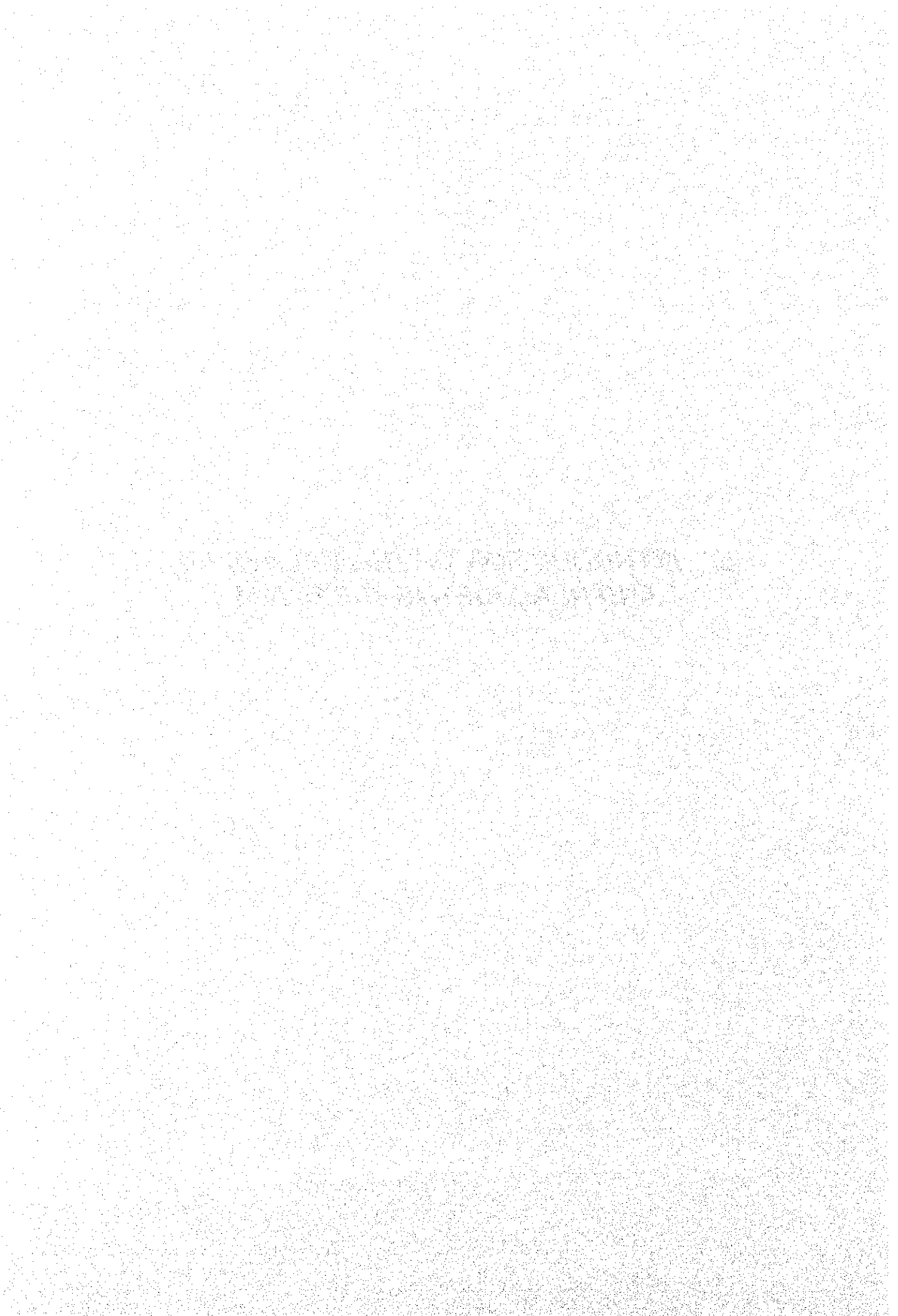


5. INTRODUCTION OF THE MALAYSIAN LAND READJUSTMENT SYSTEM



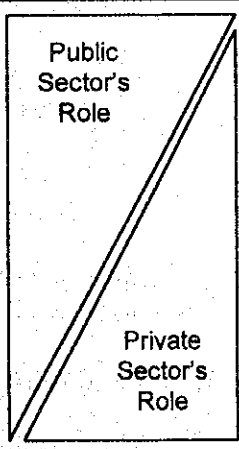
CHAPTER 5 INTRODUCTION OF THE MALAYSIAN LAND READJUSTMENT SYSTEM

5.1 Overall LR Policy Direction

While the implementation of land readjustment in Malaysia is found to be highly feasible, an adequate set of program and measures needs to be prepared to actually introduce and disseminate the LR system. For a universal extension of the system in the country, a formal legal and administrative framework is inevitable which, however, is not expected to be available in a short time. As usually experienced in other advanced LR countries, the most realistic approach is to start with a pilot project and accumulate the experiences based on the use of existing legal and administrative systems and available resources to a maximum extent.

As found out and discussed in this study, the LR project can be legally implemented based on the application of Land Acquisition Act. (refer to Section 3.2.2 of this report), on condition that the project area is covered by a local plan, landowners consent, and the Government takes the lead. As to administrative and technical aspects, the existing organizations, administrative systems and technical capabilities and resources can meet the requirements of LR project implementation, though the strengthening of organizations, training of personnel, and allocation of seed capital are necessary. The basic directions in introducing LR is summarized in Table 5.1.

Table 5.1
Introduction of LR in Malaysia

	Task/Actions	Public / Private Role - Share
Initial Stage	<ul style="list-style-type: none"> • Ad hoc implementation of pilot projects • Training of LR personnel and accumulation of indigenous LR technologies • Formulation of Malaysian LR law • Strengthening of LR administration • Publicity of LR system and experiences 	
Mid-Term/ Long-Term Stage	<ul style="list-style-type: none"> • Establishment of nation-wide LR framework • Formulation of LR system with landowners/private sector initiatives • Establishment of LR technology centre • Others 	

Malaysia's urban development/improvement in the future is clearly indicated from the the current government policy and action, that is, the entire urban areas will be covered by statutory plans consisting of the structure plan, local plan and action area plan. Under such circumstances, since the proposed LR system is considered as an effective means of materializing these statutory plans, the LR system in Malaysia should be well integrated

with the statutory planning institution. In order to establish a formal LR framework which can be applied throughout the country, the following subsystems used should to be further developed:

- (a) Enactment of a new LR law;
- (b) Establishment of a permanent LR organization at Federal, State and Local Authority levels;
- (c) Establishment of a formal training institution for LR project management and technique;
- (d) Establishment of concrete administrative procedures to encourage private sector's involvement and landowners' initiatives;
- (e) Systematic publicity and promotions of LR concept and procedures among potential participants and general public; and
- (f) Provision of financial subsidiary and technical support for the local authorities who wish to implement LR projects.

5.2 Introduction Plan of Malaysian LR System

1) Dissemination and Practice of Malaysian LR System

It is planned that during the 7th Malaysia Period (1996 - 2000), the entire Peninsular Malaysia will be covered by structure plans and that local plan preparation be also promoted. As LR is found to be an effective method of materializing the statutory plans, it is important that the LR system be introduced to all local authorities (a total of 144 in Malaysia and 97 in Peninsular Malaysia) in advance of the plan formulation. Transfer of LR technology should be systematically done by JPBD by way of :

- a) Conducting seminars and workshops periodically using manuals, texts, visual aids, etc.; and
- b) Encouraging local authorities to identify LR projects and conduct feasibility studies, for which technical guidance and financial support are provided.

Other potential LR agencies and organizations such as UDA, JKR, MHLG, SEDC, and private developers are also to be adequately informed of the LR system.

2) Establishment of Implementing Organization

The administrative framework needs to be formally established at Federal, State and Local Authority levels. At the federal level, MHLG is considered as the most appropriate to administer LR institution, where JPBD is to function as the central agency on LR technical aspects. Policy decisions on land matters with regard to LR are to be made by the State Government, while local authorities function as approving as well as main implementing agencies of LR projects. Training of LR personnel/experts is inevitable. This should be undertaken not only in the proposed pilot projects but also by establishing a new training system to ensure their availability both in quantity and quality. In Malaysia, local authorities are considered the most

appropriate LR implementing agencies. In order, therefore, to promote LR projects further, adequate support of the Federal Government is necessary, including technical support, training of personnel as well as various financial assistance.

5.3 Further Considerations to be Incorporated into the Malaysian LR System

LR is an undertaking with a highly local flavor, as explicitly seen in the cases of other countries. On the basis of the case studies carried out in this study, it is felt that there are a number of aspects which need to be further investigated and possibly incorporated into the Malaysian LR system to facilitate a better participation of landowners and effective achievement of the project objectives. Initial discussions were held on the following matters:

- (a) Incorporation of building elements into the LR scheme: Since lands and buildings are normally physically integrated in accordance with planning standards in Malaysia, the Malaysian LR system will work more effectively by constructing buildings in the project area especially for the area designated for terrace house, semi-detached house, service industry, shop house, etc.
- (b) Active involvement of private sector: In Malaysia, private developers have abundant experiences in land and infrastructure development, marketing, project financing and management. Since LR projects should cover all these processes, adequate institutional/administrative arrangements should be made to encourage active participation and involvement of the private sector.
- (c) Provision of appropriate financing institutions: Although the LR project involves a self-financing mechanism, it requires considerable costs at the preparatory and implementation stages before financial lands are sold in the market. Building of houses soon "after" the LR project, or upgrading the buildings or activities in the project, is also to be encouraged for the effective formation of communities. Adequate financing institutions for both the implementing body and landowners, including tenants, are necessary.
- (d) Relief measures for the low-income group: It is likely that potential LR project areas are inhabited by low-income groups of people who do not own lands nor proper houses. Since an LR principle is to take into account the existing rights in the project area, adequate formal and informal measures are to be prepared depending upon the situations and nature of inhabitation. Some of the measures are:
 - provision of financial assistance, i.e., low interest long-term loan;
 - charging additional contribution from the Government; and
 - in-advance acquisition of lands by the implementing body to generate additional revenue to subsidize the target group.
- (e) Consideration for area with multiple land ownerships: Multiple ownership of land is a common feature of landholdings resulting from traditional inheritance practices. Where land is under multiple ownership, there will be obvious problems of obtaining consensus. Provision should be made to enable an LR project to be implemented where the majority of co-owners agree to the project. This is similar to existing provisions in the NLC pertaining to the partition of land.

- (f) Consideration of non-registered rights and parties: e.g. squatters/illegal factories, etc. Non-registered rights on land include beneficial interests, caveats, tenancies exempt of registration, etc. While the IB will try to facilitate the resolution of these rights between the landowners and third parties, it is felt that the IB should be responsible for third party rights. It is also felt that the government should assist the IB on matters of policy relating to squatters and illegal factories. This may be done in a number of ways, including the provisions of financial assistance to the IB to provide low cost housing or by legitimizing the status of illegal factories that conform to the LR plan.
- (g) Malay Reserve Area: Land readjustment as a land development technique can be applied in the Malay Reserve Area. However, in view of the possible effects on the Malay Reserve Enactments (MRE), there is a need for further study on the application of LR in Malay Reserve Areas.

5.4 Conclusion and Recommendations

In Malaysia, the institutional framework for land management is well structured and large-scale lands with few landowners for development have been abundantly available in adjoining areas of cities. Current urban development and expansion have been mainly undertaken for these areas under development control. Extensive greenery has been stripped from the lands, from which adverse environmental impact is feared. Moreover, the current development practice tends to exclude the existing urban areas and semi-urbanized areas where environmental degradation has been experienced without adequate development undertakings.

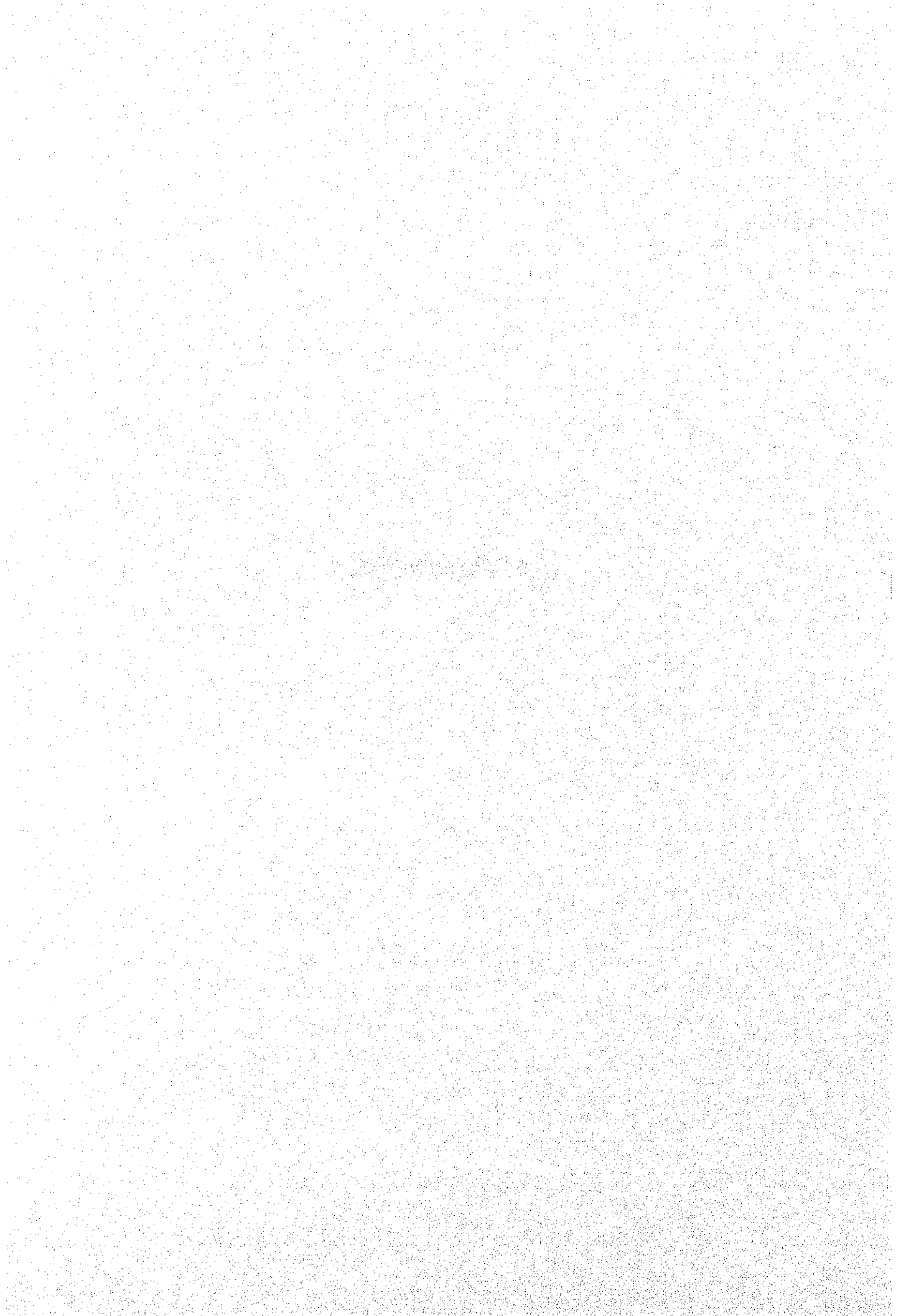
Not only from this environmental viewpoint, but also from an economic viewpoint to promote more effective urban areas generates the need for policy to be directed to introduce more "redevelopment" types of urban development. LR is an effective method to comply with these changes. It is deemed capable of addressing such development issues in Malaysia as materialization of structure/local plans, promotion of comprehensive living environment, improvement in existing urban areas, development of large-scale infrastructure in once-developed areas, response to growing demands of public participation, tackling increasing difficulties in land acquisition, and mitigating constraints of public financing.

In this study, a Malaysian LR System has been formulated and its feasibility has been verified from legal, administrative, social, technical and environmental viewpoints. It is found that there are potential project areas as well as reasons to apply LR schemes sufficiently.

However, in order to confirm the effects and institutionalize the LR system, the most practical and effective way is to implement a pilot project within the existing legal and administrative framework. With this, not only will LR be proven successful as a development undertaking but will also show that it is important to promote understanding among concerned agencies, to provide a wider range of social and political consensus, to formulate a new LR law, and to strengthen LR administration through the conduct of a pilot project.

For this, it is strongly felt that adequate financial as well as policy support of the Federal Government is inevitable.

APPENDICES



Appendix 1.1

Summary of Workshops Conducted

1. First Workshop

Date : 26 January 1994

Venue : Ministry of Housing and Local Government

Session (I) : Issues and Problems on Land Readjustment

- 1) Findings from Pre-Feasibility Studies
by Mdm. Yip Siew Kuan/Mr. Abbas Wahab (JPBD)
- 2) Relevant Land Readjustment Systems
by Mr. Kiyotaka HAYASHI (JICA Study Team)
- 3) Discussion

Session (II) : Project (Feasibility Study)

- 1) Current Appraisal of the Feasibility Study
by Mr. Shizuo IWATA (Project Leader of JICA Study Team)
- 2) Findings of Socio-Economic Survey
by Mr. Daihachiro KAMIMURA (JICA Study Team)
- 3) Findings of Sociological Survey
by Dr. Nazaruddin b. M. Jali &
Dr. Abdul Halin b. Hamid (JICA Study Team)
- 4) Discussion

Session (III) : Legal and Organizational Aspects

- 1) Legal LR Aspects
by Mr. Hiroshi SHIMIZU (JICA Study Team)
- 2) Views on Legal Aspects Pertaining to Land Matters
by Dato' Nik Abdul Rashid (JICA Study Team)
- 3) Discussion

2. Second Workshop

Date : 21 June 1994

Venue : Federal Hotel, Kuala Lumpur

- Session (I)**
- 1) An Appraisal of Land Readjustment (Kukaku-seri) in Japan
by Tuan Haji Md. Isa b. Jaafar (JPBD)
 - 2) Integrating Town Planning Practice in Malaysia with Land
Readjustment Principles
by Mr. Zolkafli b. Abdul Rahman (JPBD)
 - 3) Discussion

- Session (II)**
- 1) Social Acceptability of Land Readjustment in Malaysia
by Dr. Abdul Halin b. Hamid/Dr. Nazaruddin b. Mohd. Jali/Dr.
Zahid b. Embi, Universiti Pertanian Malaysia/JICA Study Team
 - 2) An Appraisal of Land Readjustment in Two Case Study Areas in
Malaysia
by Mr. Shizuo IWATA (Project Leader of JICA Study Team)
 - 3) Discussion

3. Third Workshop

Date : 18 October 1994

Venue : Tropicana Golf and Country Resort, Damansara

- Session (I)**
- 1) Adoption of Japan's Land Readjustment System in Malaysia
by Mdm. Yip Siew Kuan (JPBD)
 - 2) Institutional Framework for Malaysian Land Readjustment System
by Ms. Cheah Gaik Lian, Land and Mines Department
and Mr. Philipose Philips (JICA Study Team)
 - 3) Discussion
- Session (II)**
- 1) Social Acceptability Towards Malaysian Land Readjustment
System
by Dr. Mohd. Razali Agus, Associate Professor, Universiti of
Malaya
 - 2) Implementation of Proposed Malaysian Land Readjustment System
by Mr. Shizuo IWATA (Project Leader of JICA Study Team)
 - 3) Discussion

4. Fourth Workshop

Date : 16 March 1995

Venue : Ming Court, Kuala Lumpur

- Session (I)**
- 1) Project Implementation Planning
by Mr. Shizuo IWATA (Project Leader of JICA Study Team)
 - 2) Replotting Planning
by Abdul Rahman b. Abdul Latif, MARA Institute of Technology
and Puan Sumirah Ahmad, Valuation and Property Services Dept.
 - 3) Discussion
- Session (II)**
- 1) Pilot Project Implementation - Legal Aspect
by Mr. Philipose Philips and Mr. Mohd Helmi Md. Hussain, JICA
Study Team
 - 2) The Proposed Kampung Subang Pilot Project
by Ms. Norasiah Bee bt. Mohd Haniff (JPBD)
 - 3) Discussion

Appendix 3.1
Outline of the Proposed Separate Law on Land Readjustment

PART 1: PRELIMINARY

1. Title

- 1.1 It will be called Land Readjustment Act. It is to be enacted by Parliament similar to the Sewerage Services Act, 1993. (For this to be done, amendment will have to be done to the Federal Constitution to include Land Readjustment in List III (Concurrent List) of the Ninth Schedule unless land readjustment can be construed as part of the town and country planning which is already in the Concurrent List).

2. Interpretation

- 2.1 Under this, various expressions used in the Act will be defined.

3. LR Implementing Bodies

- 3.1 These will include any LR cooperative established under the Act (not under the Cooperative Societies Act), any local authority and any body set up under a Federal or a State law. If the land readjustment law is enacted by amending the TCPA, it is not possible to have a body other than a local authority as the implementation body. To enable the local authority to be an implementation body, the Local Government Act, 1976 (Act 171) may need to be amended.

4. Federal Government to Have Authority Over Land Readjustment

- 4.1 With this provision, the Federal Department will be the approving authority in respect of the LR implementation plan and the replotting design with the concurrence of the SA.
- 4.2 The SA is also required to agree at the time it gives its concurrence to the LR implementation plan, the broad terms of alienation for the replots. This decision of the SA does not amount to an approval of alienation and it is more of a memorandum of understanding.
- 4.3 To process the LR proposal, there will be the Director General of land Readjustment and other officers. They may be officers from the Town and Country Planning Department.

5. Land Readjustment Area

- 5.1 This will be an action area as provided for in the TCPA.
- 5.2 The TCPA has to be amended to enable the SA to declare any area outside a structure plan area as an action plan.

6. Types of Land which may be Included in LR Scheme

- 6.1 The land may be alienated land, reserved land and State land. No mining land is to be included.
- 6.2 Land other than alienated land will have to be State land free from TOL. Incase of reserved land or any other right before the replotting design is confirmed.
- 6.3 Appropriate amendments will have to be made to the laws restricting alienation of land and dealing in alienated land to a certain community (such as the Malay Reservations Enactments) to provide exemptions in respect of land in the LR scheme.

7. All Lands in LR Scheme will be Subject to the Provisions in the NLC Upon Confirmation of the Replotting Design

- 7.1 This clause will provide the link between the NLC and this Act. (The NLC will be amended accordingly to incorporate the provisions on LR).

PART II: IMPLEMENTORS

CHAPTER 1: LAND READJUSTMENT COOPERATIVES

1. Establishment of Land Readjustment Cooperatives

- 1.1 The establishment of a Land Readjustment (LR) Cooperative is to be done under this Act (not the Cooperatives Societies Act). This provision will cover such matters as by-laws of the Cooperative, preparation of the LR Implementation Plan, getting the consents of landowners and interested parties, public inspection of the LR Implementation Plan, and allocation of costs for the establishment of LR Cooperative.

2. Management of LR Cooperatives

- 2.1 This provision will cover membership of the LR Cooperative, appointment of Directors and Auditors, rights and duties of members, matters for decision at general meetings of the Cooperative, convening of general meetings, voting rights, and the imposition and collection of contributors from members, etc.

3. Dissolution and Merger of LR Cooperatives

- 3.1 LR Cooperative which are established can be dissolved or merged. The provision will cover such matters as procedures for dissolution, liquidation and appointment of liquidator. Limitation on disposition of the rest of the properties (immovable assets) of the LR Cooperative, preparation of Statement of Accounts, procedure for merger of LR Cooperatives and the effects of merger, etc

CHAPTER 2: LOCAL AUTHORITIES AND STATUTORY BODIES

1. Preparation and Approval of Implementation Plan

- 1.1 The local authority/statutory body prepares the implementation plan. Before approving, the implementation plan will be put up for public inspection and comments.

2. Establishment and Powers of Land Readjustment Council

- 2.1 Upon approval of the implementation plan, a Land Readjustment Council shall be established for each Land Readjustment Scheme.
- 2.2 The Council shall have the authority to decide on matters pertaining to replotting plan and compensation for decreased value.

3. Management of the Land Readjustment Council

- 3.1 The provisions on this will cover matters such as the constitution of the Council, its membership and meetings.

4. Appointment and Role of Valuers

- 4.1 The provisions on this cover the appointment of appropriate number of valuers with the consent of the Land Readjustment Council.
- 4.2 The valuers will be consulted on matters such as the value of the lands or rights vested on lands and financial land for the purpose of determining equity amount and compensation for decreased value of the land.

PART III: GENERAL PROVISIONS APPLICABLE TO ALL LR SCHEMES

1. General Provisions

- 1.1 The provisions will cover the following matters:
- (a) the entry into lands by the implementing body for certain works and the payment of compensation for losses arising from the entry;
 - (b) the prohibition of constitution upon approval of the implementation plan without permission of the implementing body; and
 - (c) the powers of the implementing body to remove buildings upon determination of replots and the payment of compensation for damages incurred in the removal of buildings.

2. Replotting Plan

- 2.1 The provisions to be included govern the subject of replotting plan in respect of the following matters:-
- (a) preparation of replotting plan and the principles to be followed in doing the replotting;

- (b) public inspection of the replotting plan;
- (c) approval of the replotting plan; and
- (d) alteration of the replotting plan.

3. Consequential Actions upon Registration of Final Titles to the Replots

3.1 The provisions to be included govern the following matters:-

- (a) the power of the implementing body to dispose of financial lands in accordance with the implementation plan;
- (b) the payment of compensation by the implementing body to any proprietor having his lot decreased in value; and
- (c) equity payment/collection.

4. Financing of Land Readjustment Project

4.1 The implementing body shall bear the cost of the implementation of the LR project. The implementing body may however, have recourse to various means of financing to implement of LR project.

5. Offences and Penalties

5.1 The provisions on these will cover offences committed under the Act and the penalties to be imposed in respect of those offences.

6. Regulations

6.1 The Minister will be empowered to make requisitions for carrying out the provisions of this Act.

Appendix 3.2

Short Term Legal Framework Based on the LAA 1960

1. Section 15 of the LAA provides that:

"15 (1) In the course of making any enquiry and award under sections 12 and 14, the Land Administrator may in his discretion, in respect of any Scheduled land, whether by way of full or partial substitution for monetary compensation enter into any arrangement with person having an interest in such land in such a way as may be equitable, having regard to the interests of the parties concerned.

(2) Whenever the Land Administrator enters into any arrangement under subsection (1) he shall make an entry of the particulars thereof in the appropriate register."

2. The proposed structure for the short term legal framework for LR based on the LAA provisions is as shown in Figure A.

3. There are four stages in the proposed framework, vis:

- (a) preparatory stage;
- (b) initial stage;
- (c) middle stage; and
- (d) final stage.

- (1) Preparatory Stage

The preparatory stage will be basically undertaken by JPBD in collaboration with relevant government agencies. This stage will involve both the preparation and adoption of the local plan as well as the feasibility study on the project area. It is felt that a Local Plan is necessary as it not only encourages consensus building for the LR but also helps to commit public infrastructure project. The local plan comes into effect when it is adopted by the Local Planning Authority.

While the Local Plan is being prepared, the feasibility study on the project area could commence. The output of this study could include:

- a) draft layout plan 1:2500;
- b) preliminary replotting plan;
- c) a preliminary financial plan.

These plan will be used for consultation with landowners and interested parties. This study could also help determine the project area boundary for the preparation of the implementation plan.

- (2) Initial Stage

This stage will basically involve the preparation of implementation and replotting plans as well as obtain the formal approval from the authorities. At this stage the Implementing Body has to be determined. This may include the Local Planning Authority (LPA) or a Statutory Body in collaboration with the LPA. This is followed

by the establishment of an LR Committee which will essentially comprise representatives of the Resident Association and other government officials.

A replotting plan on a scale 1:1000 will be prepared for general inspection. This plan will also be used for consultation with each landowner and interested party. The consultation procedure may sometimes lead to revision of the plan. At this stage it is also possible to determine those who agree to the project and those who approve. Once the provisional replots are confirmed a formal application for approval to the Authorities is made.

As Land Readjustment constitutes development, the relevant planning permission must be obtained from the Local Planning Authority/State Authority. The LR Implementation Plan is both physical plan as well as a project proposal. As such the concurrence of the Minister is deemed necessary as the LR Project has to be coordinated at the Federal level and also to secure Federal subsidy/grant for the project.

Once the necessary approvals are obtained, the IB will submit a proposal to the State Authority to acquire the land in the LR Project area under section 3 of LAA. The following are the processes under the LAA:

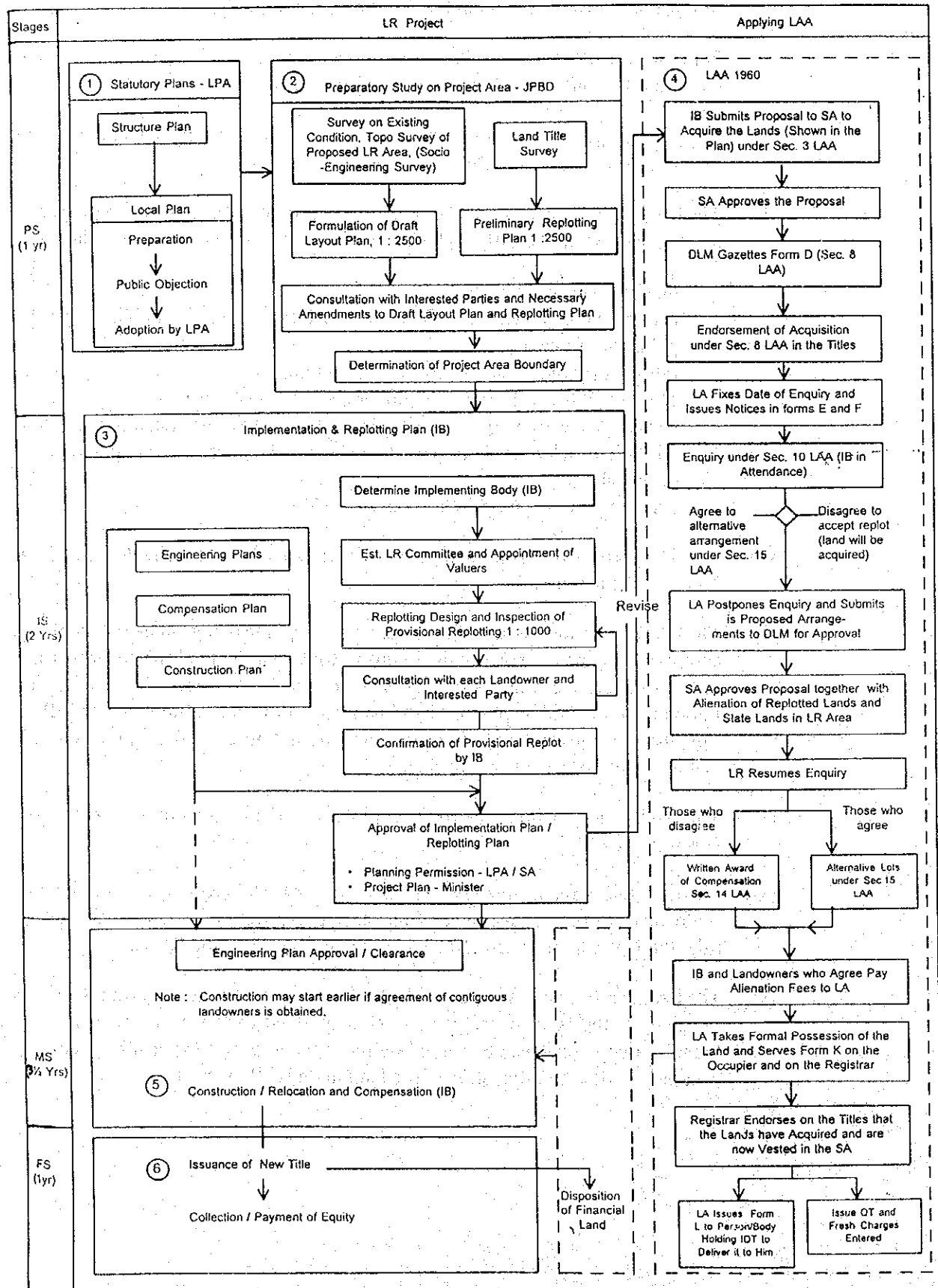
- (i) The State Authority (SA) approves the proposal to acquire the lands in the LR area;
- (ii) The Director of Lands and Mines (DLM) gazettes Form D (section 8 LAA) that the lands are to be acquired;
- (iii) An endorsement of the acquisition under section 8 LAA is made in the land titles;
- (iv) The Land Administrator (LA) then fixes the date of enquiry and issues notices in Forms E and F, (The venue of the enquiry can be at the site of LR Project site);
- (v) Enquiry is held under section 10 LAA. (The IB will be in attendance). At the enquiry, the IB will show the replotting plan with the names of the landowners against the replots, the list of lots which are to be given to IB. The list of lands to be given to the government for public purposes and the land to be surrendered to the SA. The LA will invoke section 15 LAA and offer the alternative arrangements (i.e. replots) to the registered landowners, in lieu of monetary compensation. If the lands are subject to encumbrances, the landowners need to make arrangement with the interested parties to settle the matter, either to discharge the charge or terminate the lease/sub-lease, or to make alternative agreements etc. to protect the interests of chargees/lessees/sub-lessees pending the issuance of the new titles to the replots and the registration of their respective instruments (charge/lease/sub-lease, as the case may be). The LA will note down the names of the landowners who agree to accept the replots and those who do not agree. In the latter case, the lands will be acquired and monetary compensation will be paid to the landowners. In the case where there are dissenting landowners, the LAA will postpone the enquiry.

Those who agree to the alternative replots, will not be given any compensation. Those who are given alternative replots which are not at par in value with the original land, will be compensated by the IB accordingly.

For those who disagree, their lands will be acquired and an award of compensation based on the market value of the lands will be made.

- (vi) The LA postpones the enquiry and submits the proposed arrangements to the DLM for approval of the SA.
- (vii) The LA submits a paper to the DLM for the approval of the SA on the proposed arrangements in the LR Area. The paper will be accompanied with the following:
 - plan of the existing lands;
 - plan showing the replots including financial lands, lands for public purposes, public utility lands;
 - rates for premium, and rents for the replots;
 - other conditions as stipulated under section 79 (2) NLC;
 - reserved lands to be revoked (if reserved lands have not been revoked, the DLM is to take action to have them revoked before the SA approves the proposal);
 - existing permits and TOLs to be surrendered.
- viii) The SA approves the proposal together with the alienation of the replots and State Lands in the LR area.
- (ix) The LA resumes the enquiry. For those who accept the replots in lieu of monetary compensation, the LA notes in the Enquiry Book that the landowners accept the alternative arrangement under section 15 of the LAA. (Modified versions of Forms G and H will be prepared and handed over to the landowners and IB to sign and return to the LA). For those who do not agree to the replots, the LA makes the monetary awards to them.
- (x) The landowners (who agree to the replots) and the IB then pay the alienation fees to the LA.
- (xi) The LA enters in respective register documents of titles (RDTs) of participating landowners, a note of the arrangements made under section 15 LAA. If Registry title, the LA will inform the Registrar to make a note in the RDTs.
- (xii) The LA takes formal possession of the land and serves a notice in Form K on the occupier of the land, or by posting it on the land (if the occupier cannot be found). A copy shall also be served on the registered landowner if he is not the occupier, and on the Registrar, if the land is under Registry title.

Figure A
Short Term Legal Framework Based on Land Acquisition Act (LAA, 1960)



- (xiii) The LA issues a notice (Form L) to the person of body having custody of title (IDT) to deliver it to him. The Registrar or LA then registers new titles for the replots to the respective landowners and financial land to IB (according to the terms of approval of alienation).

While the processes under the LAA is undertaken, the following should also be noted and provided for:

(a) Charges on Land

The lands in the LR area may be subject to encumbrances like charges, leases, sub-leases etc. In the case of a charge, arrangements will have to be made either to discharge the charge, or to draw up an agreement with the chargee (bank/financial institution) whereby a fresh charge will be executed and registered as soon as the new title to the replot is issued. Since a "charge-in-escrow" is not feasible, the landowner can hand over the issue document of title (IDT) to the chargee as collateral, pending the issuance of the title to the replot. The registering authority shall endeavour to expedite and synchronise the issuance of the title to the replot and the cancellation of the old title, and register the fresh charge on the new title. The IB will keep a record of all existing encumbrances on the existing titles. The same thing applies to leases and sub-leases. These will have to be terminated or alternative arrangements made e.g. agreements drawn up to ensure that new leases or sub-leases will be registered as soon as the new titles to the replots are issued. Measures need to be taken administratively to expedite and synchronise the issuance of new titles to the replots and the cancellation of existing titles and the subsequent registration of the new lease or sub-lease.

(b) Use of Replot

Provisional replots designated by the IB may be made use of by the landowners although they still continue to hold legal title to their original lots. This has to be expressly provided for in the agreement to avoid claims for trespass.

(c) Issue of Qualified Titles

In order to protect the interest of chargees, it is important that QT's for the replots are issued as soon as the land vests in the state. Fresh charges have to be registered on the new title.

(3) Middle Stage

Once clearance is obtained for the engineering plans, construction work can commence. This includes the removal of superstructures, relocation and compensation for landowners whose buildings are affected by the LR Project.

While it is safest to commence construction once the land Vests in the State it may be possible to start earlier if agreement to the alternative arrangement by contiguous landowners is obtained.

Depending on the size of the Pilot Project, the construction stage could take between 3 1/2 to 5 years. The disposition of financial land can be done earlier once qualified

title is obtained. However, higher land values may be realized for the financial land if there are sold after the construction is completed. Care is taken to see that minimum inconvenience and disruption is caused to the resident and other business operations. Environmental mitigation measures will also have to be carried out in conformity to the Environmental Regulations.

(4) Final Stage

The processes in the final stage of the LR Project are as follows:

- (a) The provisional replots are subject to final survey;
- (b) This is followed by the disposition of the financial land which is sold in the open market. Social amenity land such as sites, for schools and health centers will be transferred to the relevant authorities for a premium whereas public facility land such as roads and open space will be constructed and reserved for the particular use.
- (c) After the LR scheme is completed, the IB will proceed with the collection and payment of equity. This is to compensate those who may be inadvertently deprived and to demand from those who may be over compensated under the LRS. Once the accounts are settled the LRS is completed.

Appendix 3.3

Legal Framework Based on the Surrender and Alienation Method of the National Land Code

1. Overall Framework

Another method that can be used to implement the LR pilot project is to invoke the provisions of the NLC to effect surrender and alienation (Sections 197 and 79 NLC).

The proposed structure for the short term legal framework for LR based on the LAA provisions is as shown in Figure B. As in the case of the legal framework using the LAA, there are four stages involved, viz:

- (i) preparatory stage;
- (ii) initial stage;
- (iii) middle stage; and
- (iv) final stage.

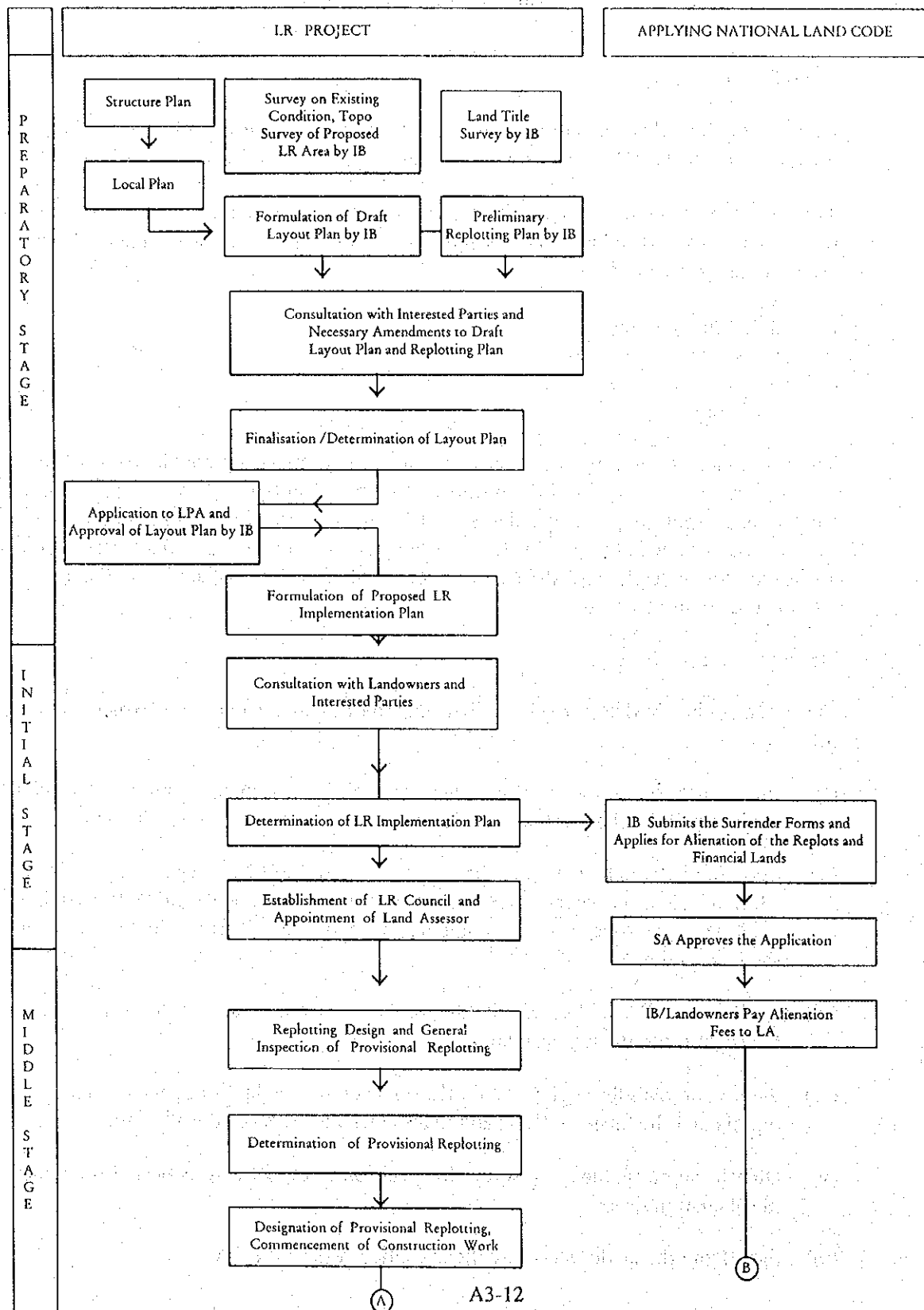
The processes are essentially similar in so far as the preparation and approval of the draft layout plan, the preparation of the proposed LR Implementation Plan, the establishment of LR Council, Replotting Design, determination of provisional replotting, enforcements of replots and issuance of new titles to the replots are concerned. The only difference is the application for surrender and alienation under the NLC, instead of acquiring the land under LAA and invoking Section 15.

2. Description of the Process

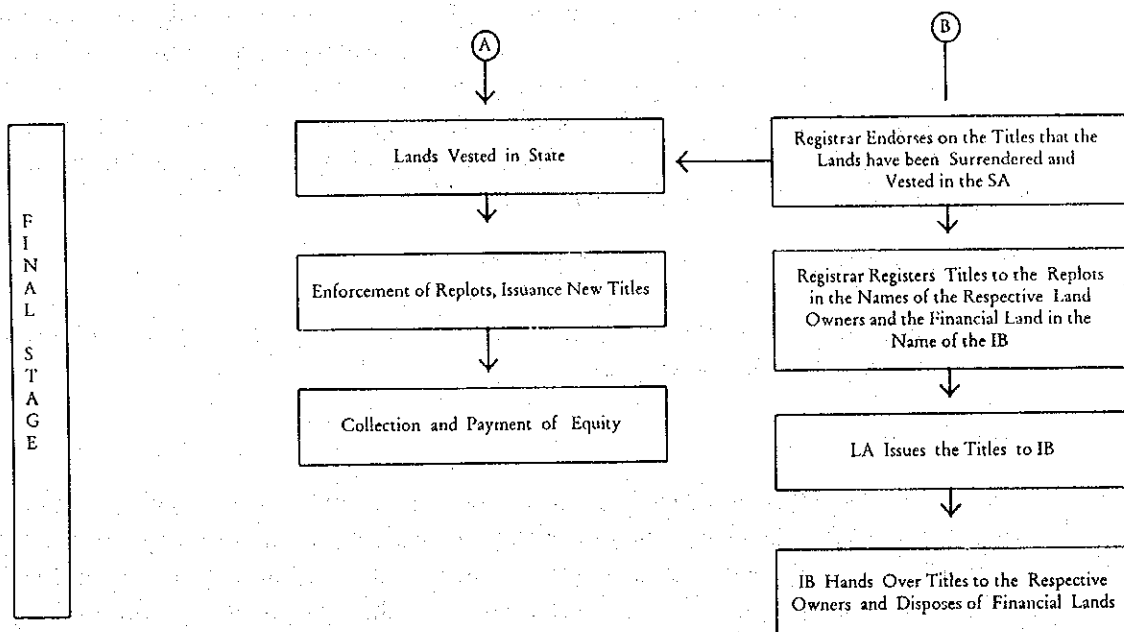
The processes involved in surrender and alienation of the lands in the LR Project area are as follows:

- (i) the IB has to consult the landowners regarding the implementation of the pilot LR Project through the mechanism of surrender and alienation under the NLC.
- (ii) once the LR Implementation Plan is determined, the IB is given powers of attorney (PA) by all landowners to surrender and apply for alienation of the lands. All landowners must agree to the implementation of the LR project and to the giving of the PAs to the IB.
- (iii) the IB (as the PA holder) submits the forms for surrender and applies for alienation of the replots and the financial lands.
- (iv) the SA approves the application for the surrender of the lands and the alienation of the replots and the financial lands and determines the terms of the alienation.
- (v) after the approval, the LA conveys the decision to the IB and requests for payment of the alienation fees.
- (vi) the IB and the landowners pay the alienation fees to the LA.

Figure B
Short Term Legal Framework Based on the NLC (Surrender and Alienation)



Cont. Figure B



Note : The lands in the LR Area may be subject to encumbrances like charges, leases, sub-leases, etc. In the case of a charge, arrangement will have to be made either to discharge the charge, or to draw up an agreement with the chargee (bank/financial institution) whereby a fresh charge will be executed and registered as soon as the new title to the replot is issued. Since a "charge in escrow" is not agreed to, the landowner can hand over the issue document of title (IDT) to the chargee as collateral, pending the issuance of the title to the replot. The registering authority shall endeavor to expedite and synchronise the issuance of the title to the replot and the cancellation of the old title, and register the fresh charge on the new title. The IB will keep a record of all existing encumbrances on the existing titles. The same thing applies to leases and sub-leases. These will have to be terminated or alternative arrangements made e.g. agreements drawn up to ensure that new leases or sub-leases will be registered as soon as a new titles to the replots are issued. Measures need to be taken administratively to expedite and synchronise the issuance of new titles to the replots and the cancellation of existing titles and the subsequent registration of the new lease or sub-lease.

- (vii) the Registrar endorses on the titles that the lands have been surrendered and are vested in the SA.
- (viii) In the meantime, the IB will undertake the designation of provisional replotting and construction work will commence. After provisional replots are subject to final survey, the Registrar will then register titles to the replots and the financial land. (The IB will coordinate with the Registrar so that the relevant replot is registered in the appropriate landowner's name and the financial land in the name of the IB). After the new titles are registered, the original titles will be cancelled.
- (ix) the LA then issues the new titles to the IB.
- (x) the IB hands over the new titles of the replots to the respective landowners and disposes of the financial lands.

3. Brief Discussion

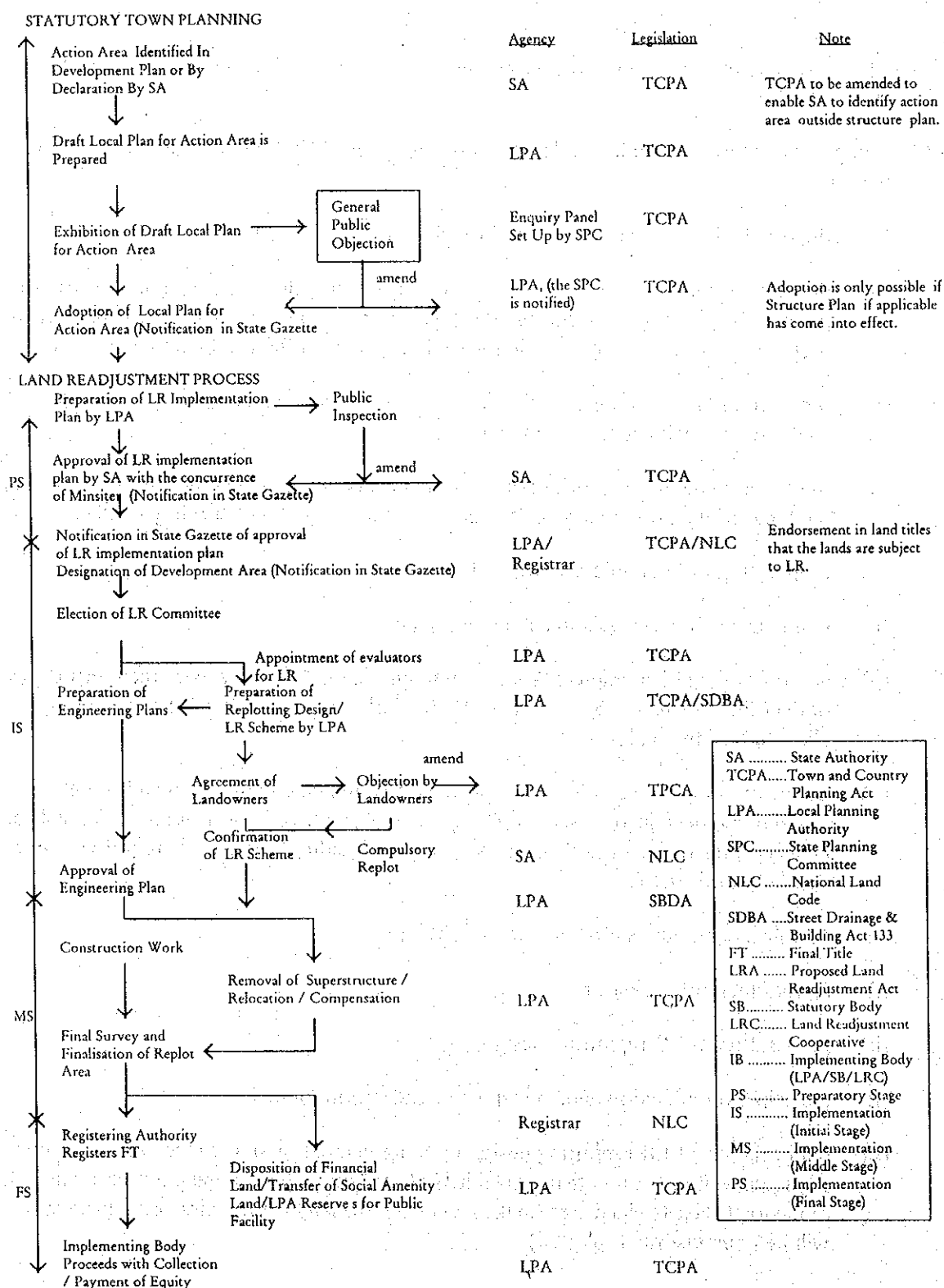
The drawbacks of this method include the need to resolve the issue of existing encumbrances (eg. charge/lease/sub-lease, etc.) on the existing titles as there is no provision for the carrying forward of existing encumbrances to the new titles after the land becomes State land consequent upon the surrender; and the need to get the agreement of all the landowners to participate in the LR Project and to give a P.A. to the IB to undertake the surrender and alienation on their behalf. If there are any dissenters, the IB may have to resort to purchasing their lands at an agreed price, otherwise, the IB may have to abandon the project. This is because unlike the LAA method, there is no provision to acquire the land compulsorily. So between the two methods for implementing the pilot project, the LAA method is preferred as it has the legal backing to compulsorily acquire the lands if the landowners persist in their refusal to participate.

Appendix 3.4
Proposed Legal framework for Land Readjustment in West Malaysia
under the Local Authority Implementation Type (involving amendments to the
Town and Country Planning Act and the National Land Code)

The proposed framework for LR involving amendments to the TCPA, NLC and MRE is as follows:
(Refer to Figure C)

- 1.0 The provisions to be included under the new part in the TCPA would cover the following matters:-
- (a) the title will be known as the Land Readjustment Scheme (LRS);
 - (b) the area of the scheme will be an action area, which will be identified in the structure plan or by the State Authority (the local plan for the action area will have to be prepared first in the manner as in the TCPA before a LRS can be implemented);
 - (c) the type of lands within the scheme will include alienated land, State land, reserved land, etc. but will exclude mining land;
 - (d) the Local Planning Authority (LPA) or its agents will be given the authority to enter the lands in the project area for the purposes of conducting feasibility studies;
 - (e) preparation of LR implementation plan;
 - (f) public inspection of LR implementation plan;
 - (g) approval of the LR implementation plan by the State Authority, with the concurrence of the Minister (there is a need for the State Authority to decide on the broad terms of alienation of the replots);
 - (h) notification in the Gazette of the approved LR implementation plan and requirement for endorsement in the land titles (upon publication of notification, there will be imposed a restriction on building activity, i.e. any building activity will require the prior approval of the LPA);
 - (i) establishment, duties, powers, etc. of LR Council;
 - (j) appointment of evaluators;
 - (k) preparation of LR replotting design;
 - (l) participation of landowners in respect of LR replotting design;
 - (m) confirmation of LR replotting design upon agreement of all the landowners, or upon the agreement of not less than two-thirds of the landowners owning not less than half of the total alienated land area (in the latter case, the lands of the dissenting landowners will be compulsorily replotted);

Figure C
Flowchart on the Proposed Legal Framework for Land Readjustment in West Malaysia
under the Local Authority Implementation Type (involving amendments to TCPA and NLC)



- (n) upon confirmation, all lands in the LR Scheme will be subject to the proposed provisions to be included in the NLC;
- (o) commencement of construction work, including removal of the superstructures, their relocation and the payment of compensation;
- (p) confirmation (finalisation) of replot area upon final survey;
- (q) disposition of financial land, transfer of social amenity, reserve for public facility; and
- (r) collection/payment of equity.

2.0 The provisions to be included under a new part in the NLC would cover the following matters:

- (a) upon confirmation of the replotting design under the proposed LR provisions in TCPA, all lands will be subject to this part;
- (b) for any alienated land in the LR area, it is not a breach of condition if it is used different from the use allowed by the title under which it is held;
- (c) for any State land in the area, it is deemed to be not an illegal occupation if it is occupied without any authority under the NLC;
- (d) the replot shall be surveyed upon completion of all construction works;
- (e) if upon survey, the replots differ substantially from the replotting design, reconfirmation under the proposed LR provisions in TCPA is required;
- (f) upon confirmation of survey, the State Authority shall approve the alienation of the replots to the respective persons or bodies indicated in the replotting design (The State Authority can approve alienation notwithstanding that some lands are still alienated lands);
- (g) payment of alienation fees;
- (h) upon payment of alienation fees, all alienated lands shall vest in the State Authority and existing titles will be extinguished; and
- (i) the State Authority registers final titles for the replots immediately upon vesting of alienated lands in it and existing memorials in the titles are carried forward to the new titles.

3.0 The Malay Reservations Enactments would have to be reviewed to include the powers of the Ruler in Council to alineate the replotted lands to non-Malay landowners who have surrendered their lands in exchange for the replots. The land so alienated shall be subject to the provisions of the MREs. A further study is to be undertaken on this matter.

Appendix 4.1

Definition of Class A Industry and Service Industry

CLASS A INDUSTRY	
A	Manufacture of musical instruments, scientific and professional and measuring and controlling equipment
B	Manufacturing of motor vehicle bodies plastic products, sporting and athletic goods, copper products
K	Manufacture of footwear Cut- Stone and stone products Engraving in printing industry Spinning (fabric) Containers and boxes of paper/paperboard
P	Furniture and household fixtures except those made primarily of metal
R	Cane including its processing / cutting
T	Mattress (excluding those made from rubber) tinsmith and blacksmith
SERVICE INDUSTRY	
A	Construction equipment, supply and sales (small scale, not exceeding 610 square metre) (658.8 square feet floor space) Motor vehicles appliances, sales and assembly Scientific appliances, sales and preparing Charcoal, storage and distribute (small scale, not exceeding 610 (658.8 square feet floor space)
B	Goods small scale storage store Metallic products, sales and shipping Battery, sell and charge Repair workshop of car, motorcycle and machine Photo frame Books, small scale binding
D	Roast meat, preparations sell Meat : storage (not exceeding 227 kg)
J	Small machineries, sales
K	Cascade, pace to make wooden boxes and similar goods : small scale manufacture and mix
M	Butter and cheese, small scale manufacture Beverage, small scale manufacture and mix
P	Signboard, advertisement, etc for example to manufacture & to sell on small scale Furniture, to manufacture & to sell on small scale Printing on small scale
R	Bread, manufacture and sells
S	Petrol kiosk and car repair
T	Type, to fix and sell Tea, to pack on small scale Goldsmith Silversmith

Source : JPBD's Planning Standard

Appendix 4.2
Estimated Compensation Cost (Kg. Seri Subang)

1. Building Compensation					
Building Type	Material	Affected No. of Unit	Floor Area (sqm)	Estimated Unit Value (RM/sqm)	Estimated Value (RM000)
Residential	Reinforced Concrete	219	38,214	480	18,343
	Brick	3	471	280	132
	Timber	194	26,867	200	5,373
	Brick & Timber	135	25,824	240	6,198
	Steel	3	520	240	125
Commercial	Reinforced Concrete	14	5,581	400	2,232
	Brick	0	0	200	0
	Timber	15	2,070	160	331
	Brick & Timber	10	1,235	160	198
	Steel	10	1,235	160	198
Factory	Reinforced Concrete	10	10,725	400	4,290
	Brick	0	0	200	0
	Timber	42	23,048	160	3,688
	Brick & Timber	14	12,440	200	2,488
	Steel	121	9,287	160	1,486
Work Shop	Reinforced Concrete	2	187	400	75
	Brick	1	100	200	20
	Timber	26	7,473	160	1,196
	Brick & Timber	2	664	200	133
	Steel	47	15,775	160	2,524
Animal Shed	Timber	131	29,056	120	3,487
Building Total		994	210,738		52,559
2. Other Compensation					
		Affected No. of Unit Value (1000RM) / Area		Unit Price (RM/sqm)	
Suspension of Business		(Affected No. of Unit 309901		Rate (%) :15.00	2,835
Agricultural Property		254,759.00 sqm		3.50	892
Compensation to Other Loss		212,744.00 sqm		0.80	170
Other Compensation Total					3,897
3. Compensation Total					56456

Appendix 4.3
Estimated Survey Cost (Kg. Seri Subang)

Item	Unit	Quantity	Unit Price (RM)	Amount (RM000)
Survey Map Preparation				
Control point survey (1st class)	km	8.0	1,563	13
Block point survey	block	143	625	89
Detail survey (Plane-table survey)	ha	320	500	160
Boundary Survey				
Settlement survey with landowner attendance	lot	200	1,000	200
Computation of area (Confirmation of area)	lot	200	125	25
Additional Survey				
Preparation of cadastral map	ha	444	125	56
Preparation of area map	ha	444	63	28
Block Confirmation				
Block confirmation survey		143	625	89
Road centerline survey		7.6	2,500	19
Block & lot survey		143	1,000	143
Confirmation / Alternation Survey				
Confirmation / Alternation Survey	point	1,500	250	375
Lot Confirmation Survey				
Lot Confirmation Survey	lot	143	1,250	179
Survey Cost Total				1376

Appendix 4.4
Estimated Project Management Cost (Kg. Seri Subang)

Item	Unit	Quantity	Unit Price RM/day	Amount (RM000)
Construction Design & Supervision	man-days	29,090	707	20,567
Compensation	man-days	11,867	707	8,390
Survey Supervision	man-days	235	652	153
Replotting	man-days	6,912	707	4,887
Project Management Cost Total				33997

Appendix 4.5
Estimated Conversion Premium (Kg. Seri Subang)

Alienated Land	Area after LR (sqm)	Areabefore LR (sqm)	Conversion Area (sqm)	Ratio (%)	Market Price (RM)	Premium (RM/sqm)
Private Use						
Agriculture	0	2,547,593	0	0.00	83.15	0
Building : Commercial	57,101	0	57,101	30.00	83.15	1,424
Building : Medical, Welfare	48,119	0	48,119	30.00	83.15	1,200
Building : Residential	660,567	190,911	469,656	15.00	83.15	5,858
Industry : Middle Scale	879,317	30,000	849,317	20.00	83.15	14,124
Industry : Service	139,291	15,278	124,013	20.00	83.15	2,062
Private Use Total	1,784,395	2,783,782	1,548,206			24,668
Other Community Service						
Other Community Service Total	0	0	0			0
Alienated Land Total	1,784,395	2,783,782	1,548,206			24668

Appendix 4.6
Estimated Alienation Premium (Kg. Seri Subang)

Financial Land	Area (sqm)	Market Price (sqm)	Ratio (%)	Tenure (year)	Average tenure(year)	Premium (RM/sqm)
Private Use						
Agriculture	0	100	0.00	99	37	0
Building : Commercial	57,101	800	0.75	99	37	12,676
Building : Medical, Welfare	48,119	500	0.75	99	37	6,677
Building : Residential	20,000	300	0.50	99	37	1,110
Industry : Middle Scale	32,780	500	0.75	60	0	0
Industry : Service	45,000	500	0.75	60	0	0
Private Use Total	203,000					20463
Other Community Service						
Other Community Service Total	0					0
Financial Land Total	203,000					20463

Appendix 4.7
Assumed Cost Sharing (Kg. Seri Subang)

Item	Land Purchase Cost				Construction Cost (RM1000)	Compensation Cost		Share of Federal / State / Agency	
	Planning Area (sqm)	Purchase Area (sqm)	Price (RM/sqm)	Amount (RM1000)		No. of building	Amount ¹⁾ (RM1000)	%	Amount (RM1000)
Federal Share									
Road									
Major road (30m)	29,640	23,712	83	1,972	4,785	15	854	100	7,611
Collector road (24m)	157,614	126,091	83	10,484	9,356	24	1,366	100	21,203
Major local road (20m)	204,263	163,410	83	13,588	9,631	25	1,423	50	12,321
Minor local road (15m)	61,823	49,458	83	4,112	4,080	11	626	50	4,409
Minor local road (12m)	293,885	74,313	83	6,179	20,752	553	31,466	0	0
Approach road (6m)	222	178	83	15	2	0	0	0	0
Sub Total	747,447	437,162	83	36,350	48,606	628	35,735		45,547
River & Waterway	57,910	50,109	83	4,167	1,736	2	114	100	6,017
Retention Pond	60,000	60,000	83	4,989	1,683	13	740	100	7,412
Kindergarten	5,520	5,520	83	459	0	0	0	100	759
Primary School	47,250	30,231	83	2,514	0	8	455	100	2,969
Secondary School	34,600	34,600	83	2,877	0	23	1,309	100	4,186
Police Station	11,000	0	83	0	0	0	0	100	0
Fire Brigade Station	7,310	7,310	83	608	0	2	114	100	722
Clinic	6,120	6,120	83	509	0	0	0	100	509
Water Facility	7,450	7,450	83	619	7,998	0	0	100	8,617
Federal Share Total	984,607	638,502		53,092	60,023	676	38,467		76,438
State & Local Authority Share									
Park & Open Space	238,610	238,610	83	19,840	611	27	1,536	100	21,987
Buffer Space	78,325	78,325	83	6,513	0	3	171	100	6,684
Reserved Land	0	0	83	0	0	0	0	0	0
Public Parking	11,920	11,920	83	991	262	7	398	100	1,651
Bus Terminal	3,950	3,950	83	328	86	0	0	100	414
Cemetery	13,250	4,316	83	359	0	0	0	100	359
Religious Facility	5,000	5,000	83	416	0	0	0	100	416
Community Hall	14,450	14,540	83	1,209	0	1	57	100	1,266
Radar Site	400	0	83	0	0	0	0	100	0
State & L.A. Share Total	365,995	356,661		29,656	959	38	2,162		32,777
Agency Share									
Post Office	1,400	1,400	83	116	0	2	114	100	230
Electricity Substation	8,710	8,710	83	724	8,887	0	0	80	7,689
Electricity Main Intake	20,050	20,050	83	1,667	4,616	4	228	80	5,209
Telephone Exchange Station	9,730	9,730	83	809	10,713	0	0	100	11,522
Sewage Treatment Plant	15,700	15,700	83	1,305	11,852	6	341	100	13,498
Agency Share Total	55,590	55,590		4,621	36,068	12	683		38,148
Total	1,406,192	1,050,753		87,369	97,050	226	41,312		147,363

1) Average purchase rate is calculated based on sub total of roads and applied to respective type of roads.

2) The amount is calculated by multiplying no. of building with average compensation cost per building of RM156.90

Appendix 4.8
Assumed Cost Disbursement and Revenue Plan (Kg. Seri Subang)

		1997	1998	1999	2000	2001	2002	2003
C O S T	Construction Cost	0.00	5.00	15.00	25.00	30.00	15.00	10.00
	Compensation Cost	0.00	10.00	25.00	30.00	20.00	10.00	5.00
	Survey Cost	25.00	20.00	5.00	15.00	5.00	15.00	15.00
	Project Management	8.00	12.00	15.00	23.00	18.00	13.00	11.00
	Conversion Premium				30.00	40.00	20.00	10.00
	Alienation Premium				30.00	40.00	20.00	10.00
R E V E N U E	Federal Share	0.00	0.00	20.00	30.00	30.00	15.00	5.00
	State & Local Authority Share			20.00	20.00	25.00	15.00	20.00
	Agency Share					40.00	40.00	20.00
	Disposition of Financial Land				50.00	30.00	10.00	20.00

Appendix 4.9
Estimated Compensation Cost (Kg. Kuantan)

1. Building Compensation					
Building Type	Material	Affected No. of Unit	Floor Area (sqm)	Estimated Unit Value (RM/sqm)	Estimated Value (RM000)
Residential	Reinforced Concrete	18	3,740	480	1,795
	Brick	0	0	250	0
	Timber	21	3,028	200	606
	Brick & Timber	27	5,880	240	1,411
	Steel	0	0	240	0
Commercial	Reinforced Concrete	0	0	400	0
	Brick	0	0	200	0
	Timber	0	0	160	0
	Brick & Timber	4	490	200	98
	Steel	0	0	160	0
Factory	Reinforced Concrete	0	0	400	0
	Brick	0	0	200	0
	Timber	0	0	160	0
	Brick & Timber	0	0	200	0
	Steel	0	0	160	0
Work Shop	Reinforced Concrete	0	0	400	0
	Brick	0	0	200	0
	Timber	0	0	160	0
	Brick & Timber	0	0	200	0
	Steel	0	0	160	0
Animal Shed	Timber	0	0	120	0
Building Total		70	13,138		3,910
2. Other Compensation					
		Affected No. of Unit Value (1000RM) / Area		Unit Price (RM/sqm)	
Suspension of Business		(Affected No. of Unit 4)		98	Rate (%) : 15
Agricultural Property		101,742 sqm		3.5	256
Compensation to Other Loss		43,131 sqm		0.8	35
Other Compensation Total					406
3. Compensation Total					4316

Appendix 4.10
Estimated Survey Cost (Kg. Kuantan)

Item	Unit	Quantity	Unit Price (RM)	Amount (RM000)
Survey Map Preparation				
Control point survey (1st class)	km	2.8	1,563	4
Block point survey	block	26	625	16
Detail survey (Plane-table survey)	ha	45	500	23
Boundary Survey				
Settlement survey with landowner attendance	lot	30	1,000	30
Computation of area (Confirmation of area)	lot	30	125	4
Additional Survey				
Preparation of cadastral map	lot	40	125	5
Preparation of area map	lot	40	63	3
Block Confirmation				
Block confirmation survey		26	625	16
Road centerline survey		5.8	2,500	15
Block & lot survey		40	1,000	40
Confirmation / Alternation Survey				
Confirmation / Alternation Survey	point	120	250	30
Lot Confirmation Survey				
Lot Confirmation Survey	lot	146	1,250	33
Survey Cost Total				219

Appendix 4.11
Estimated Project Management Cost (Kg. Kuantan)

Item	Unit	Quantity	Unit Price RM/day	Amount (RM000)
Construction Design & Supervision	man-days	3,120	707	2,204
Compensation	man-days	684	707	484
Survey Supervision	man-days	51	652	33
Replotting	man-days	1,475	707	1,043
Project Management Cost Total				3,764

Appendix 4.12
Estimated Conversion Premium (Kg. Kuantan)

Alienated Land	Area after LR (sqm)	Area before LR (sqm)	Conversion Area (sqm)	Ratio (%)	Market Price (RM)	Premium (RM/sqm)
Private Use						
Agriculture	67,400	305,226	0	0.00	17.20	0
Building : Commercial	5,800	0	5,800	30.00	17.20	30
Building : Residential	133,370	0	133,370	15.00	17.20	344
Private Use Total	206,570	305,226	139,170	0.00	0.00	374
Alienated Land Total	206,570	305,226	139,170			374

Appendix 4.13
Estimated Alienation Premium (Kg. Kuantan)

Financial Land	Area (sqm)	Market Price (sqm)	Ratio (%)	Tenure (year)	Average tenure (year)	Premium (RM/sqm)
Private Use						
Agriculture	0	30	0.00	99	0	0
Building : Commercial	5,800	368	0.75	99	0	0
Building : Medical, Welfare	0	0	0.75	99	0	0
Building : Residential	69,675	80	0.75	99	0	0
Industry : Middle Scale	0	0	0.75	60	0	0
Industry : Service	0	0	0.75	60	0	0
Private Use Total	75,475					0
Other Community Service						
Other Community Service Total	0					0
Financial Land Total	75,475					0

Appendix 4.14
Assumed Cost Disbursement And Revenue Plan (Kg. Kuantan)

		1997	1998	1999	2000	2001	2002	2003
C O S T	Construction Cost	0.00	5.00	15.00	25.00	30.00	15.00	10.00
	Compensation Cost	0.00	10.00	25.00	30.00	20.00	10.00	5.00
	Survey Cost	25.00	20.00	5.00	15.00	5.00	15.00	15.00
	Project Management	8.00	12.00	15.00	23.00	18.00	13.00	11.00
	Conversion Premium				30.00	40.00	20.00	10.00
	Alienation Premium				30.00	40.00	20.00	10.00
R E V E N U E	Federal Share	0.00	0.00	25.00	30.00	30.00	15.00	0.00
	State & Local Authority Share			25.00	30.00	30.00	15.00	0.00
	Agency Share					40.00	40.00	20.00
	Disposition of Financial Land				50.00	30.00	10.00	10

Appendix 4.15
Assumed Cost Sharing (Kg. Kuantan)

Item	Land Purchase Cost				Construction Cost (RM1000)	Compensation Cost		Share of Federal / State / Agency	
	Planning Area (sqm)	Purchase Area (sqm)	Price (RM/sqm)	Amount (RM1000)		No. of building	Amount ¹⁾ (RM1000)	%	Amount (RM1000)
Federal Share									
Road									
Inner collector road (20m)	29,085	19,760	17.2	339	1,411	0	0	100	1,750
Outer collector road (20m)	26,502	17,956	17.2	309	1,389	9	502	100	2,200
Collector road (15m)	6,534	4,427	17.2	76	342	2	112	50	265
Local road (12m)	31,873	21,595	17.2	371	2,087	2	112	50	1,285
Sub Total	93,994	63,684	17.2	1,095	5,229	13	726		5,500
River & Waterway	33,993	10,157	17.2	175	1,045	0	0	100	1,220
Retention Pond	15,450	15,450	17.2	266	563	0	0	100	829
Kindergarten	1,500	1,500	17.2	26	0	0	0	100	26
Primary School	25,000	13,871	17.2	239	0	15	837	100	1,076
Clinic	1,500	1,500	17.2	26	0	0	0	100	26
Water Facility	16,250	915	17.2	16	793	11	614	100	1,423
Federal Share Total	187,687	107,077	17.2	1,843	7,630	39	2,177		10,100
State & Local Authority Share									
Park & Open Space	29,090	29,090	17.2	500	197	0	0	100	697
Reserved Land	0	0	17.2	0	0	0	0	100	0
Cemetery	16,000	73	17.2	1	0	0	0	100	1
Religious Facility	5,000	5,000	17.2	86	0	0	0	100	86
Community Hall	3,360	0	17.2	0	0	1	56	100	56
Others	0	0	17.2	0	0	0	0	100	0
State & L.A. Share Total	53,450	34,163	17.2	587	197	1	56	100	840
Agency Share									
Electricity Substation	0	0	0	0	1,090	0	0	80	872
Telephone Service	0	0	0	0	1,183	0	0	100	1,183
Sewage Disposal	4,000	4,000	17.2	69	982	0	0	100	1,051
Agency Share Total	4,000	4,000		69	3,255	0	0		3,106
Total	245,137	145,240		2,499	11,082	40	2,233		14,046

1) Average purchase rate is calculated based on sub-total of roads and applied to respective type of roads.

2) The amount is calculated by multiplying no. of buildings with average compensation cost per building of RM56.90

Appendix 5.1 Opinion Survey Questionnaire

LAND READJUSTMENT STUDY KG. SUBANG KAJIAN PENYUSUNAN SEMULA LOT KG. SUBANG 梳邦村土地重整研究

1. General Information Maklumat Umum 普遍资料

Name : Nama 姓名	Sex Jantina 性别	<input type="checkbox"/> Male Lelaki 男	<input type="checkbox"/> Female Perempuan 女	Age : Umur 年龄
Address (Residential) : Alamat (Rumah) 住址			Lot No. : No. Lot : 地段编号	
Occupation : Pekerjaan 职业		Workplace : Tempat Bekerja 工作地点		
Length of Residence in Kg. Subang : Lama Tinggal di Kg. Subang 居住梳邦村多久?		Years/Tahun/年		

2. Land and Building Tanah dan Bangunan

Land/Tanah/地	Building / Bangunan / 建築物	
	Item/Perkara/事项 1	2
Area : _____ acre/ekar/依格 Keluasan 面積	Building Use Kegunaan Bangunan 建築物之用途	<input type="checkbox"/> Residential Rumah 居住
Status : <input type="checkbox"/> Freehold Status : <input type="checkbox"/> Pegangan Bebas 地位 : <input type="checkbox"/> 不動產		<input type="checkbox"/> Residential Rumah 居住
<input type="checkbox"/> TOL <input type="checkbox"/> Leasehold <input type="checkbox"/> Pegangan Pajakan <input type="checkbox"/> 租借產		<input type="checkbox"/> Commercial Perdagangan 商用
Lease Period : _____ Years Tempoh Pajakan : _____ Tahun 租借期限		<input type="checkbox"/> Factory Industri 工業用
Leases : <input type="checkbox"/> Yes/Ya Pajakan : <input type="checkbox"/> 是	No. of Storey Bil. Tingkat 層數	<input type="checkbox"/> Others Lain-lain 其他
Charge : <input type="checkbox"/> Yes/Ya Gadaian : <input type="checkbox"/> 是	Floor Area Keluasan Lantai 地之面積	<input type="checkbox"/> Others Lain-lain 其他
	Building Age Usia Bangunan 建築物之年龄	_____ sqm m ² 平方呎
		_____ Years Tahun 年

3. Overall Assessment of Land Readjustment Concept
Penilaian Menyeluruh Konsep Penyusunan Semula Lot
土地调整概念之全面评估

- 3.1 Were you able to understand LR concept? Please tick (/)
Adakah anda memahami konsep LR? Sila tandakan (/)
您是否能夠明白土地調整之概念? 請在格子里划(✓)

Item Perkara 事項	Understand Well Mudah difahami 容易明白	Understand fairly well Faham Sedikit 不容易明白	Difficult to Understand Sukar Difahami 很難明白
1) Overall concept Konsep Menyeluruh 全面概念	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Contribution Sumbangan 貢獻	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Replotting Memplot Semula 土地重疊	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Financial Land Tanah Kewangan 金融土地	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Other (Specify) Lain (Nyatakan) 其他(聲明)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 3.2 How do you find LR concept generally?
Pandangan tentang konsep LR secara umum?
大致上, 您覺得土地重疊的概念如何?

- 1) ☐ Good and interesting
Baik dan menarik
好与吸引人
- 2) ☐ Not so good
Tidak begitu baik
不很好

3) Comments/Komen/评语

- 3.3 Do you think the LR concept can be accepted in Malaysia?
Adakah anda fikir konsep LR boleh diterima di Malaysia?
您覺得土地重疊之概念在馬在西亞是否能被接受?

- 1) Yes very well
Ya, sudah tentu
是, 当然
- 2) Yes but difficult
Ya, tapi sukar
能, 但很难
- 3) No/Tidak/
不能
- 4) Please write reasons;
Sila nyatakan alasan
請道出原因

4. Assessment of the Proposed LR Scheme for Kg. Subang.
 Penilaian Terhadap Cadangan Skim LR untuk Kg. Subang.
 評估梳邦村之土地重整建議

4.1. How do you find the proposed project?
 Pandangan tentang cadangan projek?
 對於此計劃里的建議您有何看法?

1) ☐ Good/Baik/ 好

2) ☐ Good, some improvements necessary
 Baik tapi perlu beberapa pembaikan
 好, 但還需改善

Please specify necessary improvements
 Sila nyatakan pembaikan yang diperlukan
 請寫下所需改善之事項

3) ☐ Not so good
 Tidak begitu baik
 不很好

Please write reasons
 Sila nyatakan alasan
 請道出原因

4.2. Do you agree to your contribution?
 Adakah bersetuju dengan sumbangan anda?
 您贊同自己的貢獻嗎?

1) ☐ Yes/Ya/ 贊同

2) ☐ Yes but too high
 Ya tapi terlalu tinggi
 贊同, 但太嚴重了

How many % do you think acceptable?
 Berapa % difikirkan munasabah
 您認為多少百分比能被接受 =

%

3) ☐ No/Tidak
 不贊同

5) Please write reasons
 Sila nyatakan alasan
 請道出原因

4.3. How do you find "Financial Land"?
 Pandangan anda tentang "Tanah Kewangan"?
 您對金融土地有何看法?

1) ☐ Good concept
 Konsep yang baik
 很好的概念

2) ☐ No good
 Tidak baik
 不好

3) Please write reasons
 Sila nyatakan alasan
 請道出原因

5. Assessment of Replot
Penilaian Tentang Memplot Semula
有关土地重整之评估

5.1 How do you find the location of replot?
Pandangan anda tentang lokasi memplot semula
您對於重整的地点有何意見?

- 1) ☐ Want at the same / nearby location
Mahukan yang sama / berhampiran lokasi
要同样/靠近的地点
- 2) ☐ Do not mind the location as long as value / utility / environment improve
Tidak keberatan jika lokasi punya nilai/kemudahan/pembaikan persekitaran
不在意重整后的地点,只要價值/設備/環境方面有改進,都能被接受

5.2 What is the important factor you consider for accepting replot?
Apakah faktor penting yang diambil kira penerimaan memplot semula?
什么重要因素 使您考慮接受這计划

- | | |
|---|---|
| 1) <input type="checkbox"/> Convenience
Keselesaan
便利 | 5) <input type="checkbox"/> Land Shape
Bentuk Tanah
土地形樣 |
| 2) <input type="checkbox"/> Environment
Persekitaran
環境 | 6) <input type="checkbox"/> Land Status (Leasehold period)
Status Tanah (Tempoh Pajakan)
土地地位(租借期限) |
| 3) <input type="checkbox"/> Land Value
Nilai Tanah
土地價值 | 7) <input type="checkbox"/> Other; Please specify
Lain; Sila nyatakan
其他; 請聲明 |
| 4) <input type="checkbox"/> Land Size
Saiz Tanah
土地面積 | |

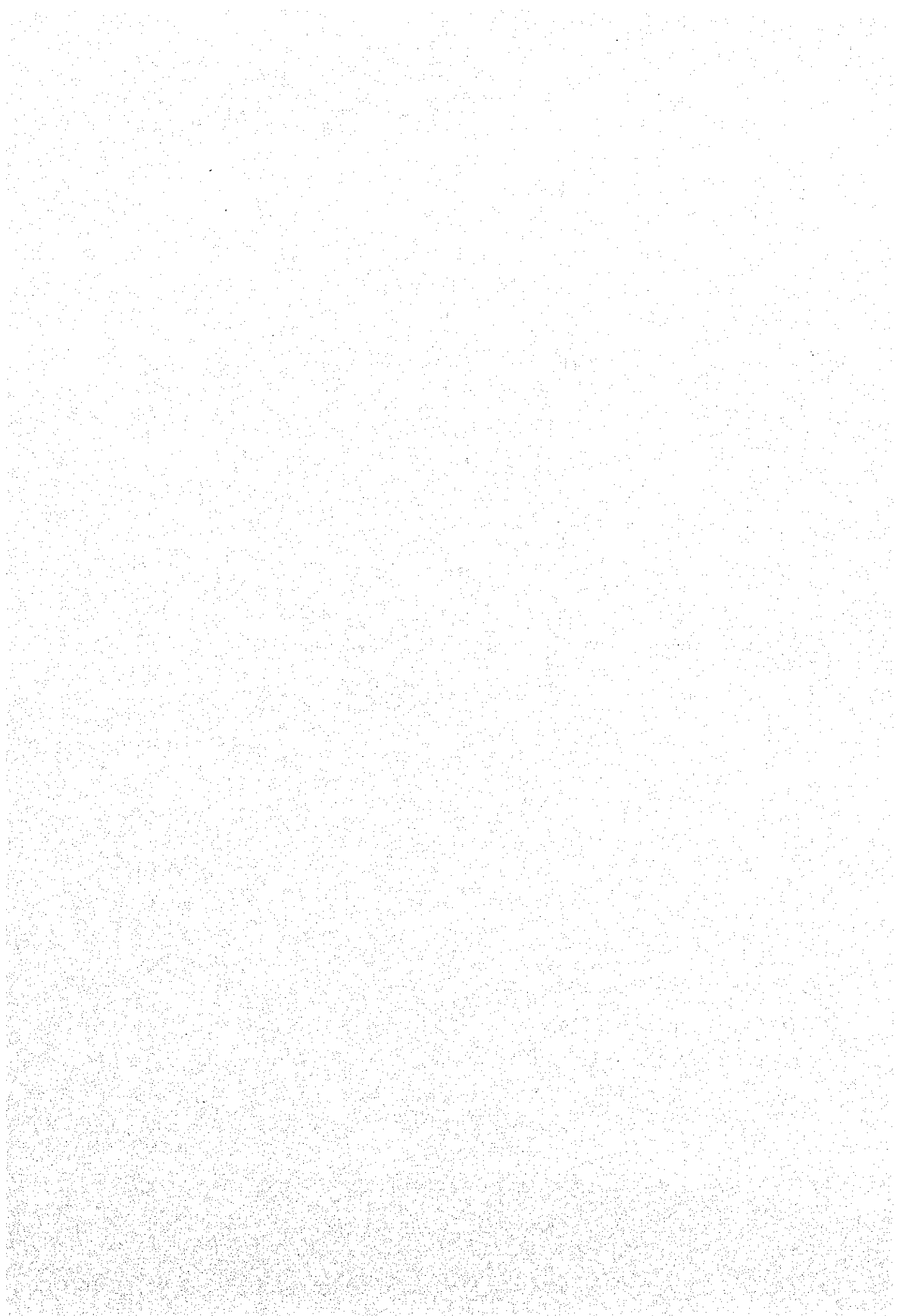
6. What do you think of today's presentation?
Apakah pandangan anda tentang taklimat hari ini?
您對今天的解釋,有何意見?

- 1) ☐ Understand well/Mudah difahami/ 容易明白
- 2) ☐ Understand fairly well/Faham sedikit/ 大概明白
- 3) ☐ Difficult to understand/Sukar difahami/ 很難明白
- 4) ☐ Any suggestions/Cadangan/ 有何建議

7. Do you want to participate in the proposed project?
Adakah anda ingin menyertai projek yang dicadangkan?
您願意參與此建議中的计划嗎?

- 1) ☐ Yes/Ya/ 是,願意
- 2) ☐ Yes, with conditions (Give reasons)
Ya, dengan syarat (Alasan).
是,但附帶條件 (請道出原因)
- 3) ☐ No/Tidak/ 不願意

< Thank You/Terima Kasih/ 謝謝 >



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