



PARLIMEN MALAYSIA



RANG UNDANG-UNDANG
Kanun Tanah Negara (Pindaan) 1981
DR.3/1981

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

bernama

Suatu Akta untuk meminda Kanun Tanah Negara.

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BAHAWASANYA adalah bermunafaat dipinda Kanun Tanah Negara bagi maksud hanya untuk menentukan persamaan undang-undang dan dasar:

OLEH YANG DEMIKIAN, menurut Perkara 76 (4) Perlembagaan Persekutuan, MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut:

1. Akta ini bolehlah dinamakan Akta Kanun Tanah Negara (Pindaan) 1981. Tajuk ringkas.
 2. Seksyen 151 Kanun Tanah Negara, yang disebut "Kanun" dalam Akta ini, adalah dipinda dengan memotong perkataan-perkataan "and such superficial area on the ground as may be prescribed or, where no such area is prescribed, a superficial area on the ground of at least five thousand square feet," dalam perenggan (a) seksyen-kecil (1). Pindaan bagi seksyen 151.
56/65.
 3. Kanun adalah dipinda dengan memasukkan selepas sahaja seksyen 151 seksyen baru 151A yang berikut: Seksyen baru 151A.
- "Compulsory application for approval to sub-divide multi-storeyed buildings. 151A. (1) Where the proprietor of any alienated land on which there is a building capable, according to section 151, of being sub-divided into parcels has sold or agreed to sell any parcel of the building to any person subject to an understanding that the said

proprietor will at some future time, on the happening of any contingency or the fulfilment of any condition, transfer to the person a separate subsidiary title to the parcel, whether or not there is an alternative understanding, the said proprietor, if he has not already done so, shall, within the period specified in sub-section (2), apply in accordance with section 153 for the approval of the State Commissioner to the sub-division of the building into parcels.

(2) The period within which the requirement of sub-section (1) must be complied with is as follows:

(a) in the case of a building completed on a date after the commencement of this section—

(i) if the sale of, or agreement to sell, any parcel of the building, or the first of such sales or agreements, took place before that date, the period is six months from that date;

(ii) if the sale of, or agreement to sell, any parcel of the building, or the first of such sales or agreements, took place after that date, the period is six months from the date of the sale or agreement or the first of such sales or agreements;

(b) in the case of a building completed on a date before the commencement of this section—

(i) if the sale of, or agreement to sell, any parcel of the building, or the first of such sales or agreements, took place before that date, the period is six months from the commencement of this section;

(ii) if the sale of, or agreement to sell, any parcel of the building, or the first of such sales or agreements, took place after that date, the

period is six months from the commencement of this section or six months from the date of the sale or agreement or the first of such sales or agreements, whichever is the longer.

(3) For the purpose of sub-section (1), an application for the approval of the State Commissioner to the sub-division of a building shall be treated as not being in accordance with section 153 if the application is defective by reason of any material non-compliance with any of the requirements of that section pertaining to the application.

(4) For the purpose of sub-section (2), the date on which a building is completed shall be the date on which it is certified by any public or local authority to be fit for occupation or use.

(5) The period specified in sub-section (2) may, on application made before its expiry, be extended once by the State Commissioner by any further period not exceeding three months.

(6) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence, and liable on conviction to a fine not exceeding five thousand ringgit and to a further fine not exceeding one thousand ringgit for each day of contravention.”.

4. Kanun adalah dipinda dengan memasukkan selepas sahaja seksyen 153 seksyen baru 153A yang berikut :

Seksyen
baru 153A.

“With-
drawal of
applica-
tions.

153A. An application under sub-section (1) of section 153 shall not be capable of being withdrawn except with the concurrence of the State Commissioner; and the State Commissioner shall not give his concurrence unless he is satisfied that the withdrawal is not, or will not be, detrimental to the interests of any person who has purchased or agreed to purchase any parcel of the building in question.”.

Seksyen
baru 156A.

5. Kanun adalah dipinda dengan memasukkan selepas sahaja seksyen 156 seksyen baru 156A yang berikut :

"Failure
to pay
amounts
demanded.

156A. (1) If the proprietor fails to pay any amount demanded pursuant to sub-section (2) of section 154 or pursuant to section 156 within one month of being served with the demand, he shall be guilty of an offence, and liable on conviction to a fine not exceeding one thousand ringgit and to a further fine not exceeding fifty ringgit for each day of contravention.

(2) The period specified in sub-section (1) may, on application made before its expiry, be extended once by the State Commissioner by any further period not exceeding one month."

Pemakaian
bagi
Wilayah
Perseku-
tuan.

6. (1) Pindaan-pindaan yang dibuat dalam Akta ini hendaklah dipakai bagi Wilayah Persekutuan dan juga bagi Negeri-negeri.

(2) Berkenaan dengan pemakaian seksyen-seksyen baru 151A, 153A dan 156A bagi Wilayah Persekutuan, sebutan-sebutan dalamnya mengenai Pesuruhjaya Negeri hendaklah diertikan sebagai sebutan-sebutan mengenai Jawatankuasa Kerja Tanah.

HURAIAN

Rang Undang-undang ini bertujuan meminda Kanun Tanah Negara dalam tiga aspek terpenting.

2. *Fasal 2* bertujuan meminda seksyen 151 untuk menghapuskan kehendak yang sesuatu bangunan yang layak dipecah-bahagi perlulah mempunyai keluasan permukaan tanah yang minimum.

3. *Fasal 3* bertujuan mengadakan seksyen baru 151A untuk memaksa tuanpunya bangunan berbilang tingkat supaya membuat permohonan untuk memecah-bahagikan bangunan itu jika petak-petak dalam bangunan itu hendak dijual dengan cara hakmilik pecahan yang berasingan. Seksyen-kecil (2) pula menetapkan

tempoh bila permohonan itu mesti dibuat dan jika dalam tempoh tersebut itu tuanpunya tidak juga membuat permohonan maka ia bolehlah dihukum di bawah seksyen-kecil (6). Seksyen-seksyen baru 153A dan 156A (*Fasal 4 dan 5*) adalah peruntukan-peruntukan berbangkit untuk menghalang sebarang percubaan untuk mengecewakan maksud seksyen baru 151A.

IMPLIKASI KEWANGAN

Rang Undang-undang ini tidak akan melibatkan Kerajaan dalam apa-apa perbelanjaan wang tambahan. [PN. (U²) 900.]

