

# **LAND (GROUP SETTLEMENT AREAS) (AMENDMENT) ACT 2002**

## **ACT A1176**

### **Preamble**

An Act to amend the Land (Group Settlement Areas) Act 1960.

**ENACTED** by the Parliament of Malaysia as follows:

### **1. Short title.**

This Act may be cited as the Land (Group Settlement Areas) (Amendment) Act 2002.

### **2. Amendment of section 7.**

The Land (Group Settlement Areas) Act 1960 [Act 530], which in this Act is referred to as the "principal Act", is amended in subsection 7(2) by inserting after the words "one individual holder" the words "or not more than two holders as may be permitted by this Act".

### **3. Amendment of section 12.**

Section 12 of the principal Act is amended by inserting after subsection (4) the following subsection:

"(5) Where an order of court made in accordance with the Islamic Family Law Enactment applicable in the State or the Law Reform (Marriage and Divorce) Act 1976 [Act 164] vests a rural holding in the wife, ex-wife or next-of-kin of a holder, the Collector shall enter the name of the wife, ex-wife or next-of-kin as a co-holder in the register of holding accordingly."

### **4. Amendment of section 14.**

Section 14 of the principal Act is amended-

(a) by renumbering the existing section as subsection (1) of the section;

(b) in subsection (1), by substituting for the words "A rural holding" the words "Subject to subsection (2), a rural holding"; and

(c) by inserting after subsection (1) the following subsection:

"(2) A rural holding may be alienated and jointly held by not more than two holders."

### **5. Amendment of section 15.**

Section 15 of the principal Act is amended-

(a) in subsection (1) by inserting after the words "any time be subdivided" the words "or partitioned";

(b) in subsection (2) by substituting for the words "No land" the words "Subject to subsections (2A) and (2B), no land"; and

(c) by inserting after subsection (2) the following subsections:

"(2A) The State Authority may permit a rural holding to be held by way of undivided shares by a holder and his wife, ex-wife or next-of-kin as a co-holder, upon an application in Form AA in the First Schedule.

(2B) A rural holding may be held by way of undivided shares pursuant to an order of court made in accordance with the Islamic Family Law Enactment applicable in the State or the Law Reform (Marriage and Divorce) Act 1976."

**6. Deletion of section 16.**

The principal Act is amended by deleting section 16.

**7. Amendment of First Schedule.**

The First Schedule to the principal Act is amended by inserting after Form A the following Form:

"Form AA

(Subsection 15(2))

APPLICATION FOR CONSENT TO TRANSFER RURAL HOLDING TO WIFE/EX-WIFE/NEXT-OF-KIN AS CO-HOLDER

To the Land Administrator

District of.....

I, .....

of .....

holder of the land within the Group Settlement Area of .....

..... described in the Schedule below

hereby apply for the consent of the State Authority to effect a transfer of an

undivided share of the said land to my \*wife/ex-wife/next-of-kin as co-holder.

I agree to furnish to the State Authority any further information as may be

requested for the purpose of this application.

.....

Signature of Holder

Dated this .....day of .....20.....

#### SCHEDULE OF LAND

Lot no.: .....

Area of lot: .....

Description and no. of title: .....

Mukim: .....

District: .....

Locality: .....

For Official Use Only

Consent of the State Authority granted on .....

File reference: .....

.....

Land Administrator

\*Delete whichever is not applicable.".