

**CENTRE OF STUDIES FOR BUILDING SURVEYING
FACULTY OF ARCHITECTURE, PLANNING AND SURVEYING
UNIVERSITI TEKNOLOGI MARA**

**LAND ACQUISITION PRACTICE
IN MALAYSIA**

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**Academic Project submitted in partial fulfilment of the requirements
for the degree of
Bachelor of Building Surveying (Hons)
Centre of Studies for Building Surveying
Faculty of Architecture, Planning & Surveying**


June 2015

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**“I hereby declare that this academic project is the result of my own research
except for the quotation and summary which have been acknowledged”**

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Date : July 15th, 2015

Acknowledgement

First of all, Thank you Allah s.w.t for the blessing and help in my life in get through in my entire journey for all time until now.

This research produces by the help of support and understanding given from my family and friends. The sacrifices needed in preparing and achieving the objective of this research. Supervise by Sr. Mazlan bin Abu Bakar, his advice and understanding make me feel more comfortable and struggle in complete this research. Under his lead, it make thing more organised and flexible. All the idea and criticism make this research paper be much better and full of useful content.

One again, thanks to all lecturers, family and friend who give me support and corporation and be understanding in my situation to complete this research.

Thank you and May Allah s.w.t bless all of you. Insha'Allah.

Abstract

One of the jurisdiction section been applied in Malaysia is Land Acquisition Act 1960 and from public side it been negative expectation regarding this Act because this Act are approve any alienated land to be acquired in reasons to be develop for public interest.

Without deep explanation regarding this Act, Mala fide in public side will be growth and the wrong concept are been applied to the public. In avoid any misunderstanding and biased, each person who involve in this situation should have some information and general knowledge regarding this matter. Not every aspects from this Act is cruel, there are some part in this Act are guide to the consider the humanity and the best solution offer by this Act are by make sure the proprietor get the inadequate compensation and certain thing which by Land administrator opinion can be paid to the landlord.

Cannot be deny, the sentimental value are attach with the property, but back to the religion, there are nothing is own by us and everything is just the borrower from our Creator. This Act made for unrestraint the development sector in this country synonym with this country status as a developing country. The amendment in this Act still needed from time to time in make this Act are relevant to be use and suitable with the condition and current situation.

CHAPTER 1

1.1 INTRODUCTION

In this research, it consist land acquisition matter. In this country, it bound to the National Land Code which protects any land matter. National Land Code contents the procedure, form and the arrangement to be done by the government and public. When talk about land matter, important to know who can be effected if something happen to the land. Refer to the National Land Code; people who have right to the land are the people who had been registered in document tittle. But in acquisition case, the main guidelines should be based on Land Acquisition Act 1960 which also known as Act 486 Law of Malaysia and also related in Federal Constitution 1957, Art 13.

This Land Acquisition Act 1960 it is the tool for our government in taking and possess any land which are needed for certain purpose and as Article 13 of Federal Constitution provides for an individual right to property which are in 13 (1) "*No person shall be deprived of property save in accordance with law*" and 13(2) "*No law shall provide for the compulsory use or acquisition of property without adequate compensation*". This method helps the government in development process in certain area which in their opinion when the development had been done it will help in economic growth for the state and directly give benefits to the country.

In Malaysia, there is separation of powers in administration and management but they still need each other to develop their state and country. It is between the Federal Government and State Government or known as State Authority. Back to the acquisition matter, it is depend on whether the project is needed by the State Authority or the Federal Government. How to recognize which side is acquit the land is by finding the source of compensation are made. Is it from the State fund or Federal fund? Land Acquisition Act 1960 applies to all country in Malaysia except for Sabah and Sarawak that refer to different Enactment and Act. For Kuala Lumpur, Labuan and Putrajaya territory the organization and structure are different than state and the acquisition in this three (3) territory are decide by Jawatankuasa Kerja Tanah compare to state which will decided by EXCO.