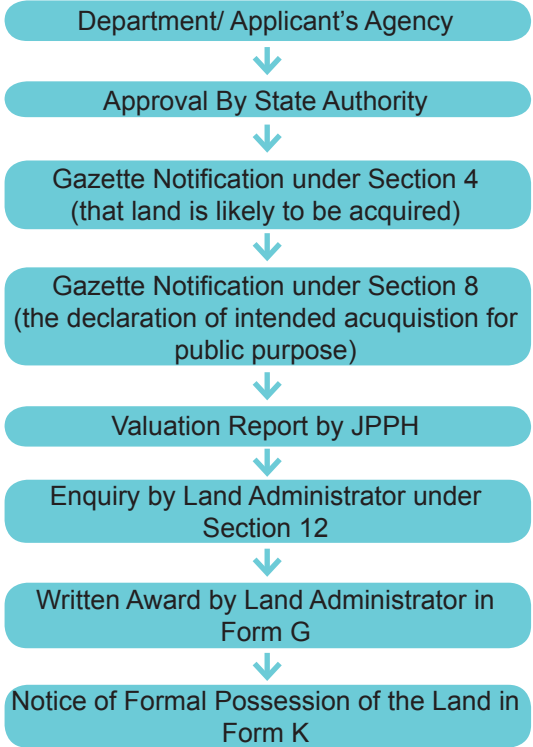


▶ VALUATION FOR

LAND ACQUISITION

FLOW CHART



FOR FURTHER INFORMATION PLEASE CONTACT:

Valuation and Property Services Department
 Ministry of Finance Malaysia
 Level 9, Perbendaharaan 2
 No. 7, Persiaran Perdana, Precinct 2
 62592 PUTRAJAYA

Telephone : 603-8886 9000
 Fax : 603-8886 9001

- Objections can only be made with regard to:
 - o the measurement of land
 - o the amount of the compensation
 - o the persons to whom it is payable
 - o the apportionment of the compensation

CLIENTS' CHARTER

If the application is enclosed with correct and complete data and plans, JPPH will report the valuation to the Land Administrator within 42 days from the date of receipt.

PRINCIPLES OF COMPENSATION

The First Schedule of the Land Acquisition Act 1960 lists the principles for determining the amount of compensation. Amongst others, it comprises:

- Market value of the land;
- Betterment - Any increase in the value of the remaining land as a result of the acquisition (which is deducted);
- Severance;
- Injurious Affection;
- Incidental expenses incurred as a result of change of residence or place of business; and/ or
- Accommodation works.



**VALUATION AND PROPERTY SERVICES DEPARTMENT
 MINISTRY OF FINANCE
 MALAYSIA**

<http://www.jp-ph.gov.my>

Excellent Service Our Commitment

The rights of a property owner in Malaysia are governed by the following legislations:

- The Federal Constitution
- The National Land Code 1965/ Land Ordinance (Sabah Cap. 68) 1950/ Sarawak Land Code (Cap. 81) 1958
- The Land Acquisition Act 1960/ Land Acquisition Ordinance (Sabah Cap. 69) 1950/ Part IV of the Sarawak Land Code (Cap. 81) 1958

RIGHTS TO ACQUIRE LAND

Article 13 of the Federal Constitution provides for an individual's right to property:

- 13(1) - No person shall be deprived of property save in accordance with law.
- 13(2) - No law shall provide for the compulsory use or acquisition of property without adequate compensation.

POWER TO ACQUIRE PROPERTY

Section 3, Land Acquisition Act 1960 (as amended) provides that the State Authority may acquire property:

- For any public purpose;

- By any person or corporation for any purpose which in the opinion of the State Authority is beneficial to the economic development of Malaysia or any part thereof, or to the public generally or any class of the public; or
- For the purpose of mining or for residential, agricultural, commercial, industrial or recreational purposes or any combination of such purposes.

LAND ACQUISITION PROCESS (LAND ACQUISITION ACT 1960)

- Gazette Notification under Section 4 of the Land Acquisition Act that land is likely to be acquired.
- Gazette Notification under Section 8 of the Land Acquisition Act to declare that land is to be acquired.
- Persons interested attend enquiry conducted by the Land Administrator to claim for compensation.
- JPPH advises the Land Administrator on compensation.
- The Land Administrator prepares written award in Form G.
- Persons interested who are not satisfied with the compensation awarded may file an appeal to the Land Administrator within 6 weeks from the date of Form G.

RIGHTS OF THE PERSON INTERESTED

- All persons interested can make a claim for compensation to the Land Administrator within the prescribed time.
- All persons interested can engage a private valuer and the costs can be reimbursed by the Government.
- A person interested is anyone who has an interest in the compensation.

ROLE OF VALUATION AND PROPERTY SERVICES DEPARTMENT (JPPH)

- JPPH carries out a detailed study of all losses that can be compensated and advises the Land Administrator on all matters related to compensation.
- The compensation is based on the First Schedule of the Land Acquisition Act.
- JPPH will defend its valuation if the land owner or any person interested in the scheduled land refers the objection to the High Court.

REFERENCE TO COURT

- Any person interested in the compensation of any acquired land, who is dissatisfied with the compensation, can make a written objection in Form N.