, avoiding the complication of the legal implication, time and also, family disputes.

#### **THE BENEFICIARIES OF YOUR WILL**

Have you ever wondered whether all the hard-earned greener in your savings, real properties, personalities to the business empire built by your own bare hands could be passed on to your own loved ones without losing any substantial value? This could be done through a Will. On top of that, it makes sure your last wish will be carried out accordingly and avoid any family disputes due to unsatisfactory.