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PENGURUSAN HARTA PUSAKA YANG TIDAK DITUNTUT DALAM PUSAKA ISLAM DI AMANAH RAYA BERHAD CAWANGAN ALOR SETAR: CABARAN DAN PENYELESAIAN

MANAGEMENT OF UNCLAIMED ESTATES IN ISLAMIC INHERITANCE AT AMANAH RAYA BERHAD ALOR SETAR BRANCH: CHALLENGES AND SOLUTIONS

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Abstrak: *Masalah harta pusaka tidak dituntut di Malaysia terus menjadi isu penting, khususnya dalam kalangan masyarakat Islam, walaupun undang-undang pusaka Islam (faraid) dan institusi pentadbiran pusaka telah diwujudkan. Kelewatan prosedur, kekangan pentadbiran, serta tahap kesedaran waris yang rendah sering menyebabkan harta pusaka gagal diagihkan dalam tempoh yang sewajarnya. Amanah Raya Berhad (ARB), sebagai pemegang amanah yang dilantik kerajaan, memainkan peranan utama dalam menguruskan pusaka Islam selaras dengan prinsip Syariah, namun kes harta pusaka tidak dituntut masih menjadi cabaran operasi yang berterusan. Kajian ini memberi tumpuan kepada pengurusan harta pusaka tidak dituntut di Amanah Raya Berhad Cawangan Alor Setar. Objektif kajian adalah untuk mengenal pasti faktor penyumbang utama, meneliti cabaran yang dihadapi pegawai ARB, serta mencadangkan langkah penambahbaikan bagi mengurangkan kes harta pusaka tidak dituntut. Pendekatan kualitatif digunakan melalui temu bual separa berstruktur yang melibatkan lima orang pegawai ARB yang berpengalaman dalam pentadbiran pusaka. Dapatan kajian menunjukkan bahawa dokumentasi yang tidak lengkap, kekurangan*

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pengetahuan undang-undang dalam kalangan waris, kesukaran mengesan dan mengesahkan aset, kerjasama waris yang lemah, serta kelewatan prosedur merupakan faktor utama berlakunya harta pusaka tidak dituntut. Selain itu, pertikaian waris, liabiliti tertunggak si mati, dan kesukaran mendapatkan maklumat daripada agensi luar turut merumitkan proses pengurusan pusaka. Kajian ini mencadangkan peningkatan kesedaran awam mengenai perancangan pusaka Islam, penyediaan bimbingan awal kepada waris, pengukuhan kerjasama antara agensi, serta peluasan penggunaan sistem digital bagi dokumentasi dan pengesanan aset. Langkah-langkah ini dijangka dapat meningkatkan kecekapan pentadbiran, mempercepatkan pengagihan pusaka, dan mengurangkan kejadian harta pusaka tidak dituntut, selaras dengan objektif Maqasid Syariah dalam memelihara harta, memastikan keadilan, dan memupuk keharmonian sosial.

Kata Kunci*:* *Harta Pusaka Tidak Dituntut, Pusaka Islam, Amanah Raya Berhad, Pengurusan Pusaka, Faraid, Pematuhan Syariah, Perancangan Pusaka.*

Abstract*:* *The problem of unclaimed estates in Malaysia continues to be a significant concern, particularly within the Muslim community, despite the presence of Islamic inheritance laws (faraid) and established estate administration institutions. Procedural delays, administrative constraints, and low awareness among heirs often result in estates remaining undistributed. Amanah Raya Berhad (ARB), as a government-appointed trustee, plays a crucial role in managing Islamic estates in accordance with Shariah principles, yet unclaimed estate cases remain an operational challenge. This study focuses on the management of unclaimed estates at the Amanah Raya Berhad Alor Setar Branch. It aims to identify the main contributing factors, examine the challenges faced by officers, and propose improvements to reduce such cases. A qualitative approach was adopted through semi-structured interviews with five experienced ARB officers directly involved in estate administration. Findings reveal that incomplete documentation, limited legal awareness among heirs, difficulties in asset verification, weak cooperation among heirs, and procedural delays are key contributing factors. Additional complications include disputes among heirs, outstanding liabilities of the deceased, and challenges in obtaining information from external agencies. The study recommends enhancing public awareness of Islamic estate planning, providing early guidance to heirs, strengthening inter-agency collaboration, and expanding digital systems for documentation and asset tracking. These measures are expected to improve administrative efficiency, accelerate estate distribution, and reduce the occurrence of unclaimed estates, supporting the objectives of Maqasid Shariah in preserving wealth, ensuring fairness, and promoting social harmony.*

Keywords*:* *Unclaimed Estates, Islamic Inheritance, Amanah Raya Berhad, Estate Management, Faraid, Shariah Compliance, Estate Planning.*

Introduction

Unclaimed estates refer to assets or funds held by institutions that remain undistributed to their rightful owners for a long period. In the context of Islamic inheritance, this involves estates of deceased individuals that have not been allocated to heirs according to Syariah and national regulations. In Malaysia, unclaimed assets include inactive bank accounts, uncashed cheques, insurance payouts, and dividends. Reports indicate that disputes among heirs, low awareness, and

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complacency have contributed to billions of ringgits in inheritance remaining unclaimed, particularly within the Malay community. If properly managed and distributed, these assets could benefit heirs and contribute to broader economic growth.

Amanah Raya Berhad (ARB), as a government appointed trustee, plays a vital role in ensuring proper estate management and distribution. However, the persistence of unclaimed estates highlights deeper operational, legal, and social challenges. Delays in inheritance distribution can lead to declining asset value, family conflicts, and prolonged settlement periods, which contradict Islamic principles that emphasize timely and fair distribution. Administrative hurdles, incomplete documentation, heir disputes, and lack of cooperation further complicate the process, making unclaimed estates a growing national concern rather than merely a private issue.

Effective estate administration involves not only safeguarding assets but also ensuring smooth distribution without burdening beneficiaries. ARB faces recurring challenges such as incomplete heir documentation, disputes, inaccurate heir declarations, and reluctance to pay service fees. Coordination with agencies like the National Registration Department helps improve heir tracing, while proper inheritance planning through faraid, wills, and hibah can reduce future disputes. Delays in distribution may also reduce estate value due to inflation and property market factors. Therefore, this study seeks to examine ARB's management practices, identify operational challenges, and propose improvements aligned with Islamic principles to enhance efficiency and fairness in estate distribution.

Problem Statement

The problem of unclaimed estates in Malaysia is becoming more serious, with billions of ringgit in assets remaining undistributed because of administrative inefficiencies, insufficient estate planning, and a lack of awareness among heirs (Hassan, 2019). Even though there are clear rules in Islamic inheritance law (faraid) and organizations like Amanah Raya Berhad (ARB) in place, numerous estates continue to be unresolved for extended periods. In addition, this situation is made worse by the lack of awareness and participation within the Muslim community about estate planning, including the creation of wills (wassiyah), resulting in more cases of unclaimed estates following someone's death (Azi Haslin Abdul Rahman, 2019). This leads to property assets being stuck and not assigned, making it difficult to distribute the estate effectively. The restricted sharing of information and lack of educational efforts lead to delays and conflicts among heirs. Thus, enhancing community awareness and estate management practices is essential for effectively managing unclaimed Islamic inheritance assets (Nor Adila Mohd Noor, 2023).

Furthermore, most Muslims in Malaysia currently do not consider it very important to maintain the estate's prosperity through effective management across generations. Although Islam highlights the importance of quickly distributing inheritance, a significant number of Muslims tend to overlook estate planning, including the writing of wills or the establishment of trusts (Alma'amun, 2013). Moreover, difficulties and challenges in handling inheritance claims arise from disputes among heirs, stemming from the inherent nature of individuals who resist yielding and strive to come out on top, aiming to secure the largest portion of the inheritance compared to other family members (Doris Rahmat, 2021). In addition, the problems make it hard to distribute inheritance assets to the right heirs on time, which results in valuable resources not being used effectively. Additionally, the lack of organized procedures makes

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estate administration more difficult, impacting the rights of beneficiaries and the well-being of the community (Khairatun Hisan Idris Shazali, 2024). Therefore, it's really important to tackle these shortcomings to make sure that unclaimed Islamic estates are managed efficiently and transparently.

Additionally, one of the factors contributing to the increase in unclaimed estates is the lack of understanding among the public regarding the concept of distribution of wealth through faraid (Amir Ariffuddin Bahar, Post-Distribution of Faraid: A Proposal for Investing Minor Beneficiaries Inherited Portion, 2019). Generally, a large portion of the Muslim community is aware that inheritance must be distributed according to faraid law upon the death of an individual. However, the community's literal understanding of faraid causes the distribution of inheritance to become complicated when it comes to dividing it according to the prescribed shares. It is important for Muslims to understand that the distribution according to faraid law is not merely based on fractional shares, but it also includes distribution through takharuj. Takharuj means that an heir withdraws from receiving his or her portion of the inheritance, either in part or in full, by transferring the share to other heirs, whether with compensation or without compensation (Noordin, 2021). Takharuj actually provides space for heirs to distribute inheritance in the best possible way (Mohammad Salleh Abdul Saha, 2022). If the community truly understands the actual concept of faraid, then inheritance distribution would be easier and more practical. However, this method of takharuj is still rarely practiced as society remains constrained by the narrow interpretation of faraid that focuses only on fractional division.

Therefore, the existence of various jurisdictions in managing inheritance in Malaysia has led to confusion for the public when starting inheritance cases. This confusion results in unclaimed inheritance, which causes estates to be frozen (Muhammad Amrullah Drs Nasrul Z. I., 2021). In addition, the rise in unclaimed estates and the significant amount of frozen assets has become a recurring challenge for Muslims in Malaysia. Moreover, this situation could result in adverse effects regarding religion, law, and the economy for the Muslim community in Malaysia. Inheritance is typically categorized into three types: simple estates, small estates, and large estates (Nik Rahim Bin Nik Wajis, 2018). Furthermore, the classification of these categories depends on the kind of assets, whether they are movable or immovable, their value, and whether they are bequeathed (wasiat) or not. Additionally, inheritance institutions today are federal government bodies that include the High Court, the Estate Distribution Section (Small Estate Office), the Department of the Director General of Lands and Mines (JKPTG), and Amanah Raya Berhad (ARB) (Nur Fadlin & Azlin Alisa, 2022).

Finally, if these problems are not addressed, the number of unclaimed estates will keep increasing, leading to legal and socio-economic challenges. Moreover, families might face the possibility of losing access to wealth that is rightfully theirs, conflicts among heirs could escalate, and the credibility of ARB as the nation's trustee could be jeopardized. Besides, it is important to look into the specific challenges that the Alor Setar Branch of Amanah Raya Berhad is facing and suggest practical solutions that align with Shariah principles. Therefore, this can help make the estate management process more efficient, decrease the number of unclaimed properties, and support the religious and social goals of Islamic inheritance.

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Literature Review

Frozen Assets in Malaysia

Malaysia has around RM 105 billion in frozen assets as of 2020. This represents large estates that were abandoned following the owner's death. It is possible to leave things idle. Meanwhile, for money, it was stuck with the Malaysian Accountant General's Department's Trustee. As the numbers above show, this tendency is rising year after year. The increase from 2009 to 2011 is not particularly noticeable. The rapid rise began in 2012 and has continued since then. The amount is increasing in bulk. It is currently valued at RM105 billion. This sum is sufficient to fund the lives of 36,458 Engineers till they attain their life expectancy. There is no specific definition of frozen assets. Particularly with regard to physical assets. For example, land, property, vehicles, and so on (Hafiz, 2022).

According to Alya Farhana (2024) pointed out that the problem of unclaimed and frozen property in Islamic inheritance within the State of Kedah is a significant issue impacting both the heirs and the overall inheritance administration system. The research revealed a notable rise in unresolved inheritance claims, particularly concerning small inheritances tied to immovable assets like land and buildings. In Kedah, there are currently 13,423 pending cases, highlighting the significant scale of this issue. This situation has serious negative effects on religion, the economy, and the law, especially when the estates of the deceased are not distributed in a timely manner to their rightful heirs.

One of the key reasons for the existence of unclaimed or frozen estates in this state is the limited knowledge and understanding of the claim procedures. Additionally, many people are not aware of the necessary steps to manage the estate in accordance with the faraid law and Malaysian civil law. Moreover, the absence of teamwork among the heirs, the complicated administrative steps, the expensive fees, and the numerous procedures involved all contribute to delays in the estate distribution process. This kind of situation leads to a lot of assets being left unclaimed for years, eventually turning into frozen assets that the heirs can't access.

Issues of Frozen and Unclaimed Estates in Malaysia

Islamic estate planning is grounded in the teachings of the al-Qur'an as interpreted through the hadith, which is the holy text for Muslims. The Qur'an is a sacred text that has developed throughout its 1,400-year history and is now relevant to today's world (Norazlina Abd. Wahab, 2021). Prior to the emergence of Islam, women often had no rights to receive anything, not even from their husbands, and at times, they were treated as property of a man. During that time, both adopted sons and biological relatives were permitted to inherit. A "contract of alliance" between two unrelated males would permit them to create a minor exception to this norm and bequeath inheritance to one another. Islam significantly changed these concepts by presenting the idea that property ultimately belongs to God, and that humans possess only a limited authority over it until their deaths (Azi Haslin Abdul Rahman, 2020).

Moreover, the process of handling a Muslim's property following their death is referred to as Islamic estate planning. The existing laws that guide estate planning are frequently based on the Islamic inheritance law referred to as faraid (Amir Ariffuddin Bahar, 2019). Many Muslims depend on the faraid without fully understanding its origins as outlined in the Al-Quran. Faraid involves examining the methods for distributing and calculating an inheritance based on

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Islamic law for every beneficiary. The verses 11, 12, and 176 of Surah an-Nisa clearly outline the Islamic inheritance system as a directive from Allah S.W.T. Next, the male's share is equal to that of two females, as stated in verse 176 of Surah an-Nisa. One of the mechanisms for distributing assets in Islamic law is known as faraid (Nur Madihah binti Azuan, 2023).

In addition to that, Islamic estate planning can be categorized into three stages. For example, hibah (gift) can be categorized into two main types: those that come with conditions and those that are unconditional. To ensure the contract remains valid, the giver's condition must still comply with the hibah standards (Azizi Abu Bakar N. S., 2020). It was suggested that having the incorrect set of requirements could result in modifications to the original hibah contract and wasiyah contract. For example, the stipulation for the giver might be that the wealth will only be officially owned after the giver passes away. Waqf (endowment), wasiyah (will), trust, and faraid are additional tools for estate planning (Norazlina Abd. Wahab, 2021).

The next type of property is known as "frozen property." This refers to a person's property that cannot be sold or distributed to heirs after the owner's death until the estate administration process is complete (Nabila Ayuni, 2022). In our country, frozen assets remain an issue, and the situation seems to be deteriorating. Unclaimed inheritance, frequently referred to as "frozen inheritance," has been a longstanding issue for society. However, it has become increasingly prevalent in recent years, with more cases emerging annually. The issue of unclaimed property can now be viewed as a broader national concern instead of merely a personal or private matter. The increasing number of unclaimed assets or property each year is quite alarming (Nur Fadlin Binti Roslan, 2022).

A statistics analysis from 2020 indicates that this country has about RM70 billion in frozen and unclaimed property, with 90% of it owned by Malaysians, and this amount is increasing each year. If this money can be turned into cash, the country's economy will definitely gain from it. Yet, putting off action would just exacerbate the problem and negatively affect the country's economy and development (Wan Suraya Wan Hassin, 2016). Next, unclaimed property is divided into two main categories, as stated by Ilyas Yunus (2025). In Islamic law, Al-Mafqud pertains to two categories of property: the first involves inheritance from a deceased individual that has yet to be claimed by the heirs, and the second relates to property that is missing or cannot be traced (Ilyas Yunus, 2025).

The Administrative Body in Malaysia Relating to Unclaimed Estates in Islamic Inheritance

The management of estates, including those that are unclaimed in Islamic inheritance, is overseen by various important authorities, each having distinct roles and powers as defined by law. The management of a deceased person's estate isn't handled by a single organization; rather, it is split among three key administrative bodies: the Civil High Court, the Estate Distribution Division (often known as the Small Estate Distribution Unit within the Department of the Director General of Lands and Mines), and Amanah Raya Berhad (ARB) (Nurin Athirah Mohd Alam Shah, 2022). Each of these bodies has been given the authority to make decisions based on various factors, including the overall value of the estate, the kinds of assets involved, whether they are movable or immovable, and whether the deceased left a will or not. For instance, cases that involve high-value estates typically come under the authority of the Civil High Court, whereas smaller estates are often handled by the Estate Distribution Division.

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Amanah Raya Berhad is a government-linked trustee company that has two main roles: it acts as a personal representative for managing estates and offers Islamic estate planning services, including wills, trusts, and hibah (Luqman Abdullah, 2019). This division of jurisdiction, although meant to facilitate proper estate management, frequently leads to confusion among the public since many people do not know which authority has the legitimate power to manage a specific estate. As a result, this disjointed system has led to delays, inefficiencies, and in certain instances, the buildup of unclaimed estates in Malaysia.

1) Amanah Raya Berhad

In Malaysia, Amanah Raya Berhad (ARB) plays a central role in estate administration, particularly in managing unclaimed estates among both Muslims and non-Muslims. The institution's legal foundation is derived from the Public Trust Corporation Act of 1995 (Act 532), which transformed the then Department of Public Trustees and Inheritance Administrator Officers, established in 1921, into a corporatized entity known as Amanah Raya Berhad (Muhammad Amrullah Drs Nasrul A. H., 2023). This corporatization enabled ARB to operate with greater autonomy while still retaining its mandate as a government-linked corporation entrusted with estate management. Under this Act, ARB was formally authorized to administer estates, ensuring compliance with both civil and Islamic legal frameworks depending on the status of the deceased (Hani Kamariah Mat Abdullah, 2020).

The functions of ARB are wide-ranging and encompass five major responsibilities. Firstly, it represents heirs in court and manages the estate on their behalf, thereby reducing the burden on family members unfamiliar with legal processes. Secondly, it reviews the deceased's assets and liabilities to ensure an accurate inventory of wealth and obligations is maintained. This process also involves identifying creditors and debtors, thereby safeguarding the estate against potential disputes. Thirdly, ARB is tasked with the settlement of debts owed by the deceased, including those owed to relatives, in line with Islamic principles that emphasize the importance of fulfilling financial obligations before the distribution of inheritance. Fourthly, ARB has the authority to issue powers of attorney, which facilitates administrative efficiency and legal representation. Finally, ARB distributes inheritance in accordance with Islamic faraid law for Muslims and under the Distribution Act of 1958 for non-Muslims, ensuring that the estate is managed in accordance with the relevant legal and religious principles (Muhamad Mu'izz Abdullah, 2023).

Through these roles, ARB has positioned itself as a vital intermediary between heirs, legal institutions, and creditors, aiming to streamline estate administration (Abdullah, 2023). However, despite its comprehensive mandate, challenges such as overlapping jurisdiction with other estate administration bodies, limited public awareness of its services, and delays in processing cases continue to hinder its effectiveness in addressing the persistent issue of unclaimed and frozen estates in Malaysia.

2) Estate Distribution Division

The Estate Distribution Division, functioning under the Department of the Director General of Lands and Mines (JKPTG) within the Ministry of Energy and Natural Resources, plays a vital role in Malaysia's inheritance administration system. The main goal of its establishment was to help the public, regardless of their faith, with issues concerning the distribution of inheritance (Muhammad Naqiyuddin Ismail, 2023). This division is important for making

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inheritance management simpler by concentrating on small estates. Under Malaysian law, small estates are those that consist of immovable property valued at no more than RM2 million, along with any movable assets that go with it (Adzidah Yaakob, 2020). The Estate Distribution Division operates under a specific law, the Small Estates (Distribution) Act 1955 (Act 98), which gives it the legal power to manage small estates in a structured and organized way. This framework means that the division has its own rules and procedures to make sure it follows the law and protects the rights of heirs and beneficiaries (Muhammad Amrullah Drs Nasrul N. A., 2023).

The Estate Distribution Division carries out various essential functions in practice. A key responsibility is to manage the settlement of inheritance claims. This involves confirming the identities of heirs, checking the assets left by the deceased, and making sure that the distribution process follows either Islamic inheritance law (faraid) for Muslims or civil inheritance laws for non-Muslims (Siti Khadijah Abdullah Sanek, 2023). By overseeing these processes from a central point, the division aids in speeding up the transfer of estates and reduces conflicts among heirs. Additionally, the division offers direct assistance to state governments in managing the re-registration of property ownership following the passing of the original owner. This function is really important for keeping land records organized and making sure that properties can be passed on smoothly to the right heirs, which helps avoid issues like frozen assets or ownership disputes later on (Mohd Ali Mohd Yusuf, 2022).

The division not only handles administrative tasks but also connects the legal system with the public, especially for those who may not be well-versed in inheritance law. It provides a clear and straightforward way for families to handle estate issues without facing the expensive and complicated nature of court processes. Even though it operates effectively, the Estate Distribution Division continues to encounter challenges, including delays in processing applications, insufficient public awareness regarding the procedures, and overlapping jurisdiction with other inheritance entities such as the Civil High Court and Amanah Raya Berhad. These issues frequently lead to the increasing challenge of unclaimed and frozen estates in Malaysia, as numerous heirs do not start the required processes because of confusion, bureaucratic obstacles, or insufficient legal knowledge (Nur Sabrina Sahira, 2022).

3) Civil High Court

The Civil High Court is a key institution in Malaysia responsible for managing inheritance matters, and it has the broadest jurisdiction and authority compared to both Amanah Raya Berhad (ARB) and the Estate Distribution Division. The role is crucial in managing cases that exceed the capabilities of other administrative bodies, especially when dealing with high-value assets, intricate ownership structures, or disputes (Muhamad Helmi Md Said, 2021). The Civil High Court has the broad authority to handle all types of estates, no matter their size or complexity. This is different from ARB, which is restricted to specific estate categories, and the Estate Distribution Division, which only deals with small estates valued under RM2 million. The Civil High Court serves as the final place for settling disputes and making sure that inheritance issues are handled according to the law (Syahirah Balqis Anuar, 2022).

The Civil High Court has an important role in issuing letters of representation. These letters are legal documents that allow individuals to handle and distribute the estate of someone who has passed away. There are two primary types of letters of representation: letters of probate

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and letters of administration (Muhammad Amrullah Drs Nasru, 2024). A grant of probate is given when the person who passed away has a valid will in place. This is basically a document with the court's official seal that gives the executor or executors listed in the will the power to manage the testator's estate. This grant serves as the main legal instrument needed to access, move, or share the assets of the deceased based on the instructions outlined in the will. On the other hand, if someone passes away without a valid will, the court will issue a letter of administration. This document gives the appointed administrator the authority to gather, handle, and eventually distribute the estate of the deceased according to the relevant laws, like the Distribution Act 1958 for non-Muslims or Islamic faraid principles for Muslims (Norazlina Abd Wahab, 2019).

The Civil High Court plays an important role not only in its administrative duties but also as a crucial place for settling inheritance disputes. Disputes over wills, claims of undue influence, fraudulent assertions, or conflicts among heirs typically come under its authority (Ahmad, 2020). This role in resolving disputes shows how the court functions in two important ways: it acts as an administrative gatekeeper for distributing estates and also offers a fair and impartial way to settle conflicts through judicial means. The court is really important for making sure justice is served, safeguarding the rights of beneficiaries, and keeping the public's trust in the inheritance system (Dahlan, 2019).

The Civil High Court plays a crucial role in estate administration, yet it frequently faces criticism for being slow, expensive, and complicated in its procedures. The need for formal applications, legal representation, and adherence to strict procedural rules often discourages many heirs, especially those from lower-income backgrounds, from pursuing relief through this avenue. Consequently, numerous estates stay unclaimed or remain frozen for long durations, which greatly adds to the overall inheritance management issue in Malaysia (Norhazlina Ibrahim, 2024). When looking at ARB, which has a more straightforward process, or the Estate Distribution Division that focuses on smaller estates, the role of the Civil High Court can seem overwhelming for everyday people who may not have a strong understanding of legal matters. The complexity of these procedures highlights a significant challenge for Amanah Raya Berhad and other inheritance organizations in Alor Setar and throughout Malaysia. Delays or avoidance of court processes make the problem of unclaimed estates even worse.

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Result And Discussion Of Findings

Research Objective 1: To identify the main factors contributing to the issue of unclaimed estates at ARB Alor Setar.

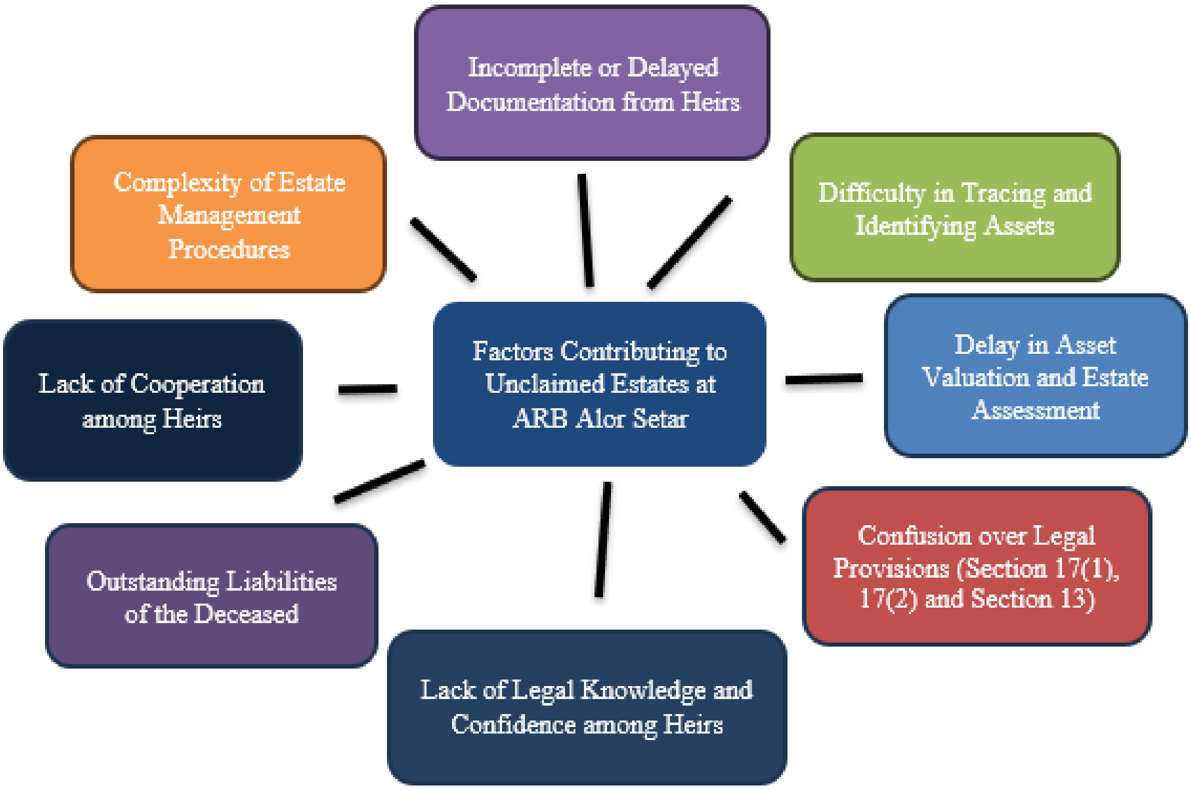

Figure 1: Factors Contributing to Unclaimed Estates at ARB Alor Setar

Based on the findings obtained from in-depth interviews with the respondents, one of the main factors contributing to the issue of unclaimed estates at Amanah Raya Berhad (ARB) Alor Setar Branch is the complexity of the estate management process itself. The administration of an estate involves multiple procedural stages that require active participation, cooperation, and accurate documentation from the heirs. The process begins when heirs submit an application to ARB along with essential supporting documents such as the death certificate, confirmation of heirs, identification documents, and records related to the deceased's assets. However, informants highlighted that many cases remain unclaimed due to incomplete documentation, delays in submission, or heirs' inability to provide accurate and comprehensive information regarding the deceased's financial and property holdings.

The I1 explained that when an application is received, ARB starts an asset investigation process to find both movable assets, like cash, savings, shares, and vehicles, as well as immovable assets, such as land and buildings. This stage was recognised as an important factor leading to unclaimed estates, especially when assets are spread out among various institutions or agencies, including banks, the Employees Provident Fund (EPF), insurance companies, and land offices. Often, heirs do not have enough understanding of the financial matters of the deceased, leading to a lengthy and complex process of tracing assets. Consequently, the time taken to identify

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and confirm assets frequently extends the administration process and can dissuade heirs from pursuing their claims.

Moreover, figuring out the total value of the estate is an important step that needs to be taken before the power of attorney can be issued under Section 17(1), Section 17(2), or Section 13 of the applicable law. I5 pointed out that holdups often happen at this point because of valuation problems, missing asset records, or inconsistencies in the information given by heirs. Delays like this can lead to the estate administration process being unresolved for a long time, which raises the chances of estates ending up unclaimed.

Additionally, variations in the processes and duties outlined in Section 17(1), Section 17(2), and Section 13 were identified as factors leading to confusion and misunderstanding among heirs. Numerous heirs may not completely grasp the legal implications and responsibilities tied to each section, especially under Section 17(2), which mandates that heirs personally interact with the relevant agencies after obtaining the power of attorney. This task involves overseeing asset transfers, changes in vehicle ownership, and handling insurance issues. Many heirs struggle with understanding the procedures and lack the confidence needed, which often results in delays or even giving up on the claim process. This situation directly leads to more unclaimed estates piling up.

The I3 highlighted that the need to address the deceased's liabilities, including unpaid debts, zakat obligations, loans, and funeral costs, prior to asset distribution adds to the complexity of managing the estate. When heirs are not willing or able to work together to resolve these liabilities, the administration process takes a lot longer. Financial limitations, conflicts among beneficiaries, or insufficient understanding of the need to address debts were often mentioned as factors for a lack of collaboration.

If heirs do not claim what they are entitled to, do not finish the necessary steps, or do not respond for a long time, the parts of the estate that are not claimed go to the Deferred Fund (JPDT) for safekeeping. I4 and I2 indicated that if heirs stay quiet or die before claiming their portion, ARB needs to start a process to trace heirs and find out who is eligible to inherit. This extra step makes the estate administration process take longer and raises the chances that estates will stay unresolved for a long time.

The findings show that various process-related factors, such as the complexity of procedures, challenges with documentation, difficulties in tracing assets, settling liabilities, and a lack of cooperation from heirs, play a significant role in the problem of unclaimed estates at Amanah Raya Berhad Alor Setar. The findings indicate that although ARB has set up systematic procedures for managing estates, the success of this process largely depends on the heirs' awareness, understanding, and willingness to participate in the administrative process.

Research Objective 2: To explore the challenges faced by ARB officers in managing unclaimed estate cases.

A structured approach to property planning is crucial to make sure that the assets gathered throughout a person's life can be effectively used for the benefit of others, particularly by the heir (Hani Kamariah Mat Abdullah, 2020) s. Therefore, it's crucial to recognise the problems and difficulties associated with managing inheritance claims in Amanah Raya Alor Setar. The

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researcher identified several issues and challenges in managing unclaimed estates that occurred in Amanah Raya Alor Setar.

The Challenges Faced by Amanah Raya Berhad in Managing Unclaimed Estate

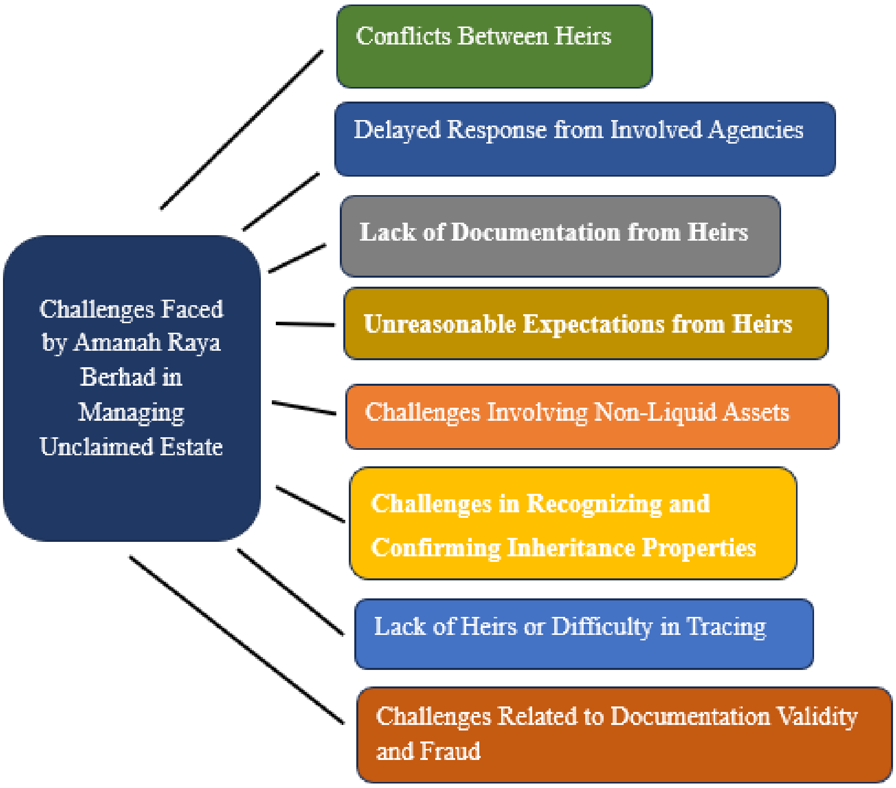

Figure 2: The Challenges Faced by Amanah Raya Berhad in Managing Unclaimed Estate

1) Conflicts Between Heirs

Amanah Raya encounters a major challenge in handling unclaimed estates due to conflicts that arise among heirs. According to the interviews conducted, I1 noted that conflicts can still occur even with a small number of heirs, like just two or three people. These disagreements often arise from varying viewpoints, miscommunications, or personal issues among heirs, which then obstruct collaboration in managing the estate. Amanah Raya frequently encounters challenges in acquiring the necessary documents needed to move forward with the claim. If disputes go unresolved for a long time, Amanah Raya has to issue a notice to temporarily close the file until an agreement is reached and the required documents are provided (Nur Sabrina Sahira, 2022).

Additionally, I2 pointed out that conflicts often arise from disagreements regarding property division or matters related to verbal gifts or hibah that lack legal validity. Sometimes, a person who has passed away might have talked about giving property, like land, to one of their heirs without any written or legal proof. This situation frequently causes unhappiness among other heirs, which can increase conflicts and slow down the estate distribution process. Looking at it

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legally, these informal arrangements aren't acknowledged, making it even more challenging for Amanah Raya to guarantee a fair and lawful distribution.

Moreover, I5 pointed out that ongoing disputes among heirs can really hinder the estate administration process, especially when there's no agreement that can be reached. This issue becomes even more complicated when certain heirs are difficult to locate because of missing or outdated information. Amanah Raya needs to try to find and identify these heirs using the records that are available. If those efforts don't work out, the estate has to be kept in trust until the rightful heirs can be found. As a result, this leads to a buildup of unclaimed estates and could foster a negative view of how well Amanah Raya manages estates.

In a similar vein, I3 and I4 noted that disagreements and varying viewpoints among heirs frequently hinder Amanah Raya from securing complete agreement from all parties involved. If everyone doesn't work together, the distribution process gets more complicated, leading to longer delays in settling estate claims.

2) Delayed Response from Involved Agencies

Amanah Raya is facing a significant challenge with the slow responses from external agencies that are part of the estate claim process. I1 noted that these delays often happen with organizations like banks, insurance companies, and other financial or administrative entities that get investigation applications or letters of authorization from Amanah Raya. Amanah Raya often has to send investigation letters several times before getting a reply, especially when working with agencies that don't frequently communicate with them. The delays have a direct impact on how long the estate settlement process takes.

I3 added that this issue is made more difficult by the varying procedures and administrative requirements across different agencies. Every institution has its own set of rules and procedures that can be quite complicated and inflexible. This means that Amanah Raya has to change and follow different procedures, which causes inefficiencies and longer processing times. Moreover, technical problems like document rejection because of small mistakes extend the process, since documents need to be fixed and submitted again.

Additionally, I4 and I5 pointed out that certain external agencies take a long time to process asset or monetary claims, even after Amanah Raya has completed all necessary documentation. This situation presents a major challenge in adhering to the six-month settlement period required by ISO standards, since delays caused by external parties are outside of Amanah Raya's direct control.

3) Lack of Documentation from Heirs

Another challenge that Amanah Raya often faces is the absence of thorough and prompt documentation from heirs. I2 pointed out that a lot of heirs do not turn in the necessary documents on time, which slows down the investigation and claim process. This problem gets worse when disagreements between heirs lead to a lack of teamwork, making it even harder to submit important documents.

This finding aligns with the research conducted by Md Yazid Ahmad N. Y. (2014), which indicated that delays in inheritance applications frequently stem from the community's

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tendency to undervalue the significance of estate documentation. Often, heirs overlook the importance of handling estate matters seriously and fail to prioritize proper documentation, which leads to extended delays in the administration of the estate.

Additionally, I4 noted that the lack of valid death certificates, especially for deaths that took place before 1945 or 1920, poses a significant challenge in starting estate claims. In these situations, Amanah Raya has to seek a Presumption of Death Order as a different way to legally confirm the death of the deceased. This extra legal step makes it take longer to finish settling the estate.

4) Unreasonable Expectations from Heirs

Unrealistic expectations from heirs about how long the estate settlement will take also create difficulties for Amanah Raya. I1 noted that a lot of heirs believe that estate claims can be settled in a really short time frame, like just one to two weeks. The process could actually take six months or even longer, based on how complicated the case is.

This misunderstanding comes from heirs not fully grasping the complex aspects of the estate administration process. The process includes different groups, such as government agencies, banks, insurance companies, and legal institutions, all of which need enough time to check documents and give feedback. As a result, not meeting expectations can frequently cause dissatisfaction among heirs and might lead to complaints about AmanahRaya (Wan Zahari Wan Yusoff, 2021).

5) Challenges Involving Non-Liquid Assets

Managing non-liquid assets like land and vehicles presents a notable challenge for Amanah Raya. I4 noted that conflicts often occur when heirs can't come to a consensus on how to divide these assets. In these situations, a mechanism for share redemption payments is typically necessary, where one heir pays the others for their respective shares.

However, this situation can be challenging when the heir wanting to keep the asset does not have enough financial means to pay the other heirs. The estate distribution process gets delayed, causing the assets to stay undistributed for a long time, which adds to the problem of unclaimed estates (Nur Fadlin Binti Roslan, 2022).

6) Challenges in Recognizing and Confirming Inheritance Properties

I3 mentioned that figuring out where inheritance property is located and confirming its legal status is a significant challenge. Often, heirs might not know where to find or even if there are assets left behind by the deceased, like land that hasn't been officially registered or transferred. The absence of information makes the investigation process more challenging, especially when assets are found abroad or do not have the necessary documentation.

This issue is also connected to problems concerning strata titles. As noted by Anon (2016), there are several reasons why strata titles might not be obtained. These include developers trying to sidestep high maintenance costs, difficulties in tracking down developers or property owners, management problems, or even the unfortunate passing of the developer or property owner before the strata title can be issued. These factors really make it difficult to verify and distribute estate assets.

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7) Lack of Heirs or Difficulty in Tracing

I2 pointed out that not having heirs or being unable to locate them presents a significant challenge for Amanah Raya. Amanah Raya needs to make efforts to find the heirs by using the records and information that are available. However, if these attempts don't work out, the estate has to stay in trust until the correct heirs are found.

This situation not only slows down the administrative process but also adds to the growing amount of unclaimed property handled by Amanah Raya. As time goes on, this buildup could harm how the public views Amanah Raya's ability to manage estate claims efficiently and effectively.

8) Challenges Related to Documentation Validity and Fraud

Finally, I1 and I5 mentioned that Amanah Raya encounters difficulties in verifying the authenticity and validity of documents provided by heirs. Sometimes, heirs might give incorrect, partial, or confusing information to try to get estate assets. Since Amanah Raya lacks personal knowledge of the deceased, it becomes challenging to verify the legitimacy of heirs when the submitted documents are questionable (Azizi Abu Bakar M. A., 2020).

Instances of fraud or misrepresentation heighten the chances of incorrect distribution, prompting Amanah Raya to carry out more detailed investigations. This, consequently, extends the estate settlement process and adds extra administrative challenges for Amanah Raya.

Research Objectives 3: Recommendation for An Improvement the Management of Unclaimed Estates at Amanah Raya Berhad Alor Setar

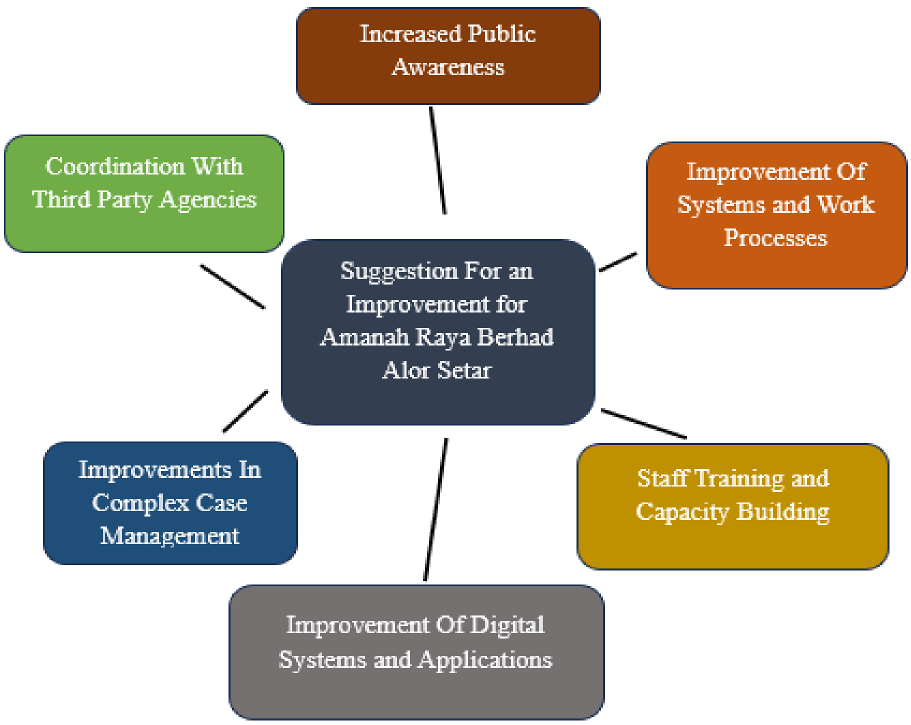

Figure 3: Suggestion for An Improvement for Amanah Raya Alor Setar

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Based on the findings of this study, several key recommendations are proposed to improve the management of unclaimed estates at Amanah Raya Berhad Alor Setar Branch. One of the most important improvements is that raising public awareness about Amanah Raya Berhad's services is crucial for improving the management of unclaimed estates in Islamic inheritance. The research indicated that a lot of people still don't realise how crucial early estate planning is and have a basic grasp of the inheritance claim process, which many view as complex and lengthy. This unawareness plays a major role in the rising count of unclaimed estates. Thus, Amanah Raya ought to enhance its awareness initiatives by organising educational programs, seminars, and workshops at the community level, particularly in rural areas. The initiatives need to emphasise teaching the public about faraid principles, the importance of early estate planning, and providing clear, step-by-step guidance for inheritance claims. Working together with government bodies, NGOs, mosques, and schools can help reach more people and enhance public awareness. Moreover, utilising mass media like television, radio, and newspapers, along with digital platforms such as Facebook, Instagram, TikTok, and YouTube, can significantly enhance the spread of information, especially to younger audiences (Azi Haslin Abdul Rahman, 2020). According to Mohd Ali Mohd Yusuf (2015), a significant challenge for Muslims in handling inheritance issues is the insufficient knowledge and awareness of faraid law.

In addition, the study emphasises the importance of raising public awareness while also pointing out the necessity for Amanah Raya to enhance its internal systems and work processes, aiming for more efficient and user-friendly estate management. Even though various digital initiatives have been put in place, there remains an opportunity to enhance procedures and lessen reliance on manual processes. I3 indicated that the internal management system needs an upgrade to reduce human error, improve data security, and speed up document processing. Using advanced technologies like Artificial Intelligence (AI) and Big Data Analytics can help automate the process of verifying documents, sorting through information, and spotting complicated cases that need quick action. Additionally, it's important to fully digitise manual processes at different management levels by implementing e-verification systems, e-signatures, and QR code authentication (Azizi Abu Bakar M. A., 2020). The improvements are in line with Ab Samad (2023), who highlighted the importance of efficiency in administrative management for adapting to economic and technological changes.

The research indicated that ongoing training and skill development for Amanah Raya staff are essential for enhancing the management of unclaimed estates. It's important for staff members to have the latest technological skills, legal knowledge, and mediation abilities to effectively manage complex inheritance cases. Improved training will boost staff productivity and help officers deliver better services to heirs. Therefore, according to Adnan (2021) states that having skills in communication, conflict management, and legal understanding is crucial for handling estate-related cases, especially when there are disputes among heirs.

Additionally, informants indicated that Amanah Raya ought to improve its digital platforms by implementing a portal-based system that enables heirs to track the status of their inheritance claims in real time. This system could send automatic updates about how applications are progressing, any missing documents, and key deadlines to keep everyone informed (Muhammad Ashfaq, 2022). This initiative would help cut down on the number of times people need to ask questions at Amanah Raya offices, which would make things easier for the staff

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and also boost transparency and customer satisfaction. According to Ismail (2023) pointed out that online systems are more thorough and effective, as they minimise paperwork, storage needs, and processing time.

Finally, the study suggests improving the handling of complicated inheritance cases by creating a specialised team that includes legal, financial, and technological professionals. This dedicated group can concentrate on situations that involve disagreements, various assets, or extended wait times. Moreover, it is important to strengthen collaboration with external agencies like courts, land offices, and the National Registration Department by utilising integrated digital systems, such as electronic court filing systems and land administration platforms (Yusuf Sani Abubakar, 2019). This teamwork would make it easier to check documents, speed up processing, and lessen red tape. These suggestions aim to enhance how unclaimed estate management is handled at Amanah Raya Berhad Alor Setar Branch, making it more efficient, transparent, and effective, all while ensuring that the distribution of inheritance aligns with Islamic principles.

Recommendations

This study suggests several recommendations to enhance the management of unclaimed estates in Islamic inheritance at Amanah Raya Berhad Alor Setar Branch, aiming to tackle the identified issues and challenges. The suggestions here are designed to improve how inheritance claims are managed, focussing on being efficient, effective, and transparent while following Islamic principles.

Firstly, from a tech standpoint, Amanah Raya Berhad really needs to get on board with a more advanced and integrated digital system to help manage unclaimed estates. Using advanced technologies like artificial intelligence (AI) and big data analytics is suggested to speed up document processing, spot incomplete or problematic applications, and help officers find issues early on. This system can offer automated suggestions to help make decisions quicker, especially in complicated inheritance situations with several heirs or assets involved. Additionally, connecting this digital platform with outside organisations like courts, land offices, and banks would allow for smooth information exchange, which would help cut down on delays in verifying and approving documents.

Secondly, from an organisational and structural perspective, it is suggested that Amanah Raya Berhad think about creating a special unit focused on managing complicated unclaimed estate cases. This covers situations where there are disagreements between heirs, assets that span across borders or states, and claims that need thorough investigation. Therefore, officers in this unit need to have specialised training in Islamic inheritance law (faraid), legal procedures, asset investigation, and conflict management to make sure that cases are handled in a more organised and effective way.

Also, it's super important to work together and coordinate with outside agencies to tackle issues like slow responses and red tape. Amanah Raya Berhad can boost collaboration by establishing formal agreements like memorandums of understanding (MoU) with relevant agencies to ensure a collective commitment to quicker and more efficient case processing. Better teamwork between agencies will cut down on administrative hold-ups and enhance the overall process of handling unclaimed estates.

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In addition, this study suggests that Amanah Raya Berhad should boost its efforts to inform the community about the significance of early estate planning and a clear understanding of Islamic inheritance procedures. We can run awareness programs, seminars, and outreach activities on different platforms like social media, community talks, and digital apps to connect with more people. These initiatives can really help clear up any confusion about faraid and motivate heirs to get their documentation in order, which will ultimately speed up the process of estate claims.

Additionally, to improve customer satisfaction and openness, it's suggested to implement a unified client portal. This portal will help heirs keep an eye on their inheritance claims as they happen, find out what documents they need, and get updates on how their case is moving along. This kind of openness can lessen the necessity for multiple trips to Amanah Raya offices, particularly for heirs living in remote areas, while also boosting public trust in the institution's effectiveness.

However, Amanah Raya Berhad could think about making their services more accessible by setting up mobile service centres or temporary booths in rural and remote areas. This initiative would help heirs who have trouble with distance to access estate management services more easily and promote the resolution of unclaimed estate issues.

Finally, it's important to focus on ongoing training and development programs for staff to improve their technical knowledge, communication skills, and understanding of Islamic inheritance law. Skilled officers will be more prepared to handle unclaimed estate cases effectively while providing excellent customer service.

In summary, putting these recommendations into action focused on tech upgrades, rethinking the organisation, working together across agencies, educating the public, making services easier to access, and developing staff can really enhance how unclaimed estates in Islamic inheritance are managed at the Amanah Raya Berhad Alor Setar Branch. The steps taken will help the institution tackle current challenges more effectively, making sure that estate management is done efficiently, transparently, and in line with Islamic principles.

Conclusion

In conclusion, this study on the management of unclaimed estates in Islamic inheritance at Amanah Raya Berhad Alor Setar Branch has highlighted several challenges and issues that need careful consideration and organised enhancement. The handling of unclaimed estates is an important part of making sure that justice is served, that Islamic inheritance principles (faraid) are followed, and that the rights of rightful heirs are safeguarded. Good estate management helps keep family finances stable and avoids long disputes and unclaimed assets.

Therefore, this study shows that various factors lead to the ongoing issue of unclaimed estates. These include complicated bureaucratic processes, restrictions in digital technology usage, insufficient public knowledge about estate planning and inheritance claims, and poor coordination between Amanah Raya and other relevant agencies. The challenges have led to delays in the inheritance claim process, inefficiencies in managing the estate, and both emotional and financial stress for the heirs involved.

However, this study emphasises the pressing need for improvement strategies, especially in advancing digitalisation in estate management. Implementing a more accessible and cohesive digital system, like an e-claims platform, automating everyday administrative tasks, and leveraging cutting-edge technologies such as artificial intelligence (AI) and blockchain can greatly enhance efficiency, transparency, and data security in handling unclaimed estates. These initiatives align with the needs of today's society and can help achieve quicker and more dependable estate settlement.

In addition, this study highlights the need to boost public awareness and education regarding Islamic estate planning, particularly in relation to preparing wills (wasiat) and hibah. Ongoing educational programs, awareness campaigns, and community involvement are crucial for helping people grasp the significance of early estate planning and the steps related to inheritance claims, which will help decrease the number of unclaimed estates in the future.

Moreover, enhancing teamwork and communication between Amanah Raya Berhad and external agencies like courts, land offices, and financial institutions is essential. Better data integration, smoother communication channels, and clearer procedural guidelines can help cut down on bureaucratic delays and boost the overall efficiency of the estate management process. Enhancing internal policies and standardising procedures at Amanah Raya is essential to make sure that services are accessible, efficient, and responsive to the diverse needs of everyone in society.

In summary, even with the challenges noted, this study finds that by putting in place organised and thorough improvement strategies, the handling of unclaimed estates in Islamic inheritance at Amanah Raya Berhad Alor Setar Branch can be greatly improved. Good estate management helps ensure that heirs receive their assets fairly and on time, while also promoting social harmony, legal clarity, and economic stability in the community. Future research should look into how well these initiatives work and seek out new solutions that match up with technology changes and the needs of society as they grow.

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