



LAWS OF MALAYSIA

Act A1643

**SMALL ESTATES (DISTRIBUTION) (AMENDMENT)
ACT 2022**

Date of Royal Assent	19 January 2022
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Act A1643

SMALL ESTATES (DISTRIBUTION) (AMENDMENT) ACT 2022

An Act to amend the Small Estates (Distribution) Act 1955.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Small Estates (Distribution) (Amendment) Act 2022.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

General amendment

2. The Small Estates (Distribution) Act 1955 [Act 98], which is referred to as the “principal Act” in this Act, is amended by substituting for the words “Land Administrator”, wherever appearing including in the shoulder notes the words “Estate Distribution Officer”, except in the definition of “Land Administrator” in section 2, sections 23, 24, 26B and 26C of the principal Act.

Amendment of section 2**3. Section 2 of the principal Act is amended—**

(a) by deleting the definition of “Director General of Lands and Mines”;

(b) by deleting the definition of “Director of Lands and Mines”;

(c) by inserting after the definition of “distribution order” the following definition:

‘ “Estate Distribution Officer” means an officer appointed under section 2c;’;

(d) by inserting after the definition of “Land Administrator” the following definition:

‘ “Majlis”, in relation to a State, means the Majlis Agama Islam, by whatever name called, established under any written law for the purpose of administering Islamic law;’;

(e) by inserting after the definition of “Native Title” the following definition:

‘ “patient” means a person who is a sole beneficiary, suffering from serious illness or injury, or who is bedridden, and unable to attend any proceedings under this Act;’;

(f) by deleting the definition of “penghulu”;

(g) by inserting after the definition of “prescribed” the following definitions:

‘ “President” means the President of Estate Distribution appointed under subsection 2A(1);

“property” means immovable property or movable property or both;’;

- (h) in the definition of “purchaser”, by inserting after the words “whom he claims” the words “, or is in possession of any movable property sold by the deceased by a written agreement;”; and
- (i) in the definition of “valuation officer”, by inserting after the words “assistant valuation officer” the words “or a registered valuer under the Valuers, Appraisers, Estate Agents and Property Managers Act 1981 [Act 242]”.

New Part IA

4. The principal Act is amended by inserting after Part I the following part:

“PART IA

PRESIDENT OF ESTATE DISTRIBUTION, DEPUTY PRESIDENT OF ESTATE DISTRIBUTION AND ESTATE DISTRIBUTION OFFICER

Appointment and powers of President of Estate Distribution

2A. (1) The Minister shall appoint from among the Estate Distribution Officers appointed under section 2C a President of Estate Distribution.

(2) The President shall have all such powers as may be necessary for or in connection with the exercise of his powers under this Act or which are reasonably incidental to such exercise.

(3) Without prejudice to the generality of subsection (2), the powers of the President shall include the power to determine the territorial jurisdiction of any Estate Distribution Officer to deal with the distribution and administration of any estate falls within the Act and to have direct control and supervision over all the Estate Distribution Officers appointed under this Act.