

**COMPUTERIZATION OF LAND TITLES :
A CASE STUDY IN SHAH ALAM**

By

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others



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ABSTRACT

In 2004, a case was reported in the local newspaper regarding an illegal transfer of land ownership in Shah Alam. This illegal transfer was done not by an outsider, but by an employee at the Selangor Land Office.

This case raised doubts on the effectiveness of the Computerized Land Registration System adopted by the Land Office in 2000. This system is basically a registration system of land titles through the use of computer.

CLRS does provides various advantages in terms of reducing time used in the registration process, improved storage system, and enhanced effectiveness as it only focused on process of registration. Furthermore, as the system adopts the Local Area Network (LAN), it provides a better security as it is not open to public at large.

However, despite the advantages offered, there are still loopholes that could defeat the effectiveness of CLRS. The system does not provide protection for data and compensation to those having interest in the land in cases of illegal transaction.

Therefore, there is a need to mitigate the defects so that the system could serve its main purpose which is, providing an effective land administration system.



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CHAPTER 1: INTRODUCTION

1.0 Introduction

It has always been the conventional practice of Torrens System that any document concerning land or any transaction related to it to be registered. There are numbers of dealings concerning land and ways of disposing it from the 'hands' of the State. One of the best modes in disposing land is by way of alienation. Part 5 of National Land Code 1965 outline the various information that deal with alienation. Here, the importance of registration was, again, emphasized. Registration is the key of the effectiveness of alienation and it will remain State land until that time.¹ Generally, one of the basic acts of registration, be it a land title or an instrument of dealing in land, is that the memorials of registration must be under the hand and seal of office of the registering authority, otherwise it will be rendered void ab initio and not complete upon failure to do so.² The importance of having all land titles and dealings involving land registered is to make it easier to implement, control, and secure the registration.

In 1992, a new information system came into existence where the system is to provide an effective access of Land Information System by using Information Technology to improve the utilisation of land data in Malaysia which is known as the National Infrastructure for Land Information System (NaLIS).³ The system promotes the efficiency of management of land administration by using computer. The Computerised Land Registration System (CLRS)⁴ is one of the systems that were established by the Ministry of Land and Cooperative Development with the hope that it will accelerate the

¹ National Land Code (Act 56 of 1965) s 78

² SY Kok, "Computerization of Land Titles Under The Modified Malaysian Torrens System", [1998] 3 MLJ 1 at pg 3

³ Prof. Dato' Dr. Nik Mohd Zain bin Hj. Nik Yusof, "The National Infrastructure for Land Information System (NaLIS), applying Information Technology to improve the utilization of land data in Malaysia", <<http://www.fig7.org.uk/events/penang97/penang972.htm>> (23 February 2007)

⁴ National Land Code (Act 56 of 1965) Fourteenth Schedule