

# National Land Code (Amendment) Act 2008

## ACT A1333

An Act to amend the National Land Code.

WHEREAS it is expedient for the purposes only of ensuring uniformity of law and policy that the National Land Code be amended:

NOW, THEREFORE, pursuant to Clause (4) of Article 76 of the Federal Constitution, **IT IS ENACTED** by the Parliament of Malaysia as follows:

*Date of Royal Assent: ... .. 24 January 2008*

*Date of publication in the Gazette: ... .. 7 February 2008*

*In force from: Sections 10 and 21 are deemed to have come into operation on 25 March 1985 and 1 December 2001 respectively. 1 January 2009 in the Federal Territories of Kuala Lumpur and Putrajaya-[P.U.(B) 491/2008.] 1 January 2009 in the States of Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Terengganu - P.U.(B) 492/2008.*

### 1. Short title and commencement.

(1) This Act may be cited as the National Land Code (Amendment) Act 2008.

(2) Subject to subsection (4), this Act comes into operation in each State on a date to be appointed by the Minister, with the approval of the National Land Council, by notification in the *Gazette* of the Federation, and the Minister may, with the approval of the National Land Council, appoint different dates in respect of different provisions of this Act.

(3) Subject to subsection (4), this Act comes into operation in the Federal Territories of Kuala Lumpur and Putrajaya on such date as the Minister may, by notification in the *Gazette* of the Federation, and the Minister may appoint different dates in respect of different provisions of this Act.

(4) Sections 10 and 21 are deemed to have come into operation on 25 March 1985 and 1 December 2001 respectively.

### 2. Amendment of section 5.

The National Land Code [*Act No. 56 of 1965*], which is referred to as the "Code" in this Act, is amended-

(a) by inserting after the definition of "to deliver" the following definition:

"digital cadastral database" means any computerized cadastral database based on the cadastral coordinate system adopted and maintained by the Survey and Mapping Department;'

(b) by inserting after the definition of "Director of Survey and Mapping" the following definition:  
"Disaster Recovery Centre" means a centre of backup and recovery system set up by the State Authority for the continuity of business operation of the Electronic Land Administration System;'

(c) in the definition of "pre-computation plan", by inserting after the words "layouts of lots" the words "prepared by Director of Survey and Mapping or licensed land surveyor"; and

(d) by substituting for the definition of "rock material" the following definition:

' "rock material" means any rock, stone, gravel, common sand, common earth, common laterite, loam, common clay, soil, mud, turf, peat, coral, shell, and any other rock materials within or upon any land, and includes processed materials therefrom, other than minerals defined under any written law relating to mining which is for the time being in force;'

### **3. Amendment of section 5b.**

Section 5b of the Code is amended-

(a) in the shoulder note, by deleting the words "any Form

in"; and

(b) by deleting the words "any of the Forms in".

### **4. New Part One (C).**

The Code is amended by inserting after Part One (B) the following Part:

#### **"PART ONE (C) MODIFICATIONS TO FACILITATE**

#### **THE IMPLEMENTATION OF THE ELECTRONIC**

#### **LAND ADMINISTRATION SYSTEM**

Coming into operation of the Electronic Land Administration System in any land Registry

5d. (1) The Minister may, with the approval of the National Land Council, by notification in the *Gazette* of the Federation, appoint a date for the coming into operation of the Electronic Land Administration System in any land Registry.

(2) For the purpose of this section, "land Registry"

means-

(a) in the case of land held or to be held under Registry title, or under the form of qualified title corresponding to Registry title, the office of the Registrar of Titles;

(b) in the case of land held or to be held under Land Office title, or under the form of qualified title corresponding to Land Office title, the office of the Land Administrator; and

(c) Disaster Recovery Centre in times of disaster as specified by the State Authority.

(3) Upon the coming into force of the Electronic Land Administration System in any land Registry-

(a) the provisions of the Sixteenth Schedule shall apply;

(b) the provisions of this Code shall be read with modifications, amendments, additions, deletions, substitutions or adaptations as provided in the Sixteenth Schedule-

(i) in so far as they relate to the forms of document of title, the procedure for the preparation and registration of any document of title, any dealing in respect of land and any entry or endorsement of any note, memorial or memorandum or any correction or cancellation thereof on any document of title;

(ii) in so far as they relate to the forms of document of temporary occupation licence or permit, the procedure for the preparation and authentication of any document of temporary occupation licence or permit, and entry of any note thereof on any document of aforesaid licence or permit; and

(iii) in so far as they relate to the procedure for the payments of any item of land revenue, or the procedure for searches, or the procedure for the safe keeping of registers or other records, or the procedure for the maintenance of Presentation Book and Correction Note-Book thereof; and

(c) the provisions of the Fourteenth Schedule shall cease to be operative.

(4) The Minister may, with the approval of the National Land Council, by order published in the *Gazette* of the Federation, make any amendment to the Sixteenth Schedule that he may consider necessary, desirable or expedient."

#### **5. Amendment of section 14.**

Paragraph 14(1)(i) of the Code is amended by inserting after the word "officers" the words "or any collecting agent as approved by the State Authority."

#### **6. Amendment of section 62.**

Paragraph 62(2)(c) of the Code is amended by inserting after the words "designate the" the word "public".

#### **7. Amendment of section 80.**

Section 80 of the Code is amended by inserting after subsection (3) the following subsection:

"(3a) Notwithstanding subsection (3), the Registrar may, where it appears just and expedient, prepare, register and issue final title in respect of the land."

#### **8. Amendment of section 81.**

Section 81 of the Code is amended by substituting for

paragraph (1)(d) the following paragraph:

"(d) the fees chargeable in connection with the preparation and registration of-

(i) documents of qualified title and final document of title; or

(ii) final document of title."

#### **9. Amendment of section 92d.**

Subsection 92d(1) of the Code is amended by substituting for the proviso with the following proviso:

"Provided that the State Authority shall not entertain any such application unless rent payable in respect of the land has been paid and it is satisfied with respect to every person or body having a registered interest in the land, or in occupation of any part thereof under any tenancy exempt from registration, either that they have consented thereto or that their consent ought in the circumstances of the case be dispensed with."

#### **10. Amendment of section 124.**

Paragraph 124(4)(c) of the Code is amended by inserting after the words "new condition" the words "or restriction in interest".

#### **11. Amendment of section 136.**

Subsection 136(1) of the Code is amended by inserting after paragraph (c) the following paragraph:

"(ca) that the proprietor has agreed in his application that as a consequence of the subdivision, the land described therein which has been approved by any planning authority or body or authority specified in paragraph (c) to be used for public purpose be surrendered for such purpose in accordance with section 197;"

#### **12. Amendment of section 140.**

Section 140 of the Code is amended-

(a) in the shoulder note, by substituting for the words "or Land Administrator" the words ", Land Administrator or State Authority"; and

(b) by inserting after subsection (2) the following subsection:

"(3) If the alienated land referred to in subsection

(1) is subject to the category of "agriculture" or to any condition requiring its use for an agricultural purpose and is-

(i) two-fifths of a hectare; or

(ii) less than two-fifths of a hectare; the co-proprietors referred to in that subsection may, by agreement between them and with the approval of the State Authority as provided by section 143a, partition the land."

#### **13. Amendment of section 141.**

Section 141 of the Code is amended in paragraph (1)(c) by inserting after the words "*mutatis mutandis*," the words "with the omission of paragraph (ca) and subparagraph (f)(i) of that subsection,".

#### **14. Substitution of section 141a.**

The Code is amended by substituting for section 141a the following section:

**"Application for partition by any co-proprietor** 141a. Notwithstanding the provisions of sections 140 and 141, any co-proprietor where other co-proprietors neither join in nor consent to the making of the application may apply for approval to partition the land."

### **15. Amendment of section 142.**

Section 142 of the Code is amended by inserting after subsection (4) the following subsection:

"(5) When the Land Administrator is satisfied that any application for partition of land is subject to-

(a) the category "agriculture" or to any condition requiring its use for an agricultural purpose; and

(b) the said land is two-fifths of a hectare or less than two-fifths of a hectare,

he shall refer the application to be approved by the State Authority."

### **16. New section 143a.**

The Code is amended by inserting after section 143 the following section:

**"Power of State Authority in relation to application for partition of land subject to the category "agriculture"" 143a.** (1) The State Authority may, upon giving due consideration to the application referred to it pursuant to subsection 142(5) and in the case of an application made under section 141a, on being satisfied that subsections 142(3) and (4) have been complied with, approve the application subject to such conditions and modifications or reject the application if it thinks fit.

(2) Upon approval by the State Authority, the Land Administrator shall notify each of the co-proprietors of such approval subject to any condition or modification subject to which the approval is given.

(3) The Land Administrator shall call upon the co-proprietor who applies to partition the said land to pay to him within a specified time-

(a) in a case where the individual portions are to be surveyed by a Survey Officer, the amount, or estimated amount, of the fees chargeable for the survey of each portion; and

(b) the fees chargeable in connection with the preparation and registration of final documents of title to each portion.

(4) Where the State Authority rejects an application, the Land Administrator shall notify the co-proprietors and shall cancel, or cause to be cancelled, the note endorsed on the register document of title pursuant to subsection 142(2)."

### **17. Amendment of section 147.**

Subsection 147(1) of the Code is amended by inserting after the words "subparagraph (c)(iii)," the words "and paragraph (ca)".

### **18. Amendment of section 204ga.**

Section 204ga of the Code is amended by inserting after subsection (1) the following subsection:

"(1a) Where the proprietor withdraws his application, or the State Authority rejects the application or where the approval of the State Authority is not accepted by the proprietor, the Land Administrator shall cancel or cause to be cancelled the note endorsed on the register document of title pursuant to subsection (1)."

**19. Amendment of section 254.**

Subsection 254(1) of the Code is amended by inserting after the words "in the charge" the words "which shall not be less than one month".

**20. Amendment of section 264a.**

Subsection 264a(1) of the Code is amended by substituting for the words "Form 16p" the words "Form 16o".

**21. Amendment of section 375.**

Section 375 of the Code is amended-

(a) in paragraph (1)(c), by inserting after the words "other records" the words "including digital data and information on any matters virtually stored in the land database of land Registry and the Disaster Recovery Centre"; and

(b) in subsection (2), by inserting after the words "other record" the words "including digital data and information on any matters virtually stored in the land database of land Registry and the Disaster Recovery Centre".

**22. Amendment of section 399.**

Paragraph 399(1)(d) of the Code is amended by inserting after the words "all survey records" the words "including the digital cadastral database".

**23. Amendment of section 412.**

Paragraph 412(1)(a) of the Code is amended in by inserting after the words "other process" the words "or extracted from the digital cadastral database".

**24. Amendment of section 426.**

Section 426 of the Code is amended-

(a) in subsection (1)-

(i) by substituting for the word "ten" the word "fifty";

and

(ii) by substituting for the words "one year" the words

"five years"; and

(b) in subsection (1b)-

(i) by substituting for the word "ten" the word "fifty";

and

(ii) by substituting for the words "one year" the words "five years".

**25. Substitution of section 429a.**

The Code is amended by substituting for section 429a the following section:

**"429a. Institution of prosecution**

No prosecution for or in relation to any offence under this Code shall be instituted except by or with the consent in writing of the Public Prosecutor."

**26. Substitution of section 429b.**

The Code is amended by substituting for section 429b the following section:

**"429b.Compounding of offences**

(1) The State Director or Land Administrator may, with the written consent of the Public Prosecutor, make a written offer to the person reasonably suspected of having committed an offence to compound the offence upon payment to the State Director or Land Administrator such amount not exceeding fifty per centum of the amount of maximum fine for that offence within such time as may be specified in the offer.

(2) An offer under subsection (1) may be made at any time after the offence has been committed but before any prosecution for it has been instituted and where the amount specified in the offer is not paid within the time specified in the offer or within such extended time as the State Director

or Land Administrator may grant, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made.

(3) Where an offence has been compounded under subsection (1)-

(a) no prosecution shall thereafter be instituted in respect of such offence against the person whom the offer to compound was made; and

(b) any book, record, apparatus, equipment, instrument, material, article or any other thing seized in connection with the offence, may be forfeited, destroyed or returned to that person, as the State Director or Land Administrator deems fit after taking into consideration the nature of the offence and subject to such terms and conditions as may be imposed."

## **27. Amendment of First Schedule.**

The First Schedule to the Code is amended-

(a) in Form 5a, by substituting for the words "Preparation and registration of documents of qualified title and final documents of title... RM" the following words:

"Preparation and registration of-

\*(i) documents of qualified title and final document of title ... RM

\*(ii) final document of title ... RM";

(b) in Form 7c-



(i) by substituting for the words "and the imposition"

the words "and the reservation"; and

(ii) by deleting the word "quit";

(c) in F o r m 7f, by substituting for the words "Form 5"

the words "Form 7e"; and

(d) in Form 16h, by inserting at the end of the Form the

following words:

"SCHEDULE OF LAND \* AND INTEREST

[as in Form 13a]

\*Delete as appropriate".

## **28. Amendment of Fourteenth Schedule.**

The Fourteenth Schedule to the Code is amended-

(a) in paragraph 5-

(i) in subparagraph (1), by substituting for the words

"to be attached to" the word "in"; and

(ii) in subparagraph (2), by substituting for the words

"attached to" the word "in";

(b) in paragraph 7-

(i) in subparagraph (1), by substituting for the words

"to be attached to" the word "in"; and

(ii) in subparagraph (2), by substituting for the words

"attached to" the word "in";

(c) in paragraph 8-

(i) in subparagraph (6), by substituting for the words

"to be attached to" the word "in";

(ii) in subparagraph (7), by substituting for the words

"to be attached to" the word "in";

(iii) by substituting for subparagraph (8) with the following subparagraph:

"The title to be issued under subparagraph (7) shall be deemed to be a title in continuation."; and

(iv) by substituting for subparagraph (9)(a) the following subparagraph:

"(a) make two copies of the plan from the existing register document of title, where in the case of final title, from the copy as approved by the Director of Survey and Mapping under paragraph 396(1)(e), in Form B1 or B2, as the case may be, and shall be duly authenticated under his hand and seal;"

(d) in paragraph 10, by substituting for the words "attached to" the word "in";

(e) in Form B1-

(i) by deleting the word "attached"; and

(ii) by substituting for the words "Attach plan here" the words "Plan";

(f) in Form B2-

(i) by deleting the word "attached";

(ii) by substituting for the words "Lot No." the words "L.O. No."; and

(iii) by substituting for the words "Attach \*sketch plan/

plan here" the words "\*Sketch plan/plan";

(g) in Form 5bk, by substituting for the words "attached to" the word "in";

(h) in Form 5ck, by substituting for the words "attached to" the word "in";

(i) in Form 5dk, by substituting for the words "attached to" the word "in";

(j) in Form 5ek, by substituting for the words "attached to" the word "in";

(k) in Form 11ak, by substituting for the words "attached to" wherever they appear the word "in"; and

(l) in Form 11bk, by substituting for the words "attached to" wherever they appear the word "in".

## **29. New Sixteenth Schedule.**

The Code is amended by inserting after the Fifteenth Schedule the following Schedule:

"Sixteenth Schedule

[*Section 5d*]

ELECTRONIC LAND ADMINISTRATION SYSTEM

### **Interpretation**

1. In this Schedule, unless the context otherwise requires-

"computer" means any device for storing or processing information and includes the necessary input and output and database of a computer;

"computer document of licence or permit" means any computer printed document of licence or computer printed document of permit prepared by use of a computer;

"computer document of title" means any computer register document of title or computer issue document of title stored virtually in the land database, and includes print out thereof;

"digital data" means all land related information recorded into land database by electronic technology that generates, stores, preserves and processes data in terms of a computer file containing land titles, images, documents or spatial and textual data, in which the outputs are available in computerized formats upon the coming into force of the Electronic Land Administration System;

"digital signature" means a transformation of a message using an asymmetric cryptosystem such that a person having the initial message and the signer's public key can accurately determine-

(a) whether the transformation was created using the private key that corresponds to the signer's public key; and

(b) whether the message has been altered since the transformation was made;

"disaster", in the context of the Electronic Land Administration System, means any natural or man-made disaster or hardware failure that causes an extended service interruption to the data processing services which cannot be corrected within an acceptable time which necessitates the use of an alternate site or equipment for recovery;

"Electronic Land Administration System" means an integrated electronic processing of applications on land matters, registration of titles, documents required to be prepared thereby and any entry in any document of title through the use of a computer which includes both manual and computerized procedures;

"entry", in relation to any document of title, includes any endorsement,

memorial, note, correction, cancellation or deletion or any other entry thereon by use of a computer;

"existing document of title" means any register document of title or issue document of title issued manually or by use of a computer registered before or after the commencement of the Electronic Land Administration System;

"land database" means a resource of information that contains all kinds of digital data or computer registers of titles or any other land related information, electronically stored in computerized formats upon the coming into force of the Electronic Land Administration System in a land Registry;

"matter" means any instrument presented for registration or any order, notification, application or other document presented for entry into the register.

#### **Mode of making an entry on a document of title under the Electronic Land Administration System**

2. For the purposes of this Act, whenever an entry is required to be made on the computer document of title the Registrar shall-

(a) make the entry; and

(b) prepare a new computer document of title and shall cancel and destroy the previous version of the computer document of title.

#### **Forms for Registry title**

3. For the purpose of section 86, in the case of land to be alienated under Registry title-

(a) the computer register document of title shall consist of a grant in Form 5Be or a State lease in Form 5Ce, according as the land is to be alienated in perpetuity or for a term of years; and

(b) the computer issue document of title shall be in the same form as

Form 5Be or Form 5Ce, as the case may be.

**Forms of documents for Land Office title**

4. For the purpose of section 87, in the case of land to be alienated under Land Office title-

(a) the computer register document of title shall consist of a Mukim grant in Form 5De or a Mukim lease in Form 5Ee, according as the land is to be alienated in perpetuity or for a term of years; and

(b) the computer issue document of title shall be in the same form as Form 5De or Form 5Ee, as the case may be.

**Forms of documents for qualified titles**

5. For the purpose of subsection 177(2), documents of qualified titles shall consist of-

(a) the computer register document of title in Form 11Ae or 11Be, according as the land in question is to be held under the form of qualified title corresponding to Registry title or that corresponding to Land Office title; and

(b) the computer issue document of title in the same form as Form 11Ae or 11Be, as the case may be.

**Plan for computer document of title**

6. (1) The plan of the land to be alienated under final title shall-

(a) in the case of land held under Registry title, be issued by the Registrar in Form B1e separately to the proprietor and he shall duly authenticate it under his digital signature; or

(b) in the case of land held under Land Office title, be issued by the Land Administrator in Form B1e separately to the proprietor and he shall duly authenticate it under his digital signature; and

(c) be virtually stored in the land database by the Registrar or the Land Administrator, as the case may be.

(2) The plan of the land to be alienated under qualified title shall-

(a) in the case of land held under Registry title, be issued by the Registrar in Form B2e separately to the proprietor and he shall duly authenticate it under his digital signature; or

(b) in the case of land held under Land Office title, be issued by the Land Administrator in Form B2e separately to the proprietor and he shall duly authenticate it under his digital signature; and

(c) be virtually stored in the land database.

#### **Conversion to computer register document of title**

7. (1) Upon the coming into force of the Electronic Land Administration System in a land Registry, the Registrar shall convert the existing register documents of title, to the computer documents of title and shall authenticate the same under his digital signature.

(2) An existing register documents of title shall continue to be in force and valid for all purposes of the Code until a computer documents of title is prepared and duly authenticated by the Registrar.

(3) After the conversion of an existing register document of title to the computer document of title, the existing issue documents of title in respect thereof shall continue to be in force and valid for all purposes of this Code until the relevant computer issue document of title is prepared and issued to the proprietor.

(4) The computer documents of title to be prepared in respect of an existing printed document of title prepared under this Code shall be in Forms 5Be, 5Ce, 5De, 5Ee, 11Ae or 11Be of this Schedule, as the case may be.

(5) In respect of an existing printed document of title registered under the previous land law, the computer document of title shall be deemed to be a process for the preparation of titles in continuation.

(6) Upon the conversion of an existing document of title to a computer document of title under the preceding subparagraphs, the Registrar shall-

(a) enter the plan into Form B1e or B2e as the case may be, and duly authenticate it under his digital signature;

(b) make a note of cancellation on the existing register document of title to the effect that the title in question has been converted to the computer document of title; and

(c) destroy the existing document of title when submitted to him.

#### **Mode of preparing documents of title**

8. (1) Every document of title to be prepared upon alienation of land or title in continuation or replacement of a computer issue document of title, under the Electronic Land Administration System, shall be prepared by the use of a computer.

(2) A computer document of title prepared shall be viewed via a computer for verification purposes.

(3) Upon request by the Registrar or as required for any purpose of the Code or any other written law, a copy of the computer register document of title or computer issue document of title shall be printed out in the respective form.

#### **Delivery to proprietor of a copy of the plan**

9. Where a document of title is prepared upon alienation of land or title in continuation or replacement of a computer printed register document of title, the Land Administrator shall deliver to the proprietor the computer issue



document of title together with a copy of the plan of the land in Form B1e or Form B2e, and shall be duly authenticated under his digital signature.

#### **Conclusiveness of every computer register document of title**

10. For the purposes of section 89 and subsection 178(3), every computer register document of title virtually stored in the land database is conclusive evidence of the particulars recorded therein.

#### **Computer document of title to be kept in database**

11. For the purposes of sections 158, 159 and 177, every computer document of title registered under this Code whether upon alienation of land or title in continuation or replacement of a computer printed register document of title, shall be stored in the land database.

#### **Presentation Record and Correction Note-Book**

12. (1) The Registrar shall maintain records, to be called the "Presentation Record" and "Correction Note-Book", in which there shall be entered a short description of every matter presented or corrected for registration or entry, as the case may be.

(2) The Presentation Record and Correction Note-Book shall consist of-

(a) the presentation number given by the computer in respect of each matter presented;

(b) the date and time of presentation;

(c) a description of the matter;

(d) in the case of dealing, the name of the person presenting the matter;

(e) the title description of the land affected by the presentation; and

(f) a note whether the matter has been registered, endorsed or entered,

as the case may be, or rejected or withdrawn.

#### **Contents of computer document of title to be verified**

13. (1) After the Registrar has determined that an instrument is fit for registration in accordance with the provisions of Chapter 3 of Part Eighteen or that any other matter shall be entered into the computer document of title, he shall verify the contents of the verification document and if he finds the verification document to be in order, he shall authenticate the document under his digital signature.

(2) After the Registrar has registered any instrument of dealing or enter any other matter into a computer document of title, the verification document shall be virtually stored in the land database upon his authentication.

#### **Mode of registering instrument**

14. For the purpose of paragraph 304(2)(a), the memorial in the terms set out in subsection 304(3) thereof shall be entered into the computer in respect of the register document of title to which the land relates.

#### **New printed issue document of title**

15. Upon making the memorial in the manner provided in paragraph 14 where it relates to a dealing or upon determining that any other matter shall be entered into any document of title, the Registrar shall-

(a) cause to be updated the register document of title kept in the land database; and

(b) cause to be printed a new computer issue document of title.

#### **Conclusiveness of registration of title**

16. (1) Every register document of title prepared pursuant to paragraph 15 and authenticated under the digital signature of the Registrar shall be conclusive evidence of the registration to which it refers and the effective time and date

thereof.

(2) Notwithstanding the requirement of authentication under subparagraph

(1), the requirement of seal under Registrar's authentication shall be dispensed with.

### **Disaster Recovery Centre**

17. The Disaster Recovery Centre shall act as a land database of Registry in times of disaster for such a period, as may be specified by the State Authority, when the Registry fails to continue its normal business operation.

### **Forms for a computer document of licence or permit**

18. (1) For the purposes of section 67 and section 69, a temporary occupation licence or a combination of a temporary occupation licence and permit for removal of rock material, the computer document of licence shall be prepared in Form 4Ae or Form 4Be respectively.

(2) For the purposes of sections 72 and 75c, in the case of land to be issued a permit for removal of rock material or a permit for the use of air space above State land or reserved land, the computer document of permit shall be prepared in Form 4Ce or Form 4De respectively.

### **Plan for a computer document of licence or permit**

19. (1) For the purpose of paragraph 17, the plan of the affected land shall be issued separately to the licensee or permit holder in Form L1e or Form L2e or Form P1e or Form P2e, as the case may be.

(2) The Land Administrator shall cause to be stored in the land database, a copy of the plan of the land to which it relates as approved by the Director or by the State Authority, as the case may be.

(3) A copy of the plan in Form L1e or Form L2e or Form P1e or Form P2e shall be duly authenticated under the digital signature of the Land

Administrator.

(4) The Land Administrator shall deliver the printed computer document of licence or permit to the respective licensee or permit holder together with the respective copy of the plan as described in subparagraph (1).

#### **Renewal of a temporary occupation licence**

20. For the purpose of section 67, where it relates to a note of renewal to be entered into a computer document of licence, the Land Administrator shall-

(a) authenticate the computer document of licence virtually stored in the land database; and

(b) cause to be updated the existing printed computer document of licence submitted to him.

#### **Conclusiveness of licence or permit**

21. Every computer document of licence or permit prepared pursuant to paragraphs 18 and 19 and authenticated under the digital signature of the Land Administrator shall be conclusive evidence of its issuance.

#### **Electronic searches**

22. (1) Upon the coming into force of the Electronic Land Administration System, any electronic searches shall be applicable to private titles searches pursuant to section 384.

(2) Subject to the payment of the prescribed fee, any person may inspect and take notes of or extract any information from any computer document of title which is accessible through the Electronic Land Administration System maintained by the Registrar.

(3) Any Registry or Land Office shall be accessible to public for private search services at any time during normal office hours.

(4) Notwithstanding paragraph (3), private searches may be conducted at places other than the Registry or Land Office, at such times as may be fixed by the State Director, with the approval of the State Authority and the State Director may fix different operating hours for different purposes.

(5) An electronic search shall be applicable to any information stored, subject to the direction of the State Authority as may be so prescribed.

*Bar Code*.....

National Land Code

**Form B1e**

(Sixteenth Schedule)

PLAN OF THE LAND

(Final Title)

I certify that the plan below is a true copy of the certified plan of the land.

The particulars of the title are as follows:

Title type and No:.....

State:.....

District:.....

\*Town/Village/Mukim:.....

Sheet No:.....

Certified Plan No:.....

Lot No: ..... Area of Lot: .....

Plan

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

[*Digital Signature*]

\* Enter as appropriate

*Bar Code*.....

National Land Code

**Form B2e**

(Sixteenth Schedule)

PLAN OF THE LAND

(Qualified Title)

I certify that the plan below is a true copy of the plan of the land. The particulars of the title are as follows:

\*Q.T.(R)/Q.T.(M): .....

State: .....

\*Town/Village/Mukim:.....

Sheet No.:.....

L.O. No.:.....

Provisional Area:.....

2. In the plan below, the boundaries shown in red not having been established by survey, are provisional only.

Plan

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

[*Digital Signature*]

\* Enter as appropriate

\**CRDT/CIDT*

Bar Code.....

National Land Code

**Form 5Be**

(Sixteenth Schedule)

GRANT

Version No:.....

Title No. Annual Rent: RM

State :

District :

\*Town/Village/Mukim :

L.O. No. :

Area of Lot :

Category of Land Use :

Standard Sheet No. :

Certified Plan No. :

File No. :

\*Within Malay Reservation/Aboriginal Area/Aboriginal Reserve/Group Settlement

Area, etc, .....

Gazette Notification No. .... dated .....

The land described above is held in perpetuity by the proprietor for the time being named in the record of proprietorship below, subject to the provisions of the National Land Code, to the category specified above and to the express conditions and restrictions in interest specified below, in consideration of the due payment of the annual rent.

By command of the State Authority

registered this ..... day of ....., 20.....

[*Digital Signature*]

The plan of the land, for the purposes of identification, is in Form B1e.

\*\* EXPRESS CONDITIONS

\*\* RESTRICTIONS IN INTEREST

\*\* (To be completed when the title is issued in continuation)

Date of first alienation:.....

No. of original title (final or qualified):.....

No. of immediately preceding title (if different from above):.....

RECORD OF PROPRIETORSHIP

\*\* RECORD OF DEALINGS

\*\* OTHER MATTERS AFFECTING TITLE

[*Digital Signature*]

\* Enter as appropriate

\*\* Enter when appropriate

Title ID

Date

Version No.

Page

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\**CRDT/CIDT*

Bar Code.....

National Land Code

**Form 5Ce**

(Sixteenth Schedule)

STATE LEASE

Version No.:.....

Title No. Annual Rent: RM

Term of ..... years expiring on .....

State :



District :

\*Town/Village/Mukim :

L.O. No. :

Area of Lot :

Category of Land Use :

Standard Sheet No. :

Certified Plan No. :

File No. :

\*Within Malay Reservation/Aboriginal Area/Aboriginal Reserve/

Group Settlement Area, *etc*, .....

.....*Gazette* Notification No. ....

dated .....

The land described above is held for the above term of years by the proprietor for the time being named in the record of proprietorship below, subject to the provisions of the National Land Code, to the category specified above and to the express conditions and restrictions in interest specified below, in consideration of the due payment of the annual rent.

By command of the State Authority

registered this ..... day of ....., 20.....

[*Digital Signature*]

The plan of the land, for the purposes of identification, is in Form B1e.

**\*\* EXPRESS CONDITIONS**

**\*\* RESTRICTIONS IN INTEREST**

**\*\* (To be completed when the title is issued in continuation)**

Date of first alienation:.....

No. of original title (final or qualified):.....

No. of immediately preceding title (if different from above):.....

RECORD OF PROPRIETORSHIP

\*\* RECORD OF DEALINGS

\*\* OTHER MATTERS AFFECTING TITLE

[*Digital Signature*]

\* Enter as appropriate

\*\* Enter when appropriate

Title ID

Date

Version No.

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*\*CRDT/CIDT*

Bar Code.....

National Land Code

**Form 5De**

(Sixteenth Schedule)

MUKIM GRANT

Version No:.....

Title No. Annual Rent: RM

State :

District :

Locality/Mukim :

L.O. No. :

Area of Lot :

Category of Land Use :

Standard Sheet No. :

Certified Plan No. :

File No. :

\*Within Malay Reservation/Aboriginal Area/Aboriginal Reserve/

Group Settlement Area, *etc* .....

*Gazette* Notification No. .... dated .....

The land described above is held in perpetuity by the proprietor for the time being named in the record of proprietorship below, subject to the provisions of the National Land Code, to the category specified above and to the express conditions and restrictions in interest specified below, in consideration of the due payment of the annual rent.

By command of the State Authority

registered this ..... day of ....., 20.....

[*Digital Signature*]

The plan of the land, for the purposes of identification, is in Form B1e.

**\*\* EXPRESS CONDITIONS**

**\*\* RESTRICTIONS IN INTEREST**

**\*\* (To be completed when the title is issued in continuation)**

Date of first alienation:.....

No. of original title (final or qualified):.....

No. of immediately preceding title (if different from above): .....

**RECORD OF PROPRIETORSHIP**

**\*\* RECORD OF DEALINGS**

**\*\* OTHER MATTERS AFFECTING TITLE**

[*Digital Signature*]

\* Enter as appropriate

\*\* Enter when appropriate

Title ID

Date

Version No.

Page

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*\*CRDT/CIDT*

Bar Code.....

National Land Code

**Form 5Ee**

(Sixteenth Schedule)

MUKIM LEASE

Version No:.....

Title No. Annual Rent: RM

Term of ..... years expiring on .....

State :

District :

\*Mukim :

Locality

L.O. No. :

Area of Lot :

Category of Land Use :

Standard Sheet No. :

Certified Plan No. :

File No.

\*Within Malay Reservation/Aboriginal Area/Aboriginal Reserve/

Group Settlement Area, etc .....

Gazette Notification No. .... dated .....

The land described above is held for the above term of years by the proprietor for the time being named in the record of proprietorship below, subject to the provisions of the National Land Code, to the category specified above and to the express conditions and restrictions in interest specified below, in consideration of the due payment of annual rent.

By command of the State Authority

registered this ..... day of ....., .....

[*Digital Signature*]

The plan of the land, for the purposes of identification, is in Form B1e.

\*\* EXPRESS CONDITIONS

\*\* RESTRICTIONS IN INTEREST

\*\* (To be completed when the title is issued in continuation)

Date of first alienation:.....

No. of original title (final or qualified):.....

No. of immediately preceding title (if different from above):.....

RECORD OF PROPRIETORSHIP

\*\* RECORD OF DEALINGS

\*\* OTHER MATTERS AFFECTING TITLE

[*Digital Signature*]

\* Enter as appropriate

\*\* Enter when appropriate

Title ID

Date

Version No.

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\**CRDT/CIDT*

Bar Code.....

National Land Code

**Form 11Ae**

(Sixteenth Schedule)

(Qualified Title Corresponding to Registry Title)

Version No:.....

Q.T. (R) No. Annual Rent: RM

State :

District :

\*Town/Village/Mukim :

L.O. No. :

Provisional Area :

Category of Land Use :

Standard Sheet No. :

Requisition for Survey No. :

File No. :

\*Within Malay Reservation/Aboriginal Area/Aboriginal Reserve/Group

Settlement Area, *etc*, ..... *Gazette* Notification No:.....

dated .....

\*Grant in perpetuity/ Lease for a term of ..... expiring on

.....

Registered this ..... day of ....., .....

[*Digital Signature*]

Issue document of title issued this ..... day of ..... 20.....

[*Digital Signature*]

The plan of the land, for the purpose of identification, is in Form B2e.

#### SPECIAL CONDITIONS OF QUALIFIED TITLE

1. This title is subject to the provisions of the National Land Code and to the following express conditions and restrictions:

\*\* EXPRESS CONDITIONS

\*\* RESTRICTIONS IN INTEREST

2. In the plan of the land in Form B2e, the boundaries shown in red, not having been established by survey, are provisional only.

\* (To be completed when the title is issued in continuation)

Date of first alienation:.....

No. of original title (final or qualified):.....

No. of immediately preceding title (if different from above): .....

#### RECORD OF PROPRIETORSHIP

\*\* RECORD OF DEALINGS

\*\* OTHER MATTERS AFFECTING TITLE

[*Digital Signature*]

\* Enter as appropriate

\*\* Enter when appropriate

Title ID

Date

Version No.

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\**CRDT/CIDT*

Bar Code.....

National Land Code

**Form 11Be**

(Sixteenth Schedule)

(Qualified Title Corresponding to Land Office Title)

Q.T. (M) No. Annual Rent: RM

State : .....

District : .....

Mukim : .....

Locality :.....

L.O. No. : .....

Provisional Area : .....

Category of Land Use : .....

Standard Sheet No. : .....



Requisition for Survey No. : .....

File No. : .....

\*Within Malay Reservation/Aboriginal Area/Aboriginal Reserve/

Group Settlement Area, *etc*, .....

Gazette Notification No. ....dated .....

\*Grant in perpetuity/ Lease for a term of ..... expiring on .....

Registered this ..... day of ....., 20.....

[*Digital Signature*]

Issue document of title issued this ..... day of ....., 20.....

[*Digital Signature*]

The plan of the land, for the purpose of identification, is in Form B2e.

#### SPECIAL CONDITIONS OF QUALIFIED TITLE

1. This title is subject to the provisions of the National Land Code and to the following express conditions and restrictions:

\*\* EXPRESS CONDITIONS

\*\* RESTRICTIONS IN INTEREST

2. In the plan of the land in Form B2e, the boundaries shown in red, not having been established by survey, are provisional only.

\*\* (To be completed when the title is issued in continuation)

Date of first alienation: .....

No. of original title (final or qualified):.....

No. of immediately preceding title (if different from above):.....:

#### RECORD OF PROPRIETORSHIP

\*\* RECORD OF DEALINGS

\*\* OTHER MATTERS AFFECTING TITLE

[*Digital Signature*]

\* Enter as appropriate

\*\* Enter when appropriate

Title ID

Date

Version No.

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*Bar Code*.....

National Land Code

**Form 4Ae**

(Sixteenth Schedule)

TEMPORARY OCCUPATION LICENCE

(General Form)

T.O.L No. A

District

Purpose of Occupation\* CULTIVATION

PRIVATE RESIDENCE

PUBLIC PERFORMANCE, ETC...

Fee RM

Paid vide Receipt No. ....for period expiring on 31

December.....

File Reference No.....

Name of Licensee:.....

Address:.....

N.R.I.C. No:.....

is hereby licensed to occupy the land described below, for the purpose, and the fee, specified above.

Occupation will be subject to the provisions scheduled below and to any other provisions prescribed by Rule.

Issued this .....day of ....., .....

[*Digital Signature*]

DESCRIPTION OF LAND

\*Town / Village / Mukim : .....

\*State Land / Reserve / Mining Land

(Lease or M.C. No.):

.....

Locality (\*Lot / L.O. No. if any) .....

Area of Land to be occupied .....

(The plan of the land, for the purpose of identification, is issued separately in Form L1e)

Licence ID

Date

Version No.

Page

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RECORD OF RENEWALS

**FIRST RENEWAL:**

Fee RM

Paid vide Receipt No. ....for period expiring on 31

December.....

**SECOND RENEWAL:**

Fee RM

Paid vide Receipt No. ....for period expiring on 31

December.....

**THIRD RENEWAL:**

Fee RM

Paid vide Receipt No. ....for period expiring on 31

December.....

**SCHEDULE**

(1) This licence shall commence on ..... and expire on \*31 December/  
.....

(2) This licence \*is not capable / is capable under Rule ..... of  
assignment.

(3) This licence shall terminate in the event of the death of the person, or  
dissolution of the body, for the time being entitled to its benefit.

(4) The land under licence may not be used-

(a) for any purpose other than that stated above;

(b) for the planting of permanent crops;

(c) for the erection of any permanent building or other permanent  
structure.

(5) This licence may be cancelled-

(a) immediately, and without payment of compensation, upon the breach

of any provision to which it is subject;

(b) upon payment of compensation (to be agreed or determined in accordance with the provisions of section 434 of the National Land Code) at any time before the date of expiry.

.....  
.....

(Insert any additional provisions)

\* Enter as appropriate

Licence ID

Date

Version No.

Page

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*National Land Code*

**Form 4Be**

(Sixteenth Schedule)

TEMPORARY OCCUPATION LICENCE

(Special Form)

T.O.L No. B

District

Purpose of Occupation EXTRACTION, PROCESSING AND

REMOVAL OF ROCK MATERIAL,

VIZ, .....

Occupation Fee RM

File Reference No.....

Name of Licensee:.....

Address :.....

N.R.I.C. No:.....

is hereby licensed to occupy the land described below, for the purpose, and the fee, specified above.

Occupation will be subject to the provisions scheduled below and to any other provisions prescribed by Rule.

Issued this .....day of ....., .....

[*Digital Signature*]

#### DESCRIPTION OF LAND

\*Town / Village / Mukim : .....

\*State Land / Reserve / Mining

Land (Lease or M.C. No.):

.....

Locality (\*Lot / L.O. No. if any) .....

Area of Land to be occupied .....

(The plan of the land, for the purpose of identification, is issued separately in Form L2e)

#### SCHEDULE

(1) This licence is for a term of ..... expiring.....

(2) The maximum quantity of rock material which may be extracted shall be-

(i) ..... per annum; or

(ii) .....in all, over the whole period.

(3) In addition to the occupation fee (if any) stated above a fee shall be payable at the rate of RM .....per .....(unit quantity of the rock material).

(4) This licence \*is not capable/is capable under Rule ..... of assignment.

(5) This licence shall terminate in the event of the death of the person, or dissolution of the body, for the time being entitled to its benefit.

(6) The land may not be used for any other purpose other than the extraction, processing or removal of the type of rock material specified above.

(7) The licensee may erect and use on the land such kilns, workshops, storerooms as are specified below-

.....  
.....  
.....

(8) This licence may be cancelled-

(a) immediately, and without payment of compensation, upon the breach of any provision to which it is subject;

(b) upon payment of compensation (to be agreed or determined in accordance with the provisions of section 434 of the National Land Code) at any time before the date of expiry.

.....  
.....

(Here insert any additional provisions).

\* Enter as appropriate

*National Land Code*

**Form 4Ce**

(Sixteenth Schedule)

PERMIT TO REMOVE ROCK MATERIAL

Permit No. C

District

Fee RM

Receipt No.

File Reference No.....

Name of Permit holder:.....

Address:.....

N.R.I.C. No.:.....

is hereby permitted to enter on, and extract and remove rock material from,  
the land described below, subject the provisions as scheduled and to any other  
provisions prescribed by Rule.

Issued this .....day of ..... 20.....

[*Digital Signature*]

DESCRIPTION OF LAND

\*Town / Village / Mukim : .....

\*State Land / Reserve / Mining Land

(Lease or M.C. No.) / Alienated Land

(Title No):

.....

Locality (\*Lot / L.O. No. if any) .....

Area of Land to be occupied .....

(The plan of the land, for the purpose of identification, is issued separately  
in Form P1e)

SCHEDULE



(1) This permit shall commence on ..... and expire on  
\*31 December/.....

(2) No rock material may be extracted or removed other than  
.....

(3) The maximum quantity of such material which may be extracted shall be  
.....

(4) A fee shall be payable at the rate of RM .....  
per ..... ( u n i t q u a n t i t y o f t h e r o c k m a t e r i a l ) .

(5) This permit \*is not capable/is capable under Rule ..... of  
assignment.

(6) This permit shall terminate in the event of the death of the person, or  
dissolution of the body, for the time being entitled to its benefit.

(7) The land may not be used for any other purpose other than the extraction  
and removal of rock material specified above.

(8) This permit may be cancelled-

(a) immediately, and without payment of compensation, upon the breach  
of any provision to which it is subject;

(b) upon payment of compensation (to be agreed or determined in  
accordance with the provisions of section 434 of the National Land  
Code) at any time before the date of expiry.

.....  
.....

(Here insert any additional provisions).

\* Enter as appropriate

*National Land Code*

**Form 4De**

(Sixteenth Schedule)

PERMIT FOR THE USE OF AIR SPACE ABOVE

\*STATE LAND/RESERVED LAND

Permit No. D

District

Fee RM

Receipt No.

File Reference No.....

Name of Permit holder :.....

Address:.....

N.R.I.C. No:.....

is hereby permitted to use the air space above the land described below for the purpose of erecting, maintaining and occupying such \*structures/as may be approved by the State Authority, subject to the conditions specified below and to provisions prescribed by Rules.

Issued this .....day of ..... 20.....

[*Digital Signature*]

DESCRIPTION OF LAND

\*Town / Village / Mukim : .....

\*State Land / Reserve Land: .....

Locality .....

Area of Land .....

(The \*Sketch Plan/ plan of the land, for the purpose of identification, is issued separately in Form P2e)

SCHEDULE

(1) This permit shall commence on .....and expire on

.....  
(2) The air space over the \*State land/ reserved land shall not be used for any purpose other than for the erection, maintenance and occupation of the \*structure/s described below for which the permit is issued

\*Type of structure .....

Location .....

Area of air space affected (volume) .....

(attach a certified true copy of the approved building plan)

(3) This permit may be cancelled under section 75g.

(4) This permit shall not be capable of assignment, except with the prior consent of the State Authority.

.....  
.....  
(Here insert any additional provisions).

\* Enter as appropriate

*National Land Code*

**Form L1e**

(Sixteenth Schedule)

PLAN OF TEMPORARY OCCUPATION LICENCE

I certify that the plan shown below is a true copy of the plan of the affected land for a temporary occupation licence. The particulars of this licence are as follows:

Licence No: .....

State:.....

\*Town / Village / Mukim : .....

\*State Land / Reserve / Mining Land

(Lease or M.C. No.):

.....

Locality (\*Lot / L.O. No. if any) .....

Area of Land to be occupied .....

Plan

\* Enter as appropriate

Issued this ..... day of ....., .....

[*Digital Signature*]

*National Land Code*

**Form L2e**

(Sixteenth Schedule)

PLAN OF A COMBINED TEMPORARY OCCUPATION LICENCE

AND PERMIT FOR REMOVAL OF ROCK MATERIAL

I certify that the plan shown below is a true copy of the plan of the affected land for a temporary occupation licence. The particulars of this licence are as follows:

Licence No: .....

State:.....

\*Town / Village / Mukim : .....

\*State Land / Reserve / Mining Land

(Lease or M.C. No.):

.....

Locality (\*Lot / L.O. No. if any) .....

Area of Land to be occupied .....

Plan

\* Enter as appropriate

Issued this ..... day of ....., .....

[*Digital Signature*]

*National Land Code*

**Form P1e**

(Sixteenth Schedule)

PLAN OF PERMIT TO REMOVE ROCK MATERIAL

I certify that the plan shown below is a true copy of the plan of the affected land for a permit to remove rock material. The particulars of this permit are as follows:

Permit No: .....

State:.....

\*Town / Village / Mukim : .....

\*State Land / Reserve / Mining Land

(Lease or M.C. No.):

.....

Locality (\*Lot / L.O. No. if any): .....

Area of Land to be occupied: .....

Plan

\* Enter as appropriate

Issued this ..... day of ....., .....

[*Digital Signature*]

*National Land Code*

**Form P2e**

(Sixteenth Schedule)

PLAN OF PERMIT FOR THE USE OF AIR SPACE ABOVE

\*STATE LAND/RESERVED LAND

I certify that the plan shown below is a true copy of the plan of a permit for the use of air space above \*State land / Reserved land. The particulars of this permit are as follows:

Permit No: .....

State:.....

\*Town / Village / Mukim : .....

\*State Land / Reserve Land .....

Locality (\*Lot / L.O. No. if any) .....

Area of Land to be occupied .....

Area of Air space to be occupied .....

Purpose of use .....

Plan

\* Enter as appropriate

Issued this ..... day of ....., .....

[*Digital Signature*]". "