LAND LAW AND SURVEY REGULATION (SGHU 3313)

WEEK 1-INTRODUCTION

SR DR. TAN LIAT CHOON
07-5530844
016-4975551
OUTLINE

• History Of Land Law
• Land Matters In Malaysia Constitution
• Registration Of Titles
• Sample Of Titles
• National Land Code 1965
• States Land Rules
HISTORY OF LAND LAW
Land Tenure System Before The National Land Code 1965 (Act 56)

- Federated Malay States
  (Perak, Selangor, Negeri Sembilan and Pahang)

- Unfederated Malay States
  (Kedah, Perlis, Kelantan, Terengganu and Johore)

- Straits Settlements
  (Penang, Malacca and Singapore)
Land Tenure System Before The National Land Code 1965 (Act 56)

Before British rule was established in Penang and Malacca, the customary land tenure followed the same pattern as in Sarawak, Borneo, Burma and parts of India and Ceylon. When the British took over the administration of Penang, it was virtually an uninhabited island with no settled law, much less a recognised land system.

Historical records showed that before the arrival of the English traders in 1786, the year that Ruler of Kedah ceded the Penang Island to the East India Company, Malaya was already governed by Islamic Law and Malay Customary Law. It can be seen from some historical records that laws existed such as Malacca Laws of 1523, the Pahang Laws of 1596, the Kedah Laws of 1605, the Johore Laws of 1789, the Perak Code and the Ninety Nine Laws of Perak 1765.
Land Tenure System Before The National Land Code 1965 (Act 56)

Besides, the Malay States were never ceded by the British, so, there is no question of English Law or the Deeds System being introduced into the Malay States before the Malay States accepted British protection. The only law at that time applicable to the Malay was Mohammedan Law modified by local custom.
Land Tenure System Before The National Land Code 1965 (Act 56)

- The early English Law that was introduced into Penang was known as the Deeds System, which recorded land transactions in the form of deeds or indentures.

- The Deeds System was introduced in Penang properly as early as 1807 and in Singapore in 1819, and later extended to Malacca in 1826.

- The land law in Penang remained the same with the Deeds System even after the Torrens System was introduced in the Malay States on 31st December 1965.
Land Tenure System Before The National Land Code 1965 (Act 56)

Malacca was different from Penang in terms of their respective historical laws. Prior to the arrival of the English, Malacca had a long history of self-rule under the Malay Sultanates before being occupied by the Portuguese, Dutch and English. Over time, the Malacca land tenure system evolved into a combination of traditional Malay Customary Law, Islamic Law, and Portuguese and Dutch Laws.
Land Tenure System Before The National Land Code 1965 (Act 56)

The Malay Customary Tenure endured and continued to be influential in Malacca until late 1886 when the English Deeds System became fully implemented.

As was the case in Penang, the Deeds System lasted in Malacca until the passing of the National Land Code (Penang and Malacca Titles) Act 1963 which came into force simultaneously with the National Land Code 1965 (Act 56) on 1st January 1966.
Land Tenure System Before The National Land Code 1965 (Act 56)

- The Torrens System was introduced in four Malayan States after they were united in 1896 to form the Federated Malay States when they accepted the Residency System.

- These were the States of Pahang in 1887, and Perak, Negeri Sembilan and Selangor in 1874. The first land tenure enactment, named the General Code of Regulations Regarding Land (Perak), was enacted on 28th February 1879, followed by the Selangor General Land Regulations No. 2 of 1882, Negeri Sembilan Land Regulations of State Council Minutes on 8th April 1887 and Pahang General Land Regulations in 1889.

- The land tenure and enactment of the 1890s of each of the four Federated Malay States was repealed and re-enacted in 1903.
Land Tenure System Before The National Land Code 1965 (Act 56)

Later, in 1911, the first united land enactments of the Federated Malay States, named the Land Enactment No. 11 of 1911 (Federated Malay States) and the Regulation of Titles Enactment No. 13 of 1911 (Federated Malay States) were passed.

These two Federated Malay States enactments of 1911 remained in force until their amendment by the Land Code 1926 (Cap 138), effective on 1st January 1928, which unified the land law held on Registry Title and Mukim Registry until it was in turn repealed by the National Land Code 1965 (Act 56) on 1st January 1966.
Land Tenure System Before The National Land Code 1965 (Act 56)

- The National Land Code 1965 (Act 56) came into force in 1st January 1966 to administer all land matters in Peninsular Malaysia and Federal Territory of Labuan while Sabah and Sarawak continued to use their own land ordinance.

- For Sabah, there are the Sabah Land Ordinance 1930 (Cap. 69), Land (Subsidiary Title) Enactment 1972, and Land Acquisition Ordinance (Cap. 69) while for Sarawak, there are the Sarawak Land Code 1958 (Cap. 81), Mining Ordinance 1985 (Cap. 83), Land Control of Subdivision Ordinance (Cap. 82), and Strata Titles Ordinance 1995 (Cap 18).
Land Tenure System Before The National Land Code 1965 (Act 56)

- The National Land Code 1965 (Act 56) was formulated based on existing practices in the 1950s until the pre-1965 era before it came into effect on 1st January 1966.

- Before this, all land dealings were governed by the Federated Malay States (Cap 138) Land Code 1926 that came into effect on 1st January 1928. Also being enforced at the time were five separate State legislations in each of the five Unfederated Malay States as well as the English Deeds System in the former Straits Settlements of Malacca and Penang.
The maintenance of a public register in which documents affecting interests in land are copied or abstracted is generally known as ‘registration of deeds’.

In deeds registration, a public repository is maintained for registering documents associated with property transactions, for example deeds, mortgages, survey plans and so on. A deeds register should ensure that no material factor has been overlooked in tracing the chain of title, thus saving both in time and cost whilst providing a substantial measure of security and protection to the future purchaser of the land.
Deeds System

There are three basic elements in deeds registration, namely the logging of the entry time of a property document, the indexing of the document, and the archiving of the document.

Deeds registration has several weaknesses. For example, (i) the deeds merely prove the fact that a transaction took place, without guaranteeing that the intended changes did really occur, (ii) it is not compulsory to register all changes of ownership, so that a correct impression at one moment may become erroneous later on, and (iii) the object the deed refers to is not very well described.
Deeds System

- Deeds registration is a system for registering legal documents, rather than for registering title to land. In other words, a deed, in itself, does not prove title. It shows that a transaction took place but does not prove that the parties are legally entitled to carry out the transaction.

- Nevertheless, deeds registration systems can be improved through the use of better standard procedures such as the improvement of basic records management, standardised forms and procedures, improved physical storage facilities and greater flexibility in survey standards and procedures. These improvements can facilitate the process of title registration. Many of the weaknesses in deeds-based systems which are currently in operation can be resolved by changing to a system whereby titles are registered.
Deeds System

- System Deeds in Penang before National Land Code:

  i. Document of title not using for land dealing;
  ii. Document of title only shows the name of original land owner;
  iii. Sale and purchase through transfer ownership;
  iv. Purchaser cannot identify the current land owner from the title document; and
  v. Long investigation and searching time needed for confirmation of current legal land owner.
What Is Indefeasibility Of Title

Indefeasibility of title means that the registered title of real property (land or buildings) determines who has the priority interest or ownership of such property.
Torrens System

• To understand indefeasibility of title, it is important to first be aware of the Australian property system — the Torrens System. The Torrens System operates in Australia by requiring the registration of land. Therefore, a contract of sale for real property is not sufficient to transfer the property. After signing the contract, the dealing between the parties needs to be registered at the relevant land title office in the state or territory where the property is situated. Upon completion of registration, the property is properly transferred.
Torrens System

• The Torrens System simplifies the process of dealing with land, as it relies on the indefeasibility of title concept, where a registered interest has priority over all other interests. This allows property buyers to rely solely on the title registration to determine ownership or interest in the real property. As a consequence, they do not need to investigate whether the prior transfer was valid. This provides a higher level of security in real property transactions.
A register of title is an authoritative record, kept in a public office, of the rights to clearly defined units of land as vested for the time being in some particular person or body.

The best known title registration system is the Torrens registration system which is introduced by Sir Robert Torrens from Australia in the 1850’s.

It is based on the Mirror Principle, the Curtain Principle and the Insurance Principle.
Torrens System

- Title registration was designed to overcome the defects of deeds registration and to simplify the process of executing property transactions.

- The registration of title is the registration to the land parcel, not the deed. Each parcel is identified on a cadastral map that is cross-referenced to the register that lists the name of the owner, the nature of the tenure, and other ancillary information.
Torrens System

- The registers must be kept up to date at all times and be a reflection of the legal position on the ground. It is then only necessary to consult the current entry on the proprietorship register to find the name of the owner.

- Under most systems of title registration, the information on the registers is guaranteed so that, in the unlikely event of fraud or error, anyone inadvertently suffering from the incorrectness of the information will be compensated.
Exceptions To Indefeasibility Of Title

There are exceptions to the concept of indefeasibility of title, which vary from each state and territory. Some exceptions include:

- fraud;
- forgery;
- prior registered interests;
- prior certificates of title; or
- misdescriptions.

For example, if it can be proven that title registration was acquired by fraud, a court may reverse the registration.
Torrens System

Malaysia land system was based on Torrens System. Features related to land ownership in this system are:

i. Recognized the land title as Indefeasibility of title – section 92 and 340 National Land Code 1965;

ii. Make easy for all land dealing; and

iii. Reduce the expenses on land dealing matter.
Torrens System

These features need to be supported by a comprehensive and concrete system. Certain requirements need to be made:

i. Create a clear title documentary system and filed at the Registrar's Office and have accurate boundary description which can avoid any doubts and disputes, and

ii. All sales and land dealing are registered in the document of title.
Advantages of Torrens System:

i. The owner will have a clear and guaranteed document of title by the government,

ii. Land dealing easily without any complicated and expensive search; and

iii. The issuance of title is guaranteed and indefeasibility.
The advantages of the Torrens System need to be maintained where the parties involved have to play their part effectively and with full commitment:

i. Fast in the land title registration;
ii. Land office, Survey Department and Licensed Land Surveyor perform duties efficiently;
iii. There are no delay or error in the survey and registration of land.

Failure to perform duties efficiently may lead to failure of the system.
LAND MATTERS IN MALAYSIA
CONSTITUTION
Federal Constitution 1957

In the Malaysian land registration, the process of recording rights in land is via the registration of the land title. According to the Federal Constitution 1957, land matters are under the jurisdiction of State governments and are handled by the respective State Registry or District Land Office, depending on where the Document of Title is formerly registered and is guaranteed by the Federal Constitution 1957 as stated under Article 13 (rights to property). Once an ownership has been registered, the owner’s title and interest are indefeasible except where it involves fraud or misrepresentation.
Federal Constitution 1957

Di dalam pendaftaran tanah Malaysia, proses mendaftar hak ke atas tanah adalah melalui pendaftaran hak milik tanah. Menurut Perlembagaan Persekutuan 1957, urusan tanah adalah di bawah bidang kuasa kerajaan Negeri dan dikendalikan oleh Pejabat Pendaftar atau Pejabat Tanah Daerah, bergantung di mana Dokumen Hak milik itu didaftarkan dan dijamin oleh Perlembagaan Persekutuan 1957 di bawah Perkara 13 (hak terhadap harta). Sebaik sahaja pemilikan telah didaftarkan, hak milik dan kepentingan pemiliknya menjadi tidak dapat disangkal kecuali jika ia melibatkan penipuan atau salah taksiran.
Article 83 - Acquisition Of Land For Federal Purposes

(1) If the Federal Government is satisfied that land in a State, not being alienated land, is needed for federal purposes, that Government may, after consultation with the State Government, require the State Government, and it shall then be the duty of that Government, to cause to be made to the Federation, or to such public authority as the Federal Government may direct, such grant of the land as the Federal Government may direct:

Provided that the Federal Government shall not require the grant of any land reserved for a State purpose unless it is satisfied that it is in the national interest so to do.
Article 83 - Acquisition Of Land For Federal Purposes

(2) Federal Government requires the State Government to cause to be made a grant of land in perpetuity, the grant shall be made without restrictions as to the use of the land but shall be subject to the payment annually of an appropriate quit rent and the Federation shall pay to the State a premium equal to the market value for the grant; and where the Federal Government so requires the State Government to cause to be granted any other interest in land, the Federation shall pay to the State the just annual rent and such premium, if any is required by the State Government, as may be just:

Provided that if the value of the land has been increased by means of any improvement made (otherwise than at the expense of the State) while the land was reserved for federal purposes, the increase shall not be taken into consideration in determining the market value, rent or premium for the purposes of this Clause.
Article 83 - Acquisition Of Land For Federal Purposes

(3) Where a requirement is made in respect of any land which, at the date of the requirement, was intended for any State purpose, then if:

(a) other land is acquired by the State for that purpose in substitution for the first-mentioned land; and

(b) the cost of the land so acquired exceeds the amount paid by the Federation (otherwise than as rent) in respect of the interest granted to the Federation, the Federation shall pay to the State such sum as may be just in respect of the excess.
Article 83 - Acquisition Of Land For Federal Purposes

(4) Where a further grant is made in pursuance of this Article in respect of land an interest in which is vested in the Federation or any public authority, any sums payable by way of premium in respect of the further grant shall be reduced by an amount equal to the market value of any improvements made (otherwise than at the expense of the State) since that interest became vested as aforesaid.
Article 83 - Acquisition Of Land For Federal Purposes

(5) This Article [except Clause (3)] shall apply in relation to alienated land as they apply in relation to land not being alienated land, but subject to the following modifications:

(a) in Clause (1), the words “after consultation with the State Government” shall be omitted;

(b) where a requirement is made under that Clause, it shall be the duty of the State Government to cause to be acquired by agreement or compulsorily such interest in the land as may be necessary for complying with the requirement;
Article 83 - Acquisition Of Land For Federal Purposes

(c) any expenses incurred by the State in or in connection with the acquisition of land shall be repaid by the Federation, except that if the acquisition is by agreement the Federation shall not, unless it is party to the agreement, be liable to pay more than it would have paid on a compulsory acquisition;

(d) any sums paid by the Federation to the State shall be taken into consideration in determining the market value, the appropriate quit rent or the just annual rent, and shall be deducted from any premium to be paid by the Federation.
Article 83 - Acquisition Of Land For Federal Purposes

(6) Where a grant is made to the Federation in respect of land which, or an interest in which, was acquired by the State Government at the expense of the Government of the Federation of Malaya before Merdeka Day, paragraph (d) of Clause (5) shall apply to the sums paid in respect of the acquisition by the Government of the Federation of Malaya as if they were sums paid by the Federation shall not apply to any such land.
Article 83 - Acquisition Of Land For Federal Purposes

(7) Nothing in this Article shall prevent the reservation of land in a State for federal purposes on such terms and conditions as may be agreed between the Federal Government and the Government of the State, or affect the power of the appropriate authority in a State to acquire in accordance with any law for the time being in force any alienated land for federal purposes without a requirement by the Federal Government under this Article.
Article 83 - Acquisition Of Land For Federal Purposes

(8) Nothing in this Article shall prevent the making of a grant of land in a State to the Federation, on such terms and conditions as may be agreed between the Federal Government and the Government of the State, without a requirement by the Federal Government under this Article.
Article 85 - Grant To Federation Of Land Reserved For Federal Purposes

(1) Where any land in a State is reserved for any federal purposes, the Federal Government may require the State Government, and it shall then be the duty of that Government, to cause to be made to the Federation a grant of the land in perpetuity without restrictions as to the use of the land, but subject to the payment of a premium to be determined and to the payment annually of an appropriate quit rent.
Article 85 - Grant To Federation Of Land Reserved For Federal Purposes

(2) The premium shall be equal to the market value of the land reduced by:

(a) the market value of any improvements made (otherwise than at the expense of the State) while the land was in use for federal purposes; and

(b) the amount, if any, paid by the Federation, or paid before Merdeka Day by the Government of the Federation of Malaya, in respect of the cost of acquisition of any interest in the land by the State Government.
Article 85 - Grant To Federation Of Land Reserved For Federal Purposes

(3) Where any land in a State is reserved for any federal purposes, the Federal Government may offer to release the land to the State on condition that the State pays to the Federation the market value and if the State Government accepts the offer the reservation shall cease.
Article 85 - Grant To Federation Of Land Reserved For Federal Purposes

(4) Except as provided by this Article, land in a State which is reserved for federal purposes shall not cease to be so reserved, and all land so reserved shall be controlled and managed by or on behalf of the Federal Government, and the Federal Government may grant any right of occupation, control or management, or a tenancy or lease, of the whole or any part of such land, to any person:

(a) for the use of the land by such person for any duration for the federal purpose for which it is reserved, or for any purpose ancillary or incidental; or
(b) where the Federal Government is unable for any reason to use the land for the time being for the federal purpose for which it is reserved, for its use by such person for any purpose other than a federal purpose, for such duration and on such terms and conditions as the Federal Government may determine.
Article 85 - Grant To Federation Of Land Reserved For Federal Purposes

(5) In this Article the reference to land in a State reserved for federal purposes includes:

(a) any land which was reserved before Merdeka Day in accordance with the provisions of any law then in force in the State for any purpose which has become a federal purpose after Merdeka Day;
(b) any land reserved for any federal purpose after Merdeka Day in accordance with the provisions of any law for the time being in force in a State;
(c) any land in a State reserved for federal purposes.
Article 86- Disposition Of Land Vested In The Federation

(1) Where any interest in land is vested in the Federation, or in a public authority, for any purpose, the Federation or the public authority may dispose of that interest or any smaller interest in the land to any person as it deems fit.

(2) Where any interest in land in a State is disposed of by or to the Federation or any public authority in pursuance of this Article or of Article 85, it shall be the duty of the Government of that State to register the transaction accordingly.
Article 87 - Determination Of Disputes As To Land Values

(1) Where any dispute arises between the Federal Government and a State Government as to the making of any payment by or to the Federation under the foregoing Articles of this Chapter, or as to the amount of any such payment, the dispute shall be referred, at the instance either of the Federal Government or of the State Government, to the Lands Tribunal appointed in accordance with this Article.
Article 87 - Determination Of Disputes As To Land Values

(2) The Lands Tribunal shall consist of:

(a) a chairman, who shall be appointed by the Chief or be qualified to be a judge of the Federal Court, the Court of Appeal or a High Court, or shall before Malaysia Day have been a judge of the Supreme Court;

(b) a member who shall be appointed by the Federal Government; and

(c) a member who shall be appointed by the State Government.
Article 87 - Determination Of Disputes As To Land Values

(3) The practice and procedure of the Lands Tribunal shall be regulated by rules of court framed by the Rules Committee or other authority having power under written law to make rules or orders regulating the practice and procedure of the Federal Court.

(4) An appeal shall lie from the Lands Tribunal to the Federal Court on any question of law.
Article 88-application Of Articles 83 To 87 To States Not Having A Ruler

In their application to any of the States not having a Ruler, Articles 83 to 87 shall have effect:

(a) subject to such adaptations (if any) as Parliament may by law provide, being adaptations required to secure that they apply (as nearly as practicable having regard to differences in the system of land tenure) in the same manner as they apply to other States; and

(b) in the case of the States of Sabah and Sarawak with the omission in paragraph (a) of Clause (5) of Article 83.
Article 89 - Malay Reservations

(1) Any land in a State which immediately before Merdeka Day was a Malay reservation in accordance with the existing law may continue as a Malay reservation in accordance with that law until otherwise provided by an Enactment of the Legislature of that State, being an Enactment:

(a) passed by a majority of the total number of members of the Legislative Assembly and by the votes of not less than two-thirds of the members present and voting; and
Article 89 - Malay Reservations

(b) approved by resolution of each House of Parliament passed by a majority of the total number of members of that House and by the votes of not less than two-thirds of the members voting.

(1A) Any law made providing for the forfeiture or reversal to the State Authority, or for the deprivation, of the ownership of any Malay reservation, or of any right or interest therein, on account of any person, or any corporation, company or other body (whether corporate or unincorporate) holding the same ceasing to be qualified or competent under the relevant law relating to Malay reservations to hold the same, shall not be invalid on the ground of inconsistency with Article 13.
Article 89 - Malay Reservations

(2) Any land in a State which is not for the time being a Malay reservation in accordance with the existing law and has not been developed or cultivated may be declared as a Malay reservation in accordance with that law:
Provided that:
(a) where any land in a State is declared a Malay reservation under this Clause, an equal area of land in that State which has not been developed or cultivated shall be made available for general alienation; and
(b) the total area of land in a State for the time being declared as a Malay reservation under this Clause shall not at any time exceed the total area of land in that State which has been made available for general.
Article 89 - Malay Reservations

(3) The Government of any State may, in accordance with the existing law, declare as a Malay reservation:

(a) any land acquired by that Government by agreement for that purpose;

(b) on the application of the proprietor, and with the consent of every person having a right or interest therein, any other land, and shall, in accordance with the existing law, immediately declare as a Malay reservation, in a case where any land ceases to be a Malay reservation, any other land of a similar character and of an area not exceeding the area of that land.
Article 89 - Malay Reservations

(4) Nothing in this Article shall authorize the declaration as a Malay reservation of any land which at the time of the declaration is owned or occupied by a person who is not a Malay or in or over which such a person has then any right or interest.

(5) The Government of any State may, in accordance with law, acquire land for the settlement of Malays or other communities, and establish trusts for that purpose.
Article 89 - Malay Reservations

(6) In this Article “Malay reservation” means land reserved for alienation to Malays or to natives of the State in which it lies; and “Malay” includes any person who, under the law of the State in which he is resident, is treated as a Malay for the purposes of the reservation of land.

(7) Subject to Article 161A, this Article shall have effect notwithstanding any other provision of this Constitution; but (without prejudice to any such other provision) no land shall be retained or declared as a Malay reservation except as provided by this Article and Article 90.
(8) The provisions of this Article shall apply to the Federal Territories of Kuala Lumpur and Putrajaya in the like manner that they apply to a State, save that Clause (1) in its application to the Federal Territories of Kuala Lumpur and Putrajaya shall be modified to read that any land in the Federal Territory of Kuala Lumpur or the Federal Territory of Putrajaya which immediately before Merdeka Day was a Malay reservation in accordance with the existing law may continue as a Malay reservation in accordance with that law until otherwise provided by an Act of Parliament passed by a majority of the total number of members of each House of Parliament and by the votes of not less than two-thirds of the members present and voting in each House.
Article 90 - Special Provisions Relating To Customary Land In Negeri Sembilan And Malacca, And Malay Holdings In Terengganu

(1) Nothing in this Constitution shall affect the validity of any restrictions imposed by law on the transfer or lease of customary land in the State of Negeri Sembilan or the State of Malacca, or of any interest in such land.

(1A) For the purpose of Clause (1):
(a) “transfer” includes any charge, transmission or vesting, or creation of any lien or trust, or entry of any caveat, or any other form of dealing or disposal of whatever description or nature; and
(b) “lease” includes any tenancy of whatever form or duration.
Article 90 - Special Provisions Relating To Customary Land In Negeri Sembilan And Malacca, And Malay Holdings In Terengganu

(2) Notwithstanding anything in this Constitution, the existing law in the State of Terengganu with respect to Malay holdings shall continue in force until otherwise provided by an Enactment of the Legislature of that State passed and approved.
Article 90 - Special Provisions Relating To Customary Land In Negeri Sembilan And Malacca, And Malay Holdings In Terengganu

(3) Any such Enactment of the Legislature of the State of Terengganu may make provision for Malay reservations corresponding with the existing law in force in any other State of a Ruler subject to the following modifications, that is to say:

(a) for the reference to land which immediately before Merdeka Day was a Malay reservation in accordance with the existing law, there shall be substituted a reference to land which, immediately before the passing of the said Enactment, was a Malay holding; and

(b) subject as aforesaid, any reference to the existing law shall be construed as a reference to the said Enactment.
Article 91 - National Land Council

Article 91 of the Federal Constitution 1957 provides for establishment of the National Land Council, or better known as Majlis Tanah Negara (MTN). The Prime Minister chairs the Council which has a representative from each State, usually the Chief Minister or Menteri Besar, and a maximum of ten representatives from the federal government. The duty of the National Land Council is to formulate a national policy for the promotion and control of the utilisation of land throughout the Federation. This exercise is carried out from time to time in consultation with the federal and State governments and the National Finance Council. It is mandatory for both the federal and State governments to follow the policies formulated by the National Land Council.
REGISTRATION OF TITLES
(S77, S85, S176, S189)
Land Registration System

- A land register is a set of records of rights of a person or group of persons entitled to land parcels through deeds or titles. It is a land registration in which ownership of rights to the land is recorded.

- Land registration provides the framework and means for recognising formalised land ownership rights and for regulating the transfer of these rights (Dale and McLaughlin).

- Land registration to the documentation of certain interests in the land and the provision of documentary evidence for resolving property disputes as well as information for a wide variety of public functions.

- Land registration is to provide a safe and certain foundation for the acquisition, enjoyment and disposal of rights in land.
Land Registration System

- Land registration systems are organised in different ways throughout the world, especially with regard to the land registration component.

  Deeds System- only the transaction is recorded
  Title System- the title itself is recorded and secured

- The Deeds System is a register of owners focusing on ‘who owns what’ while the Title System is a register of properties presenting ‘what is owned by whom’.
Land Registration System

In order to create sustainable development, there must be a secure and complete documentation or representation of legal and physical land objects.
Deeds Registration

- A public repository is maintained for registering documents associated with property transactions, for example deeds, mortgages and survey plans.

- Deeds registration is a system for registering legal documents, rather than for registering title to land.

- A deed, in itself, does not prove title. It shows that a transaction took place but does not prove that the parties are legally entitled to carry out the transaction.
Weaknesses Of Deeds Registration

- The deeds merely prove the fact that a transaction took place, without guaranteeing that the intended changes did really occur;

- It is not compulsory to register all changes of ownership, so that a correct impression at one moment may become erroneous later on; and

- The object the deed refers to is not very well described.
A register of title is an authoritative record, kept in a public office, of the rights to clearly defined units of land as vested for the time being in some particular person or body.

The best known title registration system is the Torrens registration system which is introduced by Sir Robert Torrens from Australia in the 1850’s. It is based on the Mirror Principle, the Curtain Principle and the Insurance Principle.
Title Registration

- The registration of title is the registration to the land parcel, not the deed.

- Each parcel is identified on a cadastral map that is cross-referenced to the register that lists the name of the owner, the nature of the tenure, and other ancillary information.

- The registers must be kept up to date at all times and be a reflection of the legal position on the ground.

- It is then only necessary to consult the current entry on the proprietorship register to find the name of the owner.
Type Of Titles In Malaysia

Qualified title

Registry title

Land Office title

Others
For land title that issued before National Land Code 1965, continue in use until it have been continued into or replaced other register under National Land Code 1965 (S160).

Example:

Registrar Office: Certified of Title (CT), Grant, State Lease, Lease for Agriculture Land.
Land Office: Entry of The Mukim Register (EMR)-Federated Malay States. Approved Occupation (A.O) and Approved Application (A.A)
Titles Before National Land Code 1965

Certificate Of Title

• Is a title issuance under Federated Malay State Land Code (Cap.138) before enforcement of National Land Code. This FMS Land Code was enforced in four States which are Selangor, Negeri Sembilan, Pahang and Perak where merge under Federated Malay State by British (with blessing from Sultan of related States).

• Certificate Of Title is a title in perpetuity and issued by Registrar Office. Types of Certificate of Title that period was for large scale land such as agriculture lands, land located in town or village areas.

• Pursuant to Section 160 NLC, this title is still in force after the effective date of NLC on 1 January 1966. This title is converted/continued to Grant (Form 5B) under NLC.
Malay Grant

- Malay Grant is a title issued by the Land Office to the Malays for agricultural or residential purposes in the Unfederated Malay States in perpetuity. Unfederated Malay States are Kelantan, Terengganu, Kedah, Perlis and Johor. This title is based on the state Malay Reserves Enactment namely: (i) ERM Kelantan 1930 (ii) ERM Kedah 1931 (iii) ERM Perlis 1935 (iv) ERM Johor 1936 (v) ERM Terengganu 1941.

- As an example in Terengganu pursuant to ERM 1941, any agriculture land under Land Office Title that less than 10 acres (0.4 hectares) must be registered as a Malay Grant. Accordingly, after NLC's enforced in 1966, these titles were converted/continued to Mukim Grant (Form 5D).
Titles Before National Land Code 1965

Malay Lease

• Malay Lease is a title lease to Malay for agriculture land by Land Office for a term of years that suitable according to State Enactment. Therefore, with that after enforcement NLC, these Malay Lease continue to Mukim Lease (Form 5E).
Titles Before National Land Code 1965

Agriculture Lease

- Is also known as Lease For Agriculture Land that issued before NLC. This title issued by Registrar Office or State Land and Mines Office (PTG) in States Selangor, Perak, Negeri Sembilan and Pahang under Federated Malay State Land Code (Cap.138). This title is for a term of years and for agriculture purpose in country land. Therefore, with that after enforcement NLC, these Agriculture Lease continue to Mukim Lease (Form 5E).
Mining Lease

- Also known as Mining License Certificate. It is a title and is only used for the purpose of the State Authority to lease a piece of land for the purpose of mining only within such period as may be prescribed in the certificate. Mining Lease is issued by the State Registrar Office for the purpose of allowing (by this certificate) the use of land for mining purposes only. The land area will be surveyed and stated in the certificate as well as the name of the owner of the lease, the expiration date, the stipulated conditions and the other.
Titles Before National Land Code 1965

Mining Lease

• Prior to 1989 the Mining License Certificate was issued by State Land and Mines Office under State Mining Enactment. However after 1989 the enactment was changed to the State Mineral Enactment. It should be noted here that control of mining activities is under the Mineral Development Act 1994 which is enforced by the Federation through the Mineral and Geoscience Department.
Titles Before National Land Code 1965

Mining Lease

• This Mining Lease is still in force until the date stated in the certificate. Nevertheless, NLC allows for the issuance of Temporary Occupation License and Mineral Permit on this Mining Lease land to any person/body provided that the land is not used for mining purposes, has been granted the approval of the holder of a Mining Lease and the approval of the State Mineral and Geoscience Department.
Titles Before National Land Code 1965

Entry Mukim Register

- Entry Mukim Register is issued by Land Office in States in Federated Malay States, i.e. Selangor, Perak, Pahang and Negeri Sembilan through FMS Land Code (Cap.138). The duration of ownership is in perpetuity and issued for country land that less than 0.4 hectares (10 acres) for agriculture purposes.

- After NLC was enforced on 1 January 1966, any EMR title was continued to the Mukim Grant ie Form 5D under NLC.
Approved Occupation For Land

- Approved Occupation is not a title but is a registration of approval for occupies a land issued by the Land Office of the Federated Malay States i.e. Selangor, Perak, Pahang and Negeri Sembilan through FMS Land Code (Cap.138). In other words, A.O is a register in the hope of obtaining ownership. The register of A.O is a record which indicates the following:
  i) Name of the applicant
  ii) Detail of approved lands (location and approval)
  iii) Terms of approval – quit rent, premium, survey fee, express condition and restriction of interest.
  iv) Alienation fee (quit rent, premium, survey fee, title registration fee) has been paid
  v) Date of application approved on land
  vi) Note that mention Department of Survey and Mapping has been asked to survey the related land.
Titles Before National Land Code 1965

Approved Application For Land

• Registry of A.O has been maintained under rules made under the previous land law. Where is it for placement (residence) purposes. Whereas the A.A (Approved Application) land for agricultural land.

• Under A.O / A.A, people whose names are registered have the right to be registered as soon as the land is surveyed and the final title is obtained. Keep in mind that land under A.O/A.A cannot be transferred, mortgaged, leased or other affairs.

• Accordingly, after NLC enforced, the A.O/A.A land will be registered to Mukim Grant (Form 5D NLC).
Titles Before National Land Code 1965

Temporary Letter

• Also known as Temporary Registry, i.e. Interim Register (IR). Had been used in The Straits Settlements, i.e. Pulau Pinang and Melaka before National Land Code under Deeds System that introduced by British, where based on property and conveyancing” i.e. equity laws.

• IR is issued by Settlement Register (SR). It will then be posted on the Land and Mines Office (PTG). All matters pertaining to land such as transfer, mortgage, caveat will be deposited in IR. The Holding Number is the lot number.
Titles Before National Land Code 1965

Temporary Letter

• Upon the National Land Code 1965, IR must be converted to title ownership. It is made in two ways either apply by the land owner or the Land Title Commissioner who will decide that the ownership is indefeasibility in accordance with the National Land Code (Malacca and Penang) Act 1963. The decision may be made by the last name of the land owner in IR.

• However, in some cases, there is also the name of land owner is unclear and requires an investigation to determine who the land owner. It can be done by checking the dealing that have been done before, such as from the Letter of Rights, Placement or Right Transfer.
Temporary Letter

• On 01/04/2001, SPTB system was introduced, replacement of titles were made for the coordination of title ownership. The District Land Office will submit a Appendix 'A' containing the land information taken from the IR and the plan (which has been prepared by the Department of Survey and Mapping) to the Land and Mines Office for inclusion in the SPTB system. For Registry Title, the plan for the preparation of title is applied by the Land and Mines Office to the Department of Survey and Mapping.
Qualified Title

The purposes of qualified title are:

- To enable land to be alienated in advance of survey;
- To enable title to be issued in advance of survey:

  - to the individual portions into which any alienated land is to be sub-divided or partitioned.

  - to the combined area to be formed by the amalgamation of any such lands.
Qualified Title

Qualified title shall confer on the proprietor the like rights in every respect as those conferred by final title, save that:

- The boundaries of the land shown on the document of title thereto shall be provisional only except so far as any of them may have been established by any earlier survey;

- Unless otherwise provided for under this Act, the land shall not be capable of being sub-divided or partitioned, or included in any amalgamation, nor shall any building thereon be capable of subdivisions.

Where any land held under qualified title has been duly surveyed (Final Survey) in accordance with the provisions of section 396, final title may be issued in continuation of the qualified title.
Qualified Title And Final Title

- A QT confers the same right (as mentioned in Section 92 NLC) as a FT except that in the case of land held under a QT, it cannot be sub-divided, partitioned and amalgamated with any other land and no sub-division of building can be done if it is situated on the land held under a QT except where the land has been duly surveyed and a certified plan has been approved by the Survey Department. The boundaries of land under a QT are only provisional if it has been established by any earlier survey.
Qualified Title And Final Title

- QT is provided in the NLC to enable land to be alienated in advance of survey or to enable title to be issued in advance of survey to the individual portions upon sub-division or partition of land or the combined are upon amalgamation. Basically the purpose is to enable the approved applicant (in the case of alienation) and the proprietor of the individual portions of land upon sub-division or partition or of the combined area of lands upon amalgamation to transfer, charge or lease in respect of the land before the completion of survey.
Qualified Title And Final Title

- Previously, the NLC requires that there should be an application from the approved applicant before a QT is registered in respect of alienation and from the proprietor in the case of sub-division, partition and amalgamation before a QT is registered. However, at present, the approved applicant is no longer required to apply as QT is to be registered after he has paid all items of land revenue due upon approval of alienation.

- FT comprises of Registry Title and Land Office Title, while QT comprises of qualified title corresponding to Registry Title and Land Office Title.
Registry Title

Registry title means title evidenced by a grant or State lease, or by any document of title registered in a Registry under the provisions of any previous land law. It register by the Registrar.

Registry title shall be appropriate in the case of:

i. Town (bandar) or village (pekan) land;

ii. any lot of country (desa) land exceeding four hectares in area; and

iii. any part of the foreshore or sea-bed.
Land Office Title

- Land Office title means title evidenced by a Mukim grant or Mukim lease, or by any document of title registered in a Land Office under the provisions of any previous land law. It register by the Land Administrator.

- Land Office title shall be appropriate in the case of any lot of country land, not exceeding four hectares in area.

- Provided that:
  - State Authority may if it thinks fit, on approving the alienation of any country land, direct that the land shall ultimately be held under Registry title notwithstanding that its area does not exceed four hectares.

  - Under the Land (Group Settlement Areas) Act, 1960, under which Land Office title is required to be issued.
Document Of Title

- Document of Title in relation to any alienated land, means both the Register Document of Title and the Issue Document of Title.

- In the case of land held under qualified title in respect of which no application for an issue document of title has been made by the proprietor.
Register Document Of Title And Issue Document Of Title

- Register Document of Title (Dokumen Hakmilik Daftaran) means any document registered, or prepared for registration, under this Act and evidencing or, as the case may be, intended to evidence title to land, and any document evidencing title to land registered before the commencement of this Act under the provisions of any previous land law.

- Issue Document of Title (Dokumen Hakmilik Keluaran) means any document prepared for issue to the proprietor of any land (whether under this Act or under the provisions of any previous land law), being a copy of, or an extract from, the register document of title.
Continuation Of Title (S166)

Final Title:

- Where Registrar or Land Administrator decides with respect to the register document of title that there is insufficient space for the making of further entries or its physical condition no longer be used.
- Where the issue document of title has been lost or wholly or partially destroyed or is being improperly or wrongfully withheld.
- Where partial surrender of land or on the re-survey of a natural boundary under section 202 or under section 354.
Continuation Of Title (S166)

Final Title:

• Where any alienated land has been partially affected by encroachment by sea or any river.
• Where a document of title relates to more than one lot.
• Where only part of piece of land has been acquired by the State and the part left un-acquired has been resurveyed, e.g. land acquisition.
• Where the Registrar or Land Administrator decides that a multi-leaf title is required to be issued.
• Where there is a boundaries of new district happen involve the respected document of title.
Continuation Of Title (S183)

Qualified Title:

- Where Registrar or Land Administrator decides with respect to the register document of title that there is insufficient space for the making of further entries or its physical condition no longer be used.
- Where the issue document of title has been lost or wholly or partially destroyed or is being improperly or wrongfully withheld.
- Where the Registrar or Land Administrator decides that a multi-leaf title is required to be issued.
- Where there is a boundaries of new district happen involve the respected document of title.
Duplicate Issue Document Of Title (S175 & S187)

- By land owner:
  Same for final title and qualified title

- Where issue document of title that there is insufficient space for the making of further entries or its physical condition no longer be used.

- Where the issue document of title has been lost or wholly or partially destroyed or is being improperly or wrongfully withheld.
Replacement Of Register Document Of Title (S175A-F & S187A)

- By Registrar or Land Administrator (the register document of title to the land does not require replacement):
  Same for final title and qualified title

- Where issue document of title that there is insufficient space for the making of further entries or its physical condition no longer be used.

- Where the issue document of title has been lost or wholly or partially destroyed or is being improperly or wrongfully withheld.
Sample Of Titles
Geran

<table>
<thead>
<tr>
<th>No. Hakmilik</th>
<th>69136</th>
<th>Cukai Tahunan</th>
<th>RM40.00</th>
</tr>
</thead>
</table>

Negeri: Pulau Pinang  
Daerah: Barat Daya  
No. Lot: Lot 10942  
Luas Lot: 156 Meter Persegi  
Kategori Penggunaan Tanah: Tiada  
No. Lembaran Piawai: 15-A-III  
No. Pelan Diperakui: 41943  
No. Fail: PTG/PS/BD/178 PTBD/C/20/94

Tanah yang diperhalkan di atas adalah dipegang untuk selama-lamanya oleh tuan punya pada masa namanya disebut dalam rekod ketuanpunya di bawah, bertanggung kepada peruntukan-peruntukan Kanun Tanah Negara, kepada kategori yang dinyatakan di atas dan kepada syarat-syarat nyata dan sekatan-sekatan kepentingan yang dinyatakan di bawah, sebagai balasan bagi pembayaran cukai tahunan yang sewajarnya.

Dengan perintah Pihak Berkuasa Negeri
Didaftarkan pada 5 Disember 2003

Pelan tanah, bagi maksud pengenalan, adalah dikepiskan pada Borang B1.

**SYARAT-SYARAT NYATA**  
**FIRST GRADE**  
The Land comprised in this title:  
(a) shall not be affected by any provision of the National Land Code limiting the compensation payable on the exercise by the State Authority of a right of access or use conferred by Chapter 3 of Part Three of the Code or on the creation of a Land Administrator’s right of way; and  
(b) subject to the implied condition that land is liable to be re-entered if it is abandoned for more than three years

<table>
<thead>
<tr>
<th>Hakmilik</th>
<th>070512GRN00069136</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tariik</td>
<td>05/12/2003</td>
</tr>
<tr>
<td>No. Versi</td>
<td>1</td>
</tr>
<tr>
<td>No. Salinan</td>
<td>1</td>
</tr>
<tr>
<td>Muka Surat</td>
<td>1 2 1</td>
</tr>
</tbody>
</table>
shall revert to the State only if the proprietor for the time being dies without heirs;

and the title shall confer the absolute right to all forest produce and to all oil, mineral and other natural deposits on or below the surface of the land (including the right to work or extract any such produce or deposit and remove it beyond the boundaries of the land)

SEKATAN-SEKATAN KEPENTINGAN

Tiada

Hendaklah dipenuhkan apabila hakmilik dikeluarkan bagi sambungan

Tarikh mula-mula pemberimilikan : 13 Februari 1928
No. hakmilik asal (Tetap atau sementara) : SLG 29190/44038 Mukim 12
No. hakmilik yang terdahulu daripada ini (jika berlainan daripada di atas) : HSD 14157 Mukim 12

REKOD KETUANPUNYAAN

ADELINE NG MEI MEI , 1/1 bhgn.
No.kp : 681127-02-5130,

REKOD URUSAN

No Pers 657/1998 Jil. 775 Fol. 71 Gadaian menjamin wang pokok
oleh ADELINE NG MEI MEI, No.kp : 681127-02-5130
kepada CITIBANK BERHAD

didaftarkan pada 20 Januari 1998 jam 11:35:00 pagi

PERKARA LAIN YANG MELIBATKAN HAKMILIK

Hakmilik : 070512GRN000069136
Tarikh : 05/12/2003
No. Versi : 1
No. Salinan : 2 [ 2 ]
Saya mengesahkan bahawa pelan yang dikelaskan di bawah ini adalah salinan benar pelan tanah yang diperakukan. Butiran hakmilik adalah seperti berikut:

<table>
<thead>
<tr>
<th>Jenis dan No. Hakmilik</th>
<th>GRN 69136</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negeri</td>
<td>Pulau Pinang</td>
</tr>
<tr>
<td>Daerah</td>
<td>Barat Daya</td>
</tr>
<tr>
<td>Bandar/Pekan/Mukim</td>
<td>Mukim 12</td>
</tr>
<tr>
<td>Jenis Hakmilik</td>
<td>Geran</td>
</tr>
<tr>
<td>No. Lembaran</td>
<td>15-A-III</td>
</tr>
<tr>
<td>No. Pelan Diperakukan</td>
<td>41943</td>
</tr>
<tr>
<td>No. Lot</td>
<td>Lot 10942</td>
</tr>
<tr>
<td>Luas Lot</td>
<td>156 Meter Persegi</td>
</tr>
</tbody>
</table>

Berlaku pada 5 DECEMBER 2003

DOKUMEN RAHSIA
DILULUSKAN UNTUK KEGUNAAN RASMI

PETUAHAN HAKAN
PULAU PINANG

102
Form 5CK (State Lease)

Kanun Tanah Negara
Borang 5CK
(Jadual Keempat Belas)

Pajakan Negeri

No. Hakmilik : 6951
Cukai Tahunan : RM771.00

Pajakan selama 99 tahun, tempoh berakhir pada 30 September 2090.

Negeri : Pulau Pinang
Daerah : Timor Laut
Bandar/Pekan/Mukim : Bandar Gelugor
No. Lot : Lot 3542
Luas Lot : 1427 Meter Persegi
Kategori Penggunaan Tanah : Bangunan
No. Lembaran Piawai : 11-D-1
No. Pelan Diperakui : 83609
No. Fail : PTGL/PMJ/DTL/81

Tanah yang diperihalkan di atas adalah dipegang untuk selama tempoh tahun di atas oleh seorang punya pada masa nampanya disebut dalam rekod ketuaanpunyaaan di bawah, tatkala karya peruntukan-peruntukan Kanun Tanah Negara, kepada kategori yang dinyatakan di atas dan kepada syarat-syarat nyata dan seketat-seketat kepentingan yang dinyatakan di bawah, sebagai balasan bagi pembayaran cukai tahunan yang sejawarnya.

Dengan perintah Pihak Berkuasa Negeri
Didaftarkan pada 11 September 2009

Pelun tanah, bagi maksud pengenaan, adalah dikepikan pada Borang B1.

SYARAT-SYARAT NYATA

i) Tanah yang diberimilik ini hendaklah digunakan untuk tujuan perumahan/perniagaan sahaja.

ii) Cukai tanah S1.00 setahun (Nominal bagi tiap-tiap plot dan cukai tersebut akan dikenakan atas kadar sebenar apabila bangunan dipecah bahagian dan seterusnya dikeluarkan hakmilik strata ketak).

DOKUMEN RAHSIA
DILULUSKAN UNTUK KEGUNAAN RASMI
PENGURAI UMK SAMOSA

Hakmilik : 070443PN00006951
Tarikh : 11/09/2009
No. Versi : 1
SEKATAN-SEKATAN KEPENTINGAN

Tanah yang diberimilik ini tidak boleh dipindah milik, dicagar, dipajak atau meluluskan tanpa kebenaran Pihak Berkuasa Negeri terlebih dahulu.

Hendaklah dipenuhkan apabila hakmilik dikeluarkan bagi sambungan

Tarihh mula-mula pemberimilikan : 4 Januari 2002
No. hakmilik asal (Tetap atau sementara) : HSD 142 Bandar Gelugor
No. hakmilik yang terdahulu daripada ini (jika berlainan daripada di atas) : HSD 6819 Bandar Gelugor

REKOD KETUANPUNYAAN

STATE SECRETARY, PENANG , 1/1 bhgn.

REKOD URUSAN

PERKARA LAIN YANG MELIBATKAN HAKMILIK

Hakmilik : 070443PN00006951
Tariikh : 11/09/2009
No. Versi : 1
No. Salinan : 
Muka Surat : 2 [ 2 ]
Saya mengesahkan bahawa pelan yang dikepilkkan di bawah ini adalah salinan benar pelan tanah yang diperakui. Butiran hakmilik adalah seperti berikut:

Jenis dan No. Hakmilik : PN 6951
Negeri : Pulau Pinang
Daerah : Timor Laut
Bandar/Pekan/Mukim : Bandar Gelugor
Jenis Hakmilik : Pajakan Negeri
No. Lembaran : 11-D-I
No. Pelan Diperakui : 83609
No. Lot : Lot 3542

Luas Lot : 3427 Meter Perseggi
3541
2740 m²

Adalah dikuit mengikut selalunya 3 dalam Akta Pelan dan Dokumen Tanah
dan Lampiran (Selinan Fotografi) 1960 (Semakan 1980), iaitu salinan pelan yang benar yang telah dibuat pada 14.04.2008 bagi
lot 3542 di dalam Bandar Gelugor Daerah Timor Laut
seperi dibuktikan oleh pelan PA83609
Skala 1:750

11 SEP 2009
Bertarikh pada haribulan

Pendaftar

DOKUMEN RAHSIA
DILULUSKAN
UNTUK KEGUNAAN
RASMI

PENGATUR UNTUKAN
KABUPATEN

HAKMILIK SEMENTARA
BERSAMAAN DENGAN HAKMILIK PEJABAT PENDAFTARAN

No. H.S.(D) : 18846
Cukai Tahunan : RM40.00

Negeri : Pulau Pinang
Daerah : Barat Daya
Bandar/Pekan/Mukim : Mukim 12
No. PT : PT T753
Luas Sementara : 104,048 Meter Persegi (1120 Kaki persegi)
Jenis Penggunaan Tanah : Bangunan
No. Lembaran Piawai : PTG/PM/BD/59/AL(4)
No. Permohonan Ukur : PTBP/A/36/80
No. Fall :

Pajakan selama tempoh 99 tahun berakhir pada 13 Julai 2080.

Didatakan pada 2 Julai 2002

Dokumen hakmilik keluaran dikeluarkan pada 2 Julai 2002

Pelan lakar/pelan tanah, bagi maksud pengenalan, adalah dikepilkann pada Borang B2.

SYARAT-SYARAT KHAS MENGENAI HAKMILIK SEMENTARA

1. Hakmilik ini adalah tertakluk kepada peruntukan-peruntukan Kanun Tanah Negara dan kepada syarat-syarat nyata dan sekatan-sekatan berikut :

SYARAT-SYARAT NYATA

The land hereby alienated shall be used solely for residential purpose.

SEKATAN-SEKATAN KEPENTINGAN

i) The land hereby alienated shall not be transfered.

Hakmilik : 070312HSD00018846
Tariikh : 02/07/2002
No. Versi : 1
No. Salinan : 1
Muka Surat : 1 [2]
charged, leased, subleased or otherwise in any manner
dealt with or disposed of without the written sanction
of the State Authority.
ii) The land hereby alienated shall not be subdivided.

2. Dalam pelan tanah yang dikepilkkan pada Borang B2, sempadan yang ditunjukkan dengan warna merah, belum
ditetapkan secara ukur, adalah sementara sahaja.

<table>
<thead>
<tr>
<th>Hendaklah dipenuhkan apabila hakmilik dikeluarkan bagi sambungan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarikh mula-mula diberi milik :</td>
</tr>
<tr>
<td>No. hakmilik asal (Tetap atau sementara) : HSD 2906 Mukim 12</td>
</tr>
<tr>
<td>No. hakmilik yang terakhir sekali (jika berlainan daripada di atas)</td>
</tr>
</tbody>
</table>

**REKOD KETUANPUNYAAN**

LIM KIM KOOI, 1/1 bhgn.
No.kp : 6827754,

**REKOD URUSAN**

**PÂRKARA LAIN YANG MELIBATKAN HAKMILIK**

Hakmilik : 070512HSD00018846
Tarikh : 02/07/2002
No. Versi : 1
No. Salinan : 
Muka Surat : 2 [2]
Saya mengesahkan bahawa pelan/pelan lakar yang dikepiklan di bawah ini adalah salinan benar pelan/pelan lakar tanah. Butiran hakmilik adalah seperti berikut:

*H.S.(D)/H.S.(M) No. : HSD 18846
Negeri : Pulau Pinang
Daerah : Barat Daya
*Bandar/Pekan/Mukim : Mukim 12
No. Lembaran : PT T753
No. Lot : 104.048 Meter Persegi
Luas Sementara : (1120 Kaki persegi)

2. Dalam pelan yang di bawah ini, sempadan yang ditunjukkan dengan warna merah, belum ditetapkan secara ukur, adalah sementara sahaja.
## Geran Mukim

<table>
<thead>
<tr>
<th>No. Hakmilik</th>
<th>599</th>
<th>Cukai Tahunan</th>
<th>RM40.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negeri</td>
<td></td>
<td>Pulau Pinang</td>
<td></td>
</tr>
<tr>
<td>Daerah</td>
<td></td>
<td>Timur Laut</td>
<td></td>
</tr>
<tr>
<td>Bandar/Pekan/Mukim</td>
<td></td>
<td>Mukim 13</td>
<td></td>
</tr>
<tr>
<td>Tempat</td>
<td></td>
<td>PAYA TERUBONG</td>
<td></td>
</tr>
<tr>
<td>No. Lot</td>
<td></td>
<td>Lot 5567</td>
<td></td>
</tr>
<tr>
<td>Luas Lot</td>
<td></td>
<td>130 Meter Persegi</td>
<td></td>
</tr>
<tr>
<td>Kategori Penggunaan Tanah</td>
<td></td>
<td>TIADA</td>
<td></td>
</tr>
<tr>
<td>No. Lembaran Piawai</td>
<td></td>
<td>11-A-IV</td>
<td></td>
</tr>
<tr>
<td>No. Pelan Diperakui</td>
<td></td>
<td>07-013850</td>
<td></td>
</tr>
<tr>
<td>No. Pall</td>
<td></td>
<td>PTTL/C/LS/14/13/112</td>
<td></td>
</tr>
</tbody>
</table>

Tanah yang diperhalkan di atas adalah dipegang untuk selama-lamanya oleh tuan punya pada masa namanya disebut dalam rekod kepungan yang di bawah, tertakluk kepada peruntukan-peruntukan Kanun Tanah Negara, kepada kategori yang dinyatakan di atas dan kepada syarat-syarat yang dinyatakan di atas, sebagai balasan bagi pembayaran cukai tahunan yang sewajarnya.

Dengan perintah Pihak Berkuasa Negeri

Didaftarkan pada 21 Jun 1989

Pelan tanah, bagi maksud pengenalan, adalah dikeplikan pada Borang B1.

## SYARAT-SYARAT NYATA

**FIRST GRADE**

The land comprised in this title:
(a) shall not be affected by any provision of the National Land Code limiting the compensation payable on the exercise by the State Authority of a right of access or use conferred by Chapter 3 of Part Three of the Code or on the creation of a Collector's right of way; and
(b) subject to the implied condition that land is liable to be re-entered if it is abandoned for more than three years,
shall revert to the State only if the proprietor for the
time being dies without heirs;

and the title shall confer the absolute right to all forest
produce and to all oil, mineral and other natural deposits
on or below the surface of the land (including the right to
work or extract any such produce or deposit and remove it
beyond the boundaries of the land).

SEKATAN-SEKATAN KEPENTINGAN

TIADA

Hendaklah dipenuhkan apabila hakmilik dikeluarkan bagi sambungan

Tarikh mula-mula pembermilikan : GM 134 Mukim 13
No. hakmilik asal (Tetap atau sementara) :
No. hakmilik yang terdahulu daripada ini :
(jika berlaihan daripada di atas) HSM 1192 Mukim 13

REKOD KETUANPUNYAAN

KOOY JEE YONG @ KOK JEE YONG, 1/2 bhgn.
No.kp : 0440863,

LYE KIM ENG, 1/2 bhgn.
No.kp : 3140471.

REKOD URUSAN

No Pers 157/1986 Jil. 14 Fol. 31 Gadaian menjamin wang pokok
oleh KOOY JEE YONG @ KOK JEE YONG, No.kp : 0440863
1/2 bhgn. LYE KIM ENG, No.kp : 3140471
1/2 bhgn. kepada MINISTER OF FINANCE (INCORPORATED) MALAYSIA

didaftarkan pada 21 Mei 1986 jam 11:00:00 pagi

PERKARA LAIN YANG MELIBATKAN HAKMILIK

Hakmilik : 070401GM000000599
Tariikh : 17/08/2001
No. Versi : 1
No. Salinan :
Muka Surat : 2 3
Saya mengesahkan bahawa pelan yang disepakati di bawah ini adalah salinan benar pelan tanah yang diperakui.

Jenis dan No. Hakmilik
Negori
Bandar/Pekan/Mukim
Jenit Hakmilik
No. Lembaran
No. Pelan Diperakui
Luas Lot

GM 299
Pusing Kinta
Mukim 13
Geran Mukim
11-A-1
07-912850
130 Meter Persegi

Salinan yang di akui sah untuk urusan rasmi

Bertarikh pada 17. haribulan... 8903

Salinan yang di akui sah untuk urusan rasmi
Pajakan Mukim

No. Hakmilik : 31
Cukai Tahunan : RM40.00

Pajakan selama 99 tahun, tempoh berakhir pada 21 September 2066.

Negeri : Pulau Pinang
Daerah : Timur Laut
Bandar/Pekan/Mukim : Mukim 13
Tempat : KAMPUNG MELAYU
No. Lot : Lot 2991
Luas Lot : 166.9 Meter Persegi
Kategori Penggunaan Tanah : Bangunan
No. Lembaran Piawai : 11-A-IV-3
No. Pelan Diperakui : 11239
No. Fail : PTTL/PP/1900/1

Tanah yang diperihalkan di atas adalah dipegang untuk selama tempoh tahun di atas oleh tuan punya pada masa namanya disebut dalam rekod ketuanpunyaan di bawah, tertakluk kepada peruntukan-peruntukan Kanun Tanah Negara, kepada kategori yang dinyatakan di atas dan kepada syarat-syarat nyata dan sekatan-sekatan kepentingan yang dinyatakan di bawah, sebagai balasan bagi pembayaran cukai tahunan yang sewajarnya.

Dengan perintah Pihak Berkuasa Negeri

Didakatkan pada 16 Meil 1995

Pelatan tanah, bagi maksud pengenalan, adalah dikepilkkan pada Borang B1.

SYARAT-SYARAT NYATA
The Lessee shall maintain the building in good repairs to the satisfaction of the Collector of Land Revenue, N.E.D. Penang

SEKATAN-SEKATAN KEPENTINGAN

a) The land hereby leased shall not be used for any purpose

Hakmilik : 070401PM00000031
Tarikh : 04/10/2001
No. Versi : 1
No. Salinan :
Muka Surat : 1 [ 2 ]
other than for residential purposes without the approval of
the Governor-in-Council.
b) The land hereby leased shall not be conveyed, assigned,
exchanged, disposed of or vested under the provisions of any
law in force in any manner which shall result in the said
land being owned by more than one individual.
c) The Lessee shall not assign, convey or dispose of this
land in any manner without the permission of the
Governor-in-Council and such permission may only be granted
if the purchaser is a person belonging to the low income
group.

Hendaklah dipenuhkan apabila hakmilik dikeluarkan bagi sambungan

Tarikh mula mula pemberimilikan : 
No. hakmilik asal (Tetap atau sementara) :
No. hakmilik yang terdahulu daripada ini (jika berlainan daripada di atas) :

REKOD KETUANPUNYAAAN
CHEAH CHOW KOW @ CHEAH CHENG KEAT , 1/1 bhgn.

REKOD URUSAN
PERKARA LAIN YANG MELIBATKAN HAKMILIK

Muka Surat : 2 [ 2 ]
Hakmilik : 070401PM00000031
Tarikh : 04/10/2001
No. Versi : 1
No. Salinan : 

Salinan yang di akui sah untuk urusan rasmi

Pendaftar
Saya mengesahkan bahawa pelan yang dikepilkian dibawah ini adalah salinan benar pelan tanah yang diperakui.

Rudian hakmilik adalah seperti berikut:

<table>
<thead>
<tr>
<th>Jenis dan No. Hakmilik</th>
<th>FM 31</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negeri</td>
<td>Piuran Pinang</td>
</tr>
<tr>
<td>Bandar/Pekan/Mukim</td>
<td>Muatlan Is</td>
</tr>
<tr>
<td>Lot/Mukim</td>
<td>Lot Menang Mukim</td>
</tr>
<tr>
<td>No. Pelan Diperskui</td>
<td>11240</td>
</tr>
<tr>
<td>No. Lot</td>
<td>2991</td>
</tr>
<tr>
<td>Luas Lot</td>
<td>166.9 Meter Perseg</td>
</tr>
</tbody>
</table>