

**STUDY ON SABAH LAND
CODE AND NATIONAL LAND
CODE UNDER LAND
ALIENATION / PENINSULAR
PERSPECTIVE**

NUR SUHAILA BINTI RUSLI

Dissertation submitted in
fulfillment of the
requirements for the degree
of
**Bachelor of Surveying Science and
Geomatics (Honours) – AP220**


**Faculty of Architecture, Planning and
Surveying**

August 2020

AUTHOR'S DECLARATION

I declare that the work in this thesis/dissertation was carried out in accordance with the regulations of Universiti Teknologi MARA. It is original and is the results of my own work, unless otherwise indicated or acknowledged as referenced work. This thesis has not been submitted to any other academic institution or non-academic institution for any degree or qualification.

I, hereby, acknowledge that I have been supplied with the Academic Rules and Regulations for Post Graduate, Universiti Teknologi MARA, regulating the conduct of my study and research.

Name of Student : Nur Suhaila Binti Rusli
Student I.D. No. : 2016247534
Programme : Bachelor of Surveying Science and
Geomatics (Honours) – AP220
Faculty : Architecture, Planning & Surveying
Thesis/Dissertation : Study on Sabah Land Code and National Land Code
Title : under Land Alienation/Peninsular Perspective
:
Signature of Student : 
Date : August 2020

ABSTRACT

The system of land administration in Peninsular Malaysia is based on the Torrens system, a system for the acquisition of title and interest in land through the registration of commercial instruments. It is the heritage of the British colonialists that gave the people the protection of the land. On the contrary, the Sabah Land Ordinance is unique in that it is enshrined in the Bumiputra Civil Land law unlike any other state in Malaysia. Sabah's land laws do not come from the Torrens system as another country. The special feature of the Sabah Land Ordinance is that it has no provision for title uncertainty, intended to protect the rights of indigenous peoples in Sabah. Each country has its own land policies and land planning system to improve social, physical, space and economic imbalance. The purpose of this study is to study the Sabah Land Code & National Land Code under Land Separation. To achieve this goal, the objective of this study is to understand how to apply for separation of land code of Sabah Land Code and National Land Code, to analyze procedures taken in separating land of Sabah Land Code and National Land Code and to investigate relevant documents for transfer of land Code Sabah and the National Land Code by analyzing the procedure taken in isolation. The study area was conducted in Sabah. There are three methods used for data collection in this study such as Questionnaire, Discussion and interview and research library research.

Table of content

ABSTRACT	
TABLE OF CONTENT	
CHAPTER 1	1
INTRODUCTION	1
1.1 Background of study	1
1.2 Research Question	2
1.3 Problem Statement	2
1.4 Aim	3
1.5 Objective	3
1.6 Scope of Study	4
1.7 Significant of Study	5
1.8 Summary	5
CHAPTER 2	5
LITERATURE REVIEW	5
2.1 Introduction	5
2.2 Sabah	5
2.3 Kota Kinabalu	7
2.3.1 Malaysia	9
2.3.2 Sabah	9
2.4 National Land Code	10
2.4.1 Legal	11
2.4.2 Type of Form	14
2.4.3 Type of Document	16
2.4.4 Grant	17
2.5 Sabah Land Code	18
2.5.1 Legal	18
2.5.2 Type of Form	23
2.5.3 Type of Document	27
CHAPTER 3	28
METHODOLOGY	28
3.1 Introduction	28
I General Methodology	29
3.2 Detailed Methodology	30
3.3 Study Area	33
3.4 Planning	34

3.4.1 Land Code	34
3.5 Data Collection	34
3.5.1 Interview and Discussion	35
3.6 Secondary data	38
3.7 Data processing	39
3.8 Data analysis	40
3.8.1 Google Form	40
3.8.2 Excel Form	41
3.9 Expected Outcome	42
CHAPTER 4	43
4.1 Introduction	43
4.2 Definition of land	43
4.3 Interview session and discussion Marine and Land alienation in Sabah	44
4.3.1 Jtu Sabah	44
4.3.2 Sabah State Economic Planning Unit, Sabah	45
4.3.3 Sabah State & Regional Planning Department, Sabah	46
4.4 .1 Law relating to land application	47
4.4.2 Classification of land	47
4.4.3 Application of State land	48
4.4.4 State land to whom alienable	48
4.4.5 Application Fee Rate Set by The Party State Power	48
4.4.6 Type of document are used in land at Sabah	49
4.4.7 Flowchart Land Ownership Application proses for the State of SA	54
4.4.8 Sample of grant	59
4.5 Land Cadastral in Peninsular Malaysia	63
4.5.1 Classification of land	63
4.5.2 Land application condition	64
4.5.3 Application Fee Rate Set by The Party State Power	64
4.5.4 Procedure alienation in Peninsular Malaysia	64
4.5.5 Type of document are used in Peninsular Malaysia	66
4.5.6 Sample of grant	70
4.6 Comparison in aspect of	70
4.7 Comparison between Sabah and Peninsular Malaysia.	74
4.8 Comparison	74
	91