

## THE OLD LADY AND NEW TECHNOLOGY

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Just as expected, Son No 3, Jimmy Chin, swaggered into the lawyer's office and plonked himself on the empty seat. All the rest of his siblings had arrived and he was 45 minutes late.

Elder brother, seated next to lawyer Ng gave him a look of contempt but Jimmy was not bothered.

He reached across the table to shake the hand of the only outsider in the room other than lawyer Ng. Jimmy turned to lawyer Ng and said, "He's my lawyer, here to represent my interest."

Lawyer Ng then in an officious manner began the will reading which was why the Chin siblings were gathered that morning. He just rambled on, listing out what their late mother had left for each and every one of the siblings.

Then, he came to the bequest for Jimmy and the words in the will began with: "Jimmy, you have been a spendthrift, not knowing how to manage money. It has been your father's fault and mine too, to have spoilt you.

"You have not worked a single day in your life and you have been able to get just about anything that you wanted. I will leave you a substantial amount of money but before you can touch that money, you must learn how to earn your own keep. Until you reach the age of 50, you will get RM1, 000 a month from the trust that I have set up..."

Jimmy slammed his fist on the table on hearing that and shouted: "That is ridiculous. I demand my share now." He glared at his lawyer and screamed, "Say something!"

Lawyer Ng interjected and told everyone present that Matriarch Wong had anticipated this and had instructed that he show a video recording should matters at the will reading become disruptive.

Madam Wong came on the big screen and directly addressed Jimmy, saying that she knew that he would object to her will. The video recording will show the will signing process in the presence of two witnesses and that she was of sound mind and not under duress or influence by any parties.

The video ended with Madam Wong saying that Jimmy's lawyer would agree that there were no grounds to stand on to challenge the validity of the will.

Jimmy looked at his lawyer, who nodded in agreement and in a huff, he marched out of the room.

The Wills Act 1959 stipulates that the will must be in writing and signed by the testator (one who writes the will) at the foot or end of the document in the presence of two or more witnesses in the presence of the testator and each other. The testator must be at least 18 years old and of sound mind.

Matriarch Wong appears to be aware of this and knowing that a video recording cannot replace a written will in terms of its validity, carried out the due process of signing a hard-copy document in the presence of witnesses. She opted to have a video recording of the will signing just to make it water-tight in the event of any of the beneficiaries challenging its validity.

While video recording cannot legitimately replace the last will and testament in writing, it is increasingly being used to complement the document in leaving last words and also terms of endearment for the loved ones.

This article is contributed by Rockwills Trustee Berhad, a licensed Trust Company which specialises in Estate Planning.