

UNIVERSITI TEKNOLOGI MARA  
FACULTY OF ADMINISTRATIVE SCIENCE & POLICY STUDIES

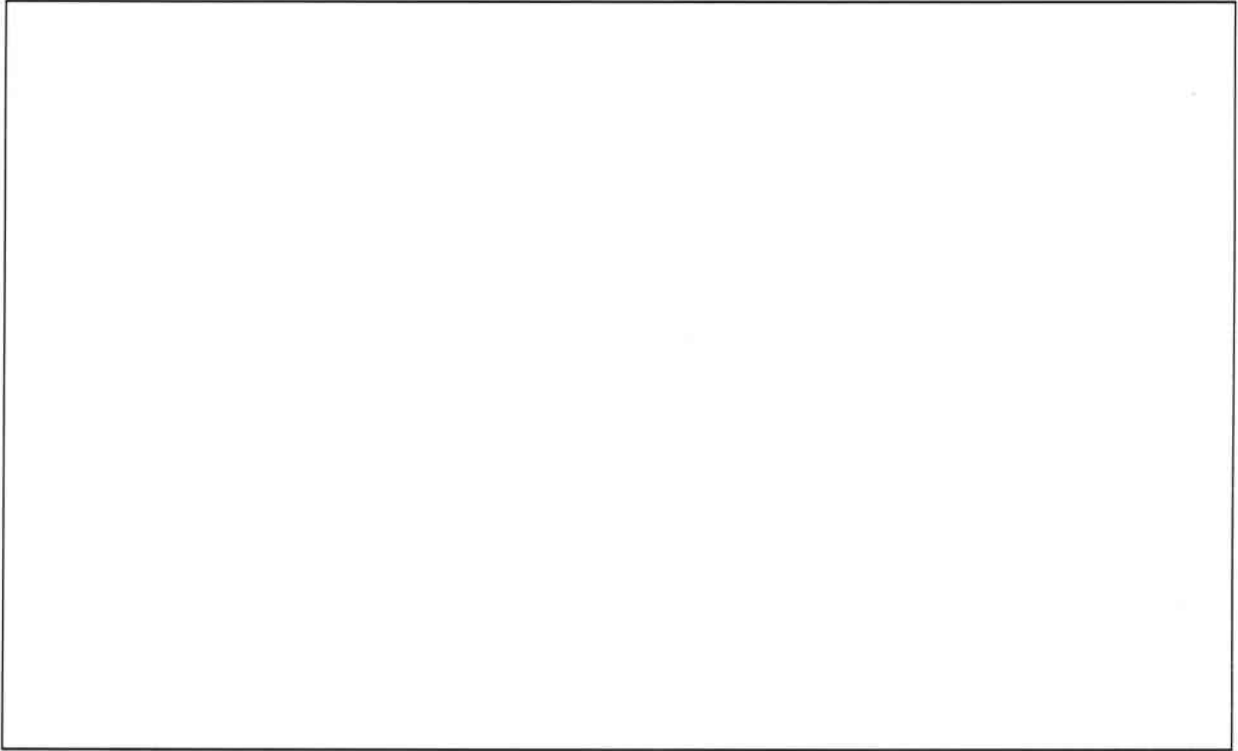


ADS 668  
INDUSTRIAL REPORT  
LANDS AND SURVEYS DEPARTMENT

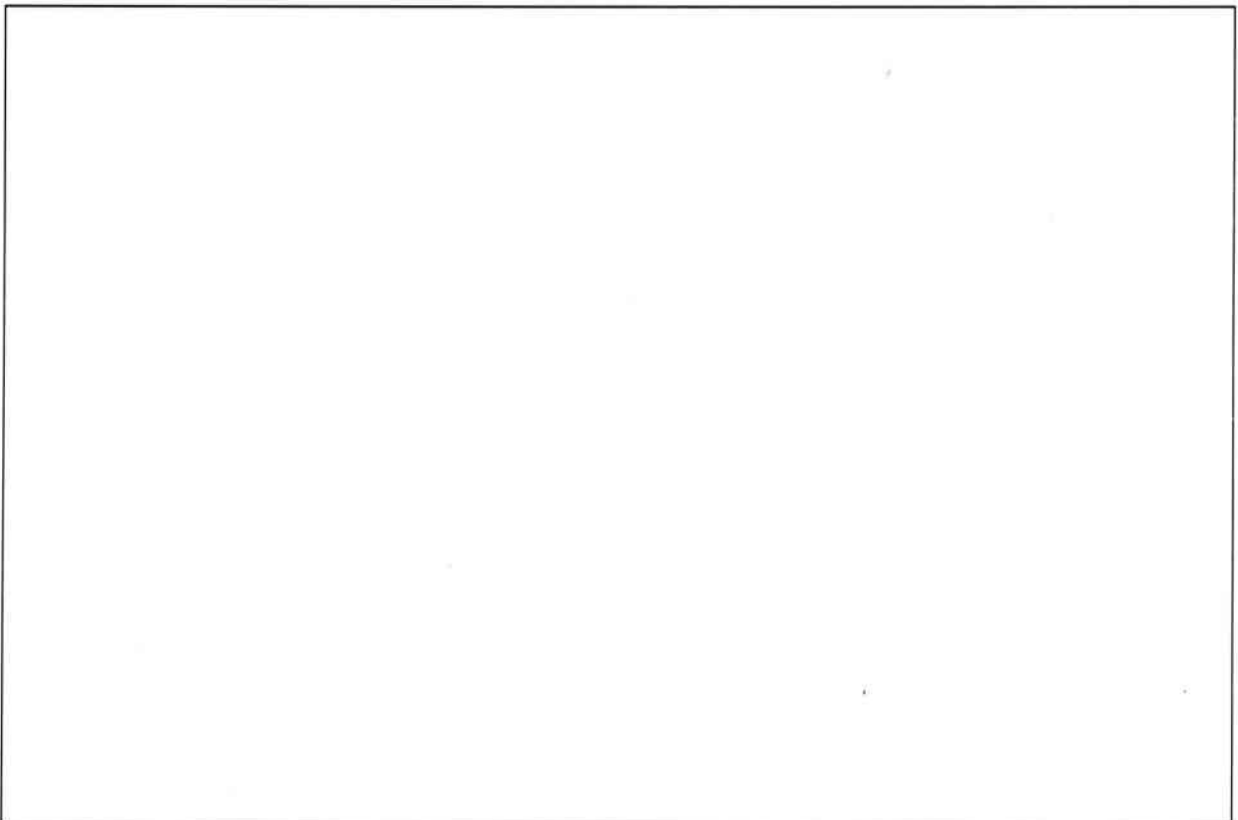
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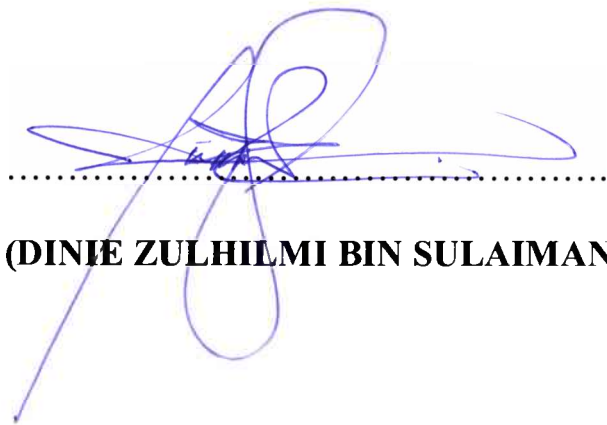
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.....

**(DINIE ZULHILMI BIN SULAIMAN)**

## **ACKNOWLEDGEMENT**

I would like to express my warmest thanks to my supervisor, Madam Nadrawina Binti Isnin and my coordinating lecturer, Sir Fairuz for their steady support, guidance and advice from start to the completion of the dissertation.

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## **TABLE OF CONTENTS**

### **CHAPTER 1 : INTRODUCTION**

1.0	Introduction	1
1.1	Background of the Department	1
1.2	Vision	2
1.3	Mission	2
1.4	Slogan	2
1.5	Quality Principles	3
1.6	Enforcement Branch	3
1.6.1	Background of Enforcement Branch	3
1.6.1.1	The prevention and eradiction	4
1.6.1.2	Dealing with BTC	4
1.6.1.3	Illegal Removal of Rock Materials	4

### **CHAPTER 2 : CURRENT JOB DESCRIPTION**

2.0	Introduction	5
2.1	Job Specification	6
2.2	Monthly Report	9
2.2.1	March	9
2.2.2	April	10
2.2.3	May	11
2.2.4	June	12

## **CHAPTER 3 : THEORY AND PRACTISE**

3.0	Introduction	14
3.1.1	Utilitarianism	14
3.1.2	Fiedler's Contingency Theory	15
3.1.3	Techno – Centric	15
3.1.4	Cost Benefit Analysis (CBA)	16

## **CHAPTER 4 : DISCUSSION**

4.0	Introduction	17
4.1	Strength	17
4.2	Weaknesses	18
4.3	Recommendation	19

## **CHAPTER 5 : CONCLUSION**

5.0	Introduction	20
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## CHAPTER 1

### 1.0 Introduction

As one of the State Department in Sarawak, The Department of Lands and Surveys Sarawak is responsible for;

- ❖ Land Administration
- ❖ Cadastral Survey
- ❖ Land Use Planning and Subdivision of Land
- ❖ Acquisition of Required Land for Public Development
- ❖ Authority of Land Registration
- ❖ Maintain Land Information Database

This department is mainly under the Ministry of Resource Planning and Environment, the ministerial lead by the Chief Minister itself, Tan Sri Datuk Patinggi Hj. Adenan Bin Satem and other ministers such as Datuk Amar Awang Tengah Bin Ali Hassan and Datuk Naraoden Bin Majais.

### 1.1 Background of the Department

The Department of Lands and Surveys was formed in 1918. Meanwhile, The Department of Lands and Surveys, Samarahan Division was formed in 1987 when Samarahan was officially declared as an administrative division (8<sup>th</sup> Division of Sarawak). It covers 540sq km and comprising of four district such as Samarahan, Asajaya, Simunjan and Serian. The other two sub-district are Tebedu and Sebuyau. The summary of Lands and Surveys Samarahan Division history can be viewed as the table 1.1 below.





YEAR	HISTORY
Before 1987	Known as 'Muara Tuang' under Kuching Division
1987	Declared as (8 <sup>th</sup> Division)
1988	The Department of Lands and Surveys Samarahan Divison started operations in Lands and Surveys Kuching Division office
1989	Move to Samarahan
1995	Began operating on its own building until now

Table 1.1

The Department of Lands and Surveys Divisional Offices is led by a Superintendent. For Samarahan office, the Superintendent in charge is Rozlan Bin Haji Putit with the assistance of 210 manpower from various grade of jobs at various branches. The branches that can be found in this department is Land Branch, Planning Branch, Valuation Branch, Enforcement Branch, Administration, Computer Center and Public Relation Unit.

## 1.2 Vision

The vision of The Lands and Surveys Department is *'To be an excellent administration and land management organization'*

## 1.3 Mission

The mission of the department is *'To administer and manage land to the best advantage to the state and people with professionalism and integrity in tandem with the aspiration of the State'*.

## 1.4 Slogan

An agency to facilitate development

## 1.5 Quality Principles

The Department enhance our service delivery by practising the following quality principles;

(i)	Do things right at the first time
(ii)	Proactive leadership at all levels
(iii)	Effective communication
(iv)	Knowledgeable and Competent
(v)	Continuous Improvement

## 1.6 Enforcement Branch

### 1.6.1 Background of Enforcement Branch

Prior to the establishment of the Enforcement Division at Headquarters in 1997, there were only Enforcement Units within the Land Branches at the divisional offices of the Land and Survey Department. The Enforcement Branch of the Department was established in response to the government policy which emphasizes on importance of the enforcement of the laws, in taking firm measures and actions in:-

- ❖ the prevention and eradication of squatters problems (S.209B);
- ❖ dealing with breach of title conditions (S.33); and
- ❖ illegal removals of rock materials (S.32A);

There are Laws and Regulations that are enforced by the Enforcement Branch in this department which are;

- ❖ Kanun Tanah Negeri (Bab 81)
- ❖ Mineral Ordinance 2004
- ❖ Building Ordinance 1994
- ❖ Strata Title Ordinance 1995
- ❖ Kanun Prosedur Jenayah (Act 593)
- ❖ Akta Keterangan 1950
- ❖ Kanun Keseksaan (Act 574)

### **1.6.1.1 The prevention and eradication of squatters problem**

Squatters can be defined as occupying the land which belong to the state or the government without any lawful permission from the authority. Any land which is not belong to any person or individual or organization is considered as State Land. Means that, if there is a person who is willing or who is occupying the state land by building any kind of structure such as house, shop, crops and etc will be subjected in breaching the provision in Sarawak Land Code (Chapter 81) Section 209B where the demolishment of structure will come into existence.

### **1.6.1.2 Dealing with Breaching The Title Condition**

Breaching The Title Condition or known as BTC is where a person who is doing the activity which is against or contradict with the land use under the land title. The provision in Sarawak Land Code for this offence is under Section 33. In other words, if in title condition of land is only for residential, but at the same time the land owner is operating a convenience shop at his house so the breach of title condition is taken into existence. So, the re-entry process will be imposed to the land owner and the fine of RM500 per day continuously will be applied until the land owner remedies the guilty.

### **1.6.1.3 Illegal Removals of Rock Materials**

Rock materials can be identified as any soil, rock, stone, clay, gravel, sand, and other minerals that can be extracted on earth. These materials can be considered as having an industrial values where are needed especially in property development. The said illegal is taken into existence when any rock materials is move to another parcel of lot to another without any licence from Lands and Surveys Department. The significant of licencing this activities is to ensure any removal of rock material will be charged royalty which will be paid to the state. If any person or contractors or organization fails to follow this law, he may subjected to be charged a fine of five thousand ringgit or imprisonment of not more than two years.

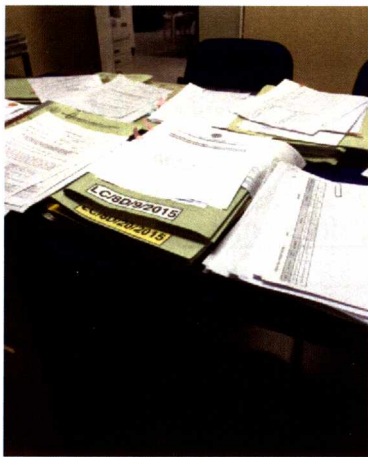
## CHAPTER 2

### Current Job Description

#### 2.0 Introduction

In this chapter, the discussion will be more focused on my current job description. I started my career in Lands and Surveys Department in 2011. For the first 3 years, I was placed in the Headquarters of the Department which situated at Menara Pelita, Jalan Tun Abdul Rahman Yaakub Kuching before been promoted to be the Section Head of Enforcement Unit at Samarahan Divisional Office.

When I was in HQ as an Assistant Enforcement Officer or known as AEO, the job given to me was more focused on two fields, Physical Operation and Squatters Management. The law that was enforced in order to implement this task is under the provision of Section 32A and Section 209B of the Land Code.



The Physical Operation is mainly to enforce the Section 32A of Land Code which is to monitor the activity of extraction or removal of earth. In other words, the activity of extraction and removal of earth without the permission from the Department will be consider as illegal. To legalise the activity, the person who intend to extract or remove the earth is subjected to apply for a Licence to Remove Earth or Limited Licence to Remove Earth (specifically to the government project only). The 'earth' in this context can be identified as the soil, sand, rock materials, minerals, clay, gold and any other resources. If someone is found guilty on removing the earth without any licence, the fine of five thousand ringgit and imprisonment not more than 2 years will be imposed.

On the other hands, squatters management is more towards enforcing the Section 209B of Land Code. In regard to this provision, any occupation of State Land without any permission from the Department is consider as illegal. The State Land can be classified as the land which by legal belongs to the State Government. However, in this modern era where the migration of rural people to Jourban for

work, this situation makes this problem more crucial. Moreover, the hike of house price is tremendously high from year to year caused the people tend to illegally occupied the land for shelter. The squatters also occurs for commercial activities where we can see there are so many illegal structures which are built in within the gazetted road reserve area doing some business. If someone is found guilty in occupying the state land, the structure will be immediately demolish and no compensation will be given.

After 3 years served in HQ, my first posting is at Samarahan Division. The day I report my duty at Samarahan Division, the awaiting tasks and responsible is more crucial than before. This is because I was appointed as Section Head which leading the Enforcement Unit in Lands and Surveys Samarahan Division. The job as Section Head is wider than when I was in HQ which was more specific. In Samarahan, i will report to a Superintendent as my superior.

## 2.1 Job Specification

The job specification as such below;

NO.	JOB SPECIFICATION	FREQUENCY
1.	Enforcement job	Daily routine
2.	Roll Call	Daily routine
3.	Serving 'Notice to Quit'	Periodic
4.	Compounds	Periodic
5.	Preparation of Field Work task	Weekly
6.	Preparation of Ops Order	Periodic
7.	Investigate the Offence under Land Code	Periodic
8.	To prepare and complete the Investigation Paper	Periodic
9.	To investigate and check on S.33 KTN	Periodic
10.	Demolition Ops	Periodic
11.	To monitor the Royalty collection	Periodic
12.	To monitor application of Removal of Earth Licence, Mining Licence, Right of Way, Renewal of Land Lease, Livestock Farming, Wharf Licence, and Industrial Lot.	Daily Routine
13.	To monitor the squatters area	Periodic

**Table 2.1**

### **2.1.1 Enforcement Job**

Enforcement Job can be identified as to enforce the Sarawak Land Code. Any breach of such law will be subjected to an action which has already stated on such law.

### **2.1.2 Roll Call**

Roll Call is a routine daily activity. Roll call is where all the staff will be gathered and the supervisor of the staff need to report to the Section Head especially on the attendance of the staffs. Any new information will be given out during the roll call. The Roll Call can be considered as a must in Uniformed Body.

### **2.1.3 Serving 'NTQ'**

Notice to Quit is a notice to order someone to vacate the premises or structure. Basically, the NTQ is given if someone is occupying the State Land. There will be given some time to move out before the demolition or enforcement action take place. Basically, the period given is one month to 6 months.

### **2.1.4 Compound**

Compound is imposed to the person who is commit guilty in breaching the S.32A KTN which is illegal removal of earth. The compound impose is five thousand ringgit.

### **2.1.5 Preparation of Field Work Order and Ops Order**

Field work order is an order to mobilize the enforcement staff to patrol and monitor the activities at the division. This order must be done weekly. Meanwhile, the Ops Order is done periodically. Ops Order will be released if there is an operation need to be held.

#### **2.1.6 Investigate an Offence under KTN and to prepare Investigation Paper**

If there is an offence under KTN, my task is to investigate and open the Investigation Paper. The IP will be submitted to State Attorney General in order to get the further action.

#### **2.1.7 To monitor the Royalty Collection**

The department will gain its royalty collection by given out the licence to the licensee. The royalty is very important in order for the state to develop the state as a whole. The amount of royalty must be monitored in order to ensure there will be no underpaid royalty.

#### **2.1.8 To monitor application of Removal of Earth Licence, Mining Licence, Right of Way, Renewal of Land Lease, Livestock Farming, Wharf Licence, and Industrial Lot.**

These are among the application which processed by the Enforcement Branch in the division. The process will be processed by the processing officer and my task is to do checking and recommendation after the processing officer done their part.

#### **2.1.9 To monitor the squatters area**

The squatters must be monitored so that the volume will not increase. It is important to do preventive action on this case so that it is easier to control.

## 2.2 Monthly Report

### 2.2.1 First Month (MARCH)

In March, the major task for my Unit is to do the Ops River. Ops river is where the unit is focused on the operation at the river. What to monitor? The main concern is to check the operator which has been given the licence to extract the sand on the river.

To extract the sand, the licence is a must to apply for the operator. The sand operator that are in our record are such below;

NO.	OPERATOR	AREA
1.	Hock Seng Lee	Along Sungai Batang Sadong
2.	Cahaya Murni Sdn. Bhd.	Along Sungai Batang Sadong to Gedong Area
3.	JV Bumijaya	Along Sungai Batang Samarahan to Sungai Muara Tebas

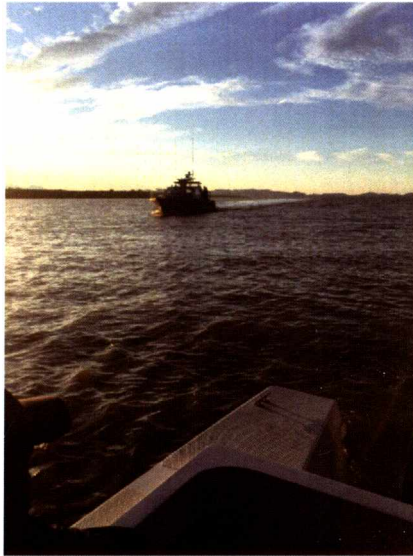
**Table 2.2.1**

These three as stated in Table 2.2.1 are among the licenced operator which is allow to extract the sand in Samarahan Division. Along the operation, the checking has been made towards them in to ensure they are complied with the rules and regulation as stated under their licence such as;

- ❖ Not to extract the sand outside the permitted hours which is from 7pm o 7am.
- ❖ Not to extract the sand outside the permitted area as specified on their licence.
- ❖ To bring all the relevant documents such as Licence and the Ship Registration



During the operation on March, there was no illegal extraction can be identified. All the licensee had followed the rules and regulation as stated under their licence. There are no illegal vessel extracting the sand can be found also.



The asset that has been utilized during the operation was a speed boat, 10 enforcement staffs which led by myself and a 1000 litre of petrol. The one month operation ended on April.

The most important thing need to be emphasized during the Ops River is the proper planning. The planning includes the movement of target entity, the change in river situation, utilization of petrol and also the intelligence tactics.

Other than that, the element of Leadership also very important. This is because the command need to be very clear and effective. The ineffective command will only cause anger, misbehaviour, non-compliant of procedures and many more.

### **2.2.2 Second Month (April)**

In April, the Enforcement from all eleven (11) division was ordered by Headquarters to participate in Demolition Operation in Bintulu. The operation is held at Similaju Industrial Zone, Bintulu.



During the operation, I was appointed as the Investigation Officer. As an IO, my task was to ensure there was proven non-compliance with the Sarawak Land Code happened on such case. The Investigation Paper had been opened by me and after a week investigating the case, the person was found guilty in breaching the S.209B KTN law which occupying the State Land.

There were 30 over structures build by the offender named En. Tubok Anak Riot. The structures was built by him starting 10 years ago. It was actually for the purpose of a resort. He claimed that the land was belong to him due to NCR claim made by him few years ago. However, based on the record at the Bintulu Divisional office, based on 1953 aerial photo, the site claimed was a Primary Forest. It means, no activity on the ground during that particular year and it made the NCR claim as not legit.

The operation was joined by several agencies such as PDRM, Immigration Department, RELA, and Forestry Department.

After come back from the operation. I entered my office and do the same routine task as mentioned in my job specification on **table 2.1**.

### **2.2.3 Third Month (May)**

In May, I was selected to participate on the recruitment team. The recruit was made for the 2015 intake for the post of Enforcement and also General Workers post in Lands and Surveys Sarawak Department. The recruitment was held at Sarawak Indoor Stadium.

There were 250 individual from the age of 18 to 35 who had joined the recruitment. This recruitment was not the open recruitment but the list of applicant was actually had been filtered by the HR Department of Jabatan



Ketua Menteri. The application was made through Sarawak E-Recruitment.

During the recruitment, I was selected as a Chief of Examiner where I need to lead several other testers for the recruitment. The recruitment was started with physical test and last with characteristic test. As a result, almost 10 percent or 25 person past the test and will continue to another level of recruitment which was, the interview.

Another task in May was the Mineral Ordinance Course in Miri. All the Head of Enforcement Unit were gathered to attend the course.

The course was held in Imperial Palace Hotel, Miri starting from 20<sup>th</sup> – 28<sup>th</sup> of May. The course which I felt very important was to clarify us on the amendment of Mineral Ordinance 2005 and also to prevent the underpaid royalty in mineral extraction activities. The course was also very important because when all the Head of Enforcement Section gathered together, the fresh and new ideas can be generated in order to enhance the effectiveness of enforcement in the division. I personally feels that the course was very important in order to do my job effectively and also important to my knowledge development in Land matters.

#### **2.2.4 Fourth Month (June)**

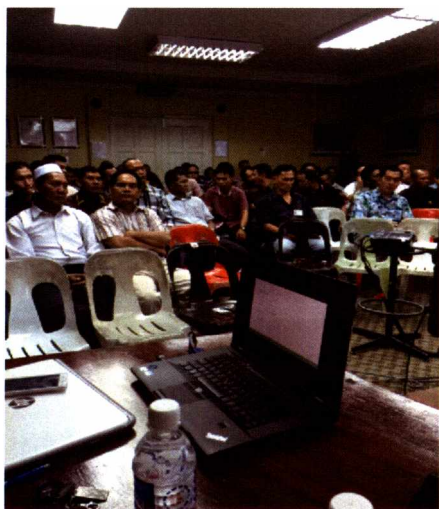
In June, there was marching activity going on. The marching was for the KIK Convention that was held in Imperial Hotel, Kuching. The training for the marching was held for two weeks.



Marching activity can be considered as a must for the Uniformed Body. Marching will test the enforcer to unite and react on one command only. It also important as to improve the obedient of the staffs to

their leader. The most crucial element for marching is Leadership.

Other than that, in June also the Dialog for NCR Claimant was held. As a



coordinator, it was very important to clarify the claimant in regard to the government policy towards the NCR matters. NCR or also known as Native Customary Right give the authority to the legit claimants to occupy the state land.

The dialog was held for the claimant in Balai Ringin area. They were told about the initiative of the government to survey their area so that the boundary of their NCR land can be determined.

target, as long as it will not bring the inconvenience to my staff, the decision can be similar to the Utilitarianism theory that practised.

### **3.1.2 Fiedler's Contingency Theory**

Fiedler's situational contingency theory holds that group effectiveness depends on an appropriate match between a leader's style (essentially a trait measure) and the demands of the situation. Fiedler considers situational control the extent to which a leader can determine what their group is going to do to be the primary contingency factor in determining the effectiveness of leader behavior.

Fiedler's contingency model is a dynamic model where the personal characteristics and motivation of the leader are said to interact with the current situation that the group faces. Thus, the contingency model marks a shift away from the tendency to attribute leadership effectiveness to personality alone.

According to this theory, the best leader is the leader who manage to handle stress in group situation. This is because only leaders with situational control can be confident that their orders and suggestions will be carried out by their followers.

In practise, as a leader, we must be able to make decision when in any kind of situation. As for example, if there is a problem faced at the site during demolition operation such as the squatters is becoming extremely aggressive with weapon, the quick decision must be made. It is whether to pull back operation or using the approach of persuade in order to cool down such person. Thus, the staff will evaluate our action and it will become something that will be followed by the staffs. And lastly, the element of respect will come into existence.

### **3.1.3 Techno – Centric**

As studied in Knowledge Management, Techno – Centric is one of the theory that can be imposed in workplace. It is a value system that concentrate on

technology and its ability to control the behaviour and environment in workplace.

The point that I want to concentrate is how this techno – centric can enhance the ability of knowledge sharing among the staff in the workplace. For example, at my workplace, the usage of whatsapp messenger through smartphone is now has been fully utilized. Even the official direction is now can be given via such application and it makes the service delivery to become faster. Automatically, all the workers are now subjected to use such technology and make themselves in advance situation. The sharing of knowledge can also be shared through the application by everybody on it. The establishment of group in the application makes the target person will become more specific. In example, if there is a team establish for Creative and Innovative project, the group of such project can be established. All the information and direction can be made through the online services and it also makes the task to become paperless. However, the disadvantages will still come into existence if the application is wrongly used.

#### **3.1.4 Cost Benefit Analysis (CBA)**

CBA is a valuable tool for evaluating the net profit of government projects. The benefit of using CBA is it will increase the output of productivity attribute to the purpose of the project. In enumerating benefit, only real increase in output and welfare are considered. Care must be exercised not to double-count the benefits.

This theory is very useful in implementing the department or organizational project. In example, LANDAS Samarahan club to hold an event for its members. The project must be profitable either directly or indirectly. The direct profit is where the benefit can be grabbed by the members who join the activities and indirectly the collected fees can

## CHAPTER 4

### DISCUSSION

#### 4.0 Introduction

In this chapter, I will point out the discussion in regard to my current job strength and weaknesses. Since I first handling this post, I have gain knowledge and experience which I never learn before. At the end of this chapter also, I will discuss a few suggestion on how to improve my current job.

#### 4.1 Strength of my current job

<b>4.1.1</b>	<b>Security of State Land</b>  In enforcing the Land Code especially S.209B, our job is to guard the land which is belong to state. Just imagine if there is no enforcement on this matters, the usage of land will be uncontrolled and numerous of issues and problem will arise among the people itself. The development by the government will also becoming easier where the will be less compensation paid to the public and it will save the budget which can be dump more to the development.
<b>4.1.2</b>	<b>Security of Land Ownership</b>  Perimeter survey of NCR land and gazetted NCR under section 6 of Sarawak Land Code for exclusive use by respected communities who is entitled to the program. Once gazetted, the dispute among the communities on the ground will be lesser. The government will also recognise the land ownership which indirectly will increase the value of land.
<b>4.1.3</b>	<b>Increase the confident level and reliability of the Government Administration</b>  The people will now can reliable on Lands and Surveys Department in handling the land matters in Sarawak. There is no other authority that responsible on land. The main concern is on how to ensure the land is

	administer effectively and reduce the volume of disputes and problems on the ground.
<b>4.1.4</b>	<b>Government Source of Income</b>  In order to develop the state, the resource such as budget need to be found. Our job is to monitor the royalty collection so that the money can be returned to the state government in order to serve for the people.

## 4.2 Weaknesses of my current job

<b>4.2.1</b>	<b>Topography</b>  The topography of the state is very hilly. There are also numerous of rural area that cannot be covered in order to enforce the task. In example, the usage of state land on the very remote or rural area cannot be easily detected especially inside the forest and so on.
<b>4.2.2</b>	<b>Limited Numbers of Vehicle</b>  The vehicle is very important especially for the monitoring or patrolling job. The availability of vehicle under my branch is only 4 in number. If compared to the length of Samarahan Division itself, such number of vehicle is insufficient to be utilized.
<b>4.2.3</b>	<b>Limited Numbers of Staffs</b>  There are only 23 enforcers in my branch. Such enforcers are responsible on the task given to monitor and control the breach of Sarawak Land Code as a whole. The number is obviously insufficient in order to perform the task effectively.
<b>4.2.4</b>	<b>No cooperation from the public</b>  Some of the public is out of knowledge on land matters. The occupation of state land at UiTM Junction for instance, the public is actually encouraging the illegal shops to operate by making their business more in



	demand. As a result, the traffic problems occurs but they seems to do not care about it.
<b>4.2.5</b>	<p><b>The burden of other work</b></p> <p>As for information, my work is not only focus to the branch itself. The other task such as Transportation Officer, Tender Officer, Security Officer, Landas Club and any other additional task given by the Headquarters make the work to become burden. The burden of work will cause the effectiveness and efficiency to drastically drop.</p>

### 4.3 Recommendation

<b>4.3.1</b>	<p><b>Appoint more staff</b></p> <p>The lack of staff cause the job effectiveness to decrease. With the number of available staffs also, the availability to cover Samarahan Division as a whole is becoming unrealistic. Thus, the department should appoint more.</p>
<b>4.3.2</b>	<p><b>Add more vehicles</b></p> <p>The point is similar as in the column 4.3.1.</p>
<b>4.3.3</b>	<p><b>The usage of Drone</b></p> <p>Drone or Unmanned Vehicle is needed in order to do some intelligence work especially for spying. It is also useful to monitor the remote area which cannot be accessed by road.</p>
<b>4.3.4</b>	<p><b>Conduct Training</b></p> <p>The training should be carried out in order to increase the knowledge of the workers. In my branch, the relevant training needed such as GPS handling, Law intensive training, Enforcement Information System Training, Physical Training, Refresher Course and many more.</p>

## **CHAPTER 5**

### **CONCLUSION**

#### **5.0 Introduction**

In this chapter, I will summarize all the chapters by highlighting the main points of each chapters.

#### **5.1 Chapter 1**

The discussion is more towards the background of my department. Our department is responsible for land administration, cadastral survey, land use planning, acquisition of land required for public development, authority of land registration and maintain the land information database.

The background of Enforcement Branch also being discussed which are the prevention and eradication of squatters problems (S.209B), dealing with breach of title conditions (S.33) and illegal removals of rock materials (S.32A).

#### **5.2 Chapter 2**

In chapter 2, I had discussed on my current job as an Assistant Of Enforcement Officer. I am also leading the Enforcement Branch in Samarahan Division for the post of Section Head. My job description also being discussed.

Our main task is to enforce the Sarawak Land Code which any breach of such Code will be taken action by Enforcement of Lands and Surveys Department.

#### **5.3 Chapter 3**

In this chapter, the discussion is more towards the practice of theories that I had learned in this course. The theories that I mentioned out are Utilitarianism Theory which I had learned in Ethic in Administration, Fiedler's Contingency

Theory which I learned in Organizational Behaviour, Techno – Centric in Knowledge Management and Cost Benefit Analysis (CBA) in Public Finance.

#### **5.4 Chapter 4**

In this chapter, I had discussed on the strength and weaknesses of my current job and task handle by me. I also discussed a few suggestion on how to improve the current weaknesses. The improvement process must be made continuously in order to achieve perfection and satisfaction at workplace.

#### **5.5 Conclusion**

As a conclusion, since the Enforcement Branch was set up, the number of offence in Sarawak Land Code has been tremendously decrease. It shows that, the response towards the effectiveness and efficiency of the branch is very encouraging. Other than that, the role of the public also become the most significant step and it shows that the trust and confident is given by them to the department. They are now realized that the government is always sincere in helping them to solve any dispute in regard to land matters.