

# 3<sup>RD</sup> ASIAN FORUM

Standard Practices For Building Process In Asia

## “Laws Relating To Housing & Construction In Malaysia”

Tokyo

27-28 January 2004



# Development Planning



# Development Planning

## Ministry of Housing and Local Government

- **Housing Developers (Control and Licensing) Act 1966 (Revised 1973) (Act 118)**
  - **Housing Developers (Control and Licensing) Regulations 1989**
  - **Housing Developers (Housing Development Account) Regulations 1991**

## Local Government Department

- **Control of Rent (Repeal) Act 1997 (Act 572)**
- **Control of Rent Act 1966 (Act 363) (Revised 1988)**
- **Federal Territory of Kuala Lumpur Land Rules 1995**
  - **Local Government Act 1976 (Act 171)**
- **Malaysian Constitution, Schedule 9, Item 76(4) & 95(A)**
  - **Road Transport Act 1987 (Act 333)**
  - **Street, Drainage and Building Act 1974 (Act 133)**
  - **Town and Country Planning Act 1976 (Act 172)**
    - **Uniform Building By-Laws 1984**

# Development Planning

## National Housing Department

- Street, Drainage and Building Act 1974 (Act 133)
  - Uniform Building By-Laws 1984

## Fire Services Department

- Fire Services Act 1988 (Act 341)
- Uniform Building By-Laws 1984

## Department of Town and Country Planning, Peninsular Malaysia

- FMS Town Board Enactment (Cap 137) Chapter IX
  - National Land Code Act 56 of 1965
- National Land Code ( Penang and Malacca Titles) Act 1963 (Act 518)
  - Street, Drainage and Building Act 1974 (Act 133)
    - Strata Titles Act 1985 (Act 318)
  - Town and Country Planning Act 1976 (Act 172)
    - Uniform Building By-Laws 1984

## Sewerage Services Department

- Sewerage Services Act 1993 (Act 508)

# Development Planning

## Other Related Legislation

- **Communications and Multimedia Act 1998 (Act 588)**
  - **Continental Shelf Act 1966 (Act 83)**
  - **Environmental Quality Act 1974 (Act 127)**
  - **Electricity Supply Act 1990 (Act 447)**
  - **Land Acquisition Act 1960 (Act 486) (Revised 1992)**
- **Land and Mining Plans and Documents (Photographic Copies) Act 1950 (Act 233) (Revised 1980)**
  - **Land Conservation Act 1960 (Act 385) (Revised 1989)**
- **Lembaga Pembangunan Industri Pembinaan Malaysia Act 1994 (Act 520) (Construction Industry Development Board / CIDB)**
  - **Malaysian Communications and Multimedia Commission Act 1998 (Act 589)**
    - **Mining Enactment (FMS Cap 137)**
    - **Municipal Ordinance S.S. Cap 133**
- **National Land Rehabilitation and Consolidation Authority (Incorporation) Act 1966 (Act 398) (Revised 1989)**
  - **Occupational Safety and Health Act 1994 (Act 514)**
    - **Real Property Gains Tax Act 1976 (Act 169)**
    - **Urban Development Authority Act (Act 46)**
    - **Waters Act 1920 (Act 418) (Revised 1989)**
      - **Waters Enactment FMS Cap 146**

# **“Laws Relating To Housing & Construction In Malaysia”, Tokyo, 27-28 January 2004**

**National Land Code Act 56 of 1965**

**Strata Titles Act 1985 (Act 318)**

**Town and Country Planning Act 1976 (Act 172)**

**Environmental Quality Act 1974 (Act 127)**

**Drainage Works Act 1954, (Act 354)**

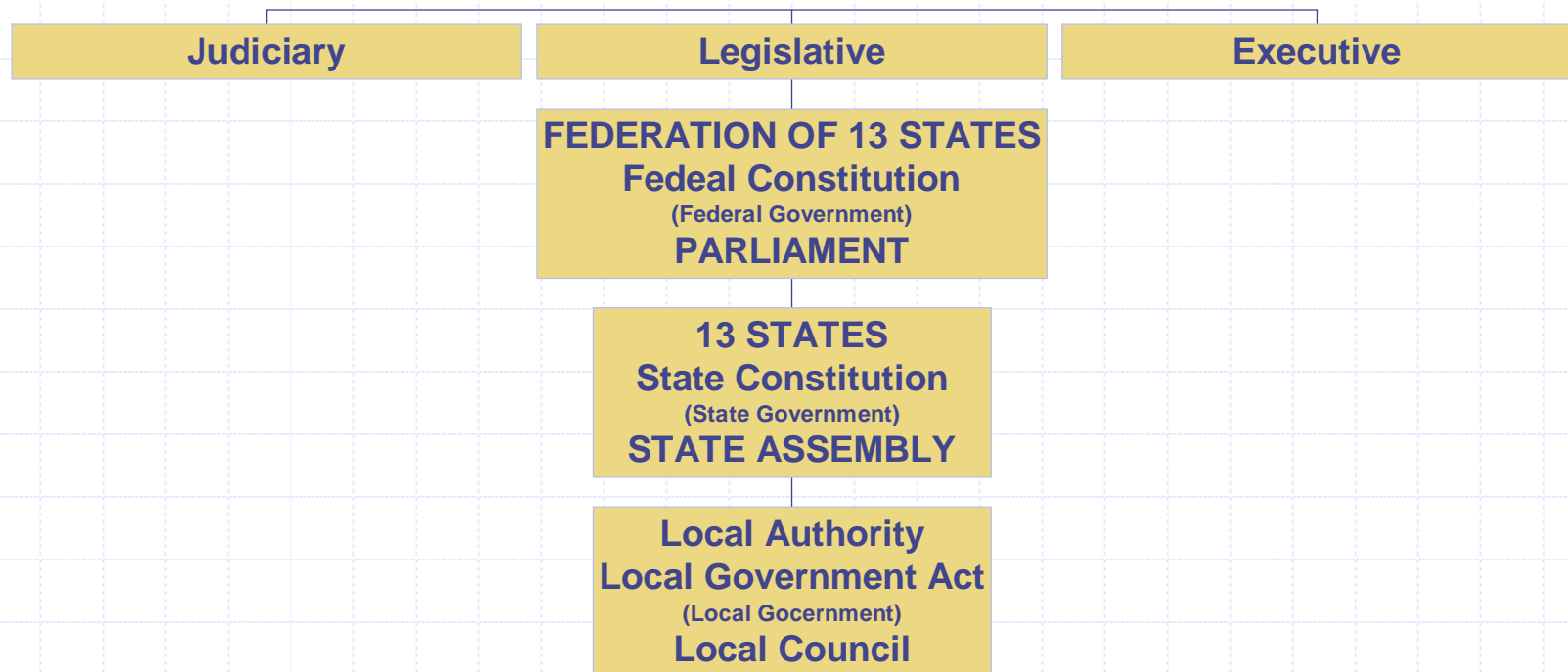
**Sewerage Services Act 1993 (Act 508)**

**Street, Drainage and Building Act 1974 (Act 133)**

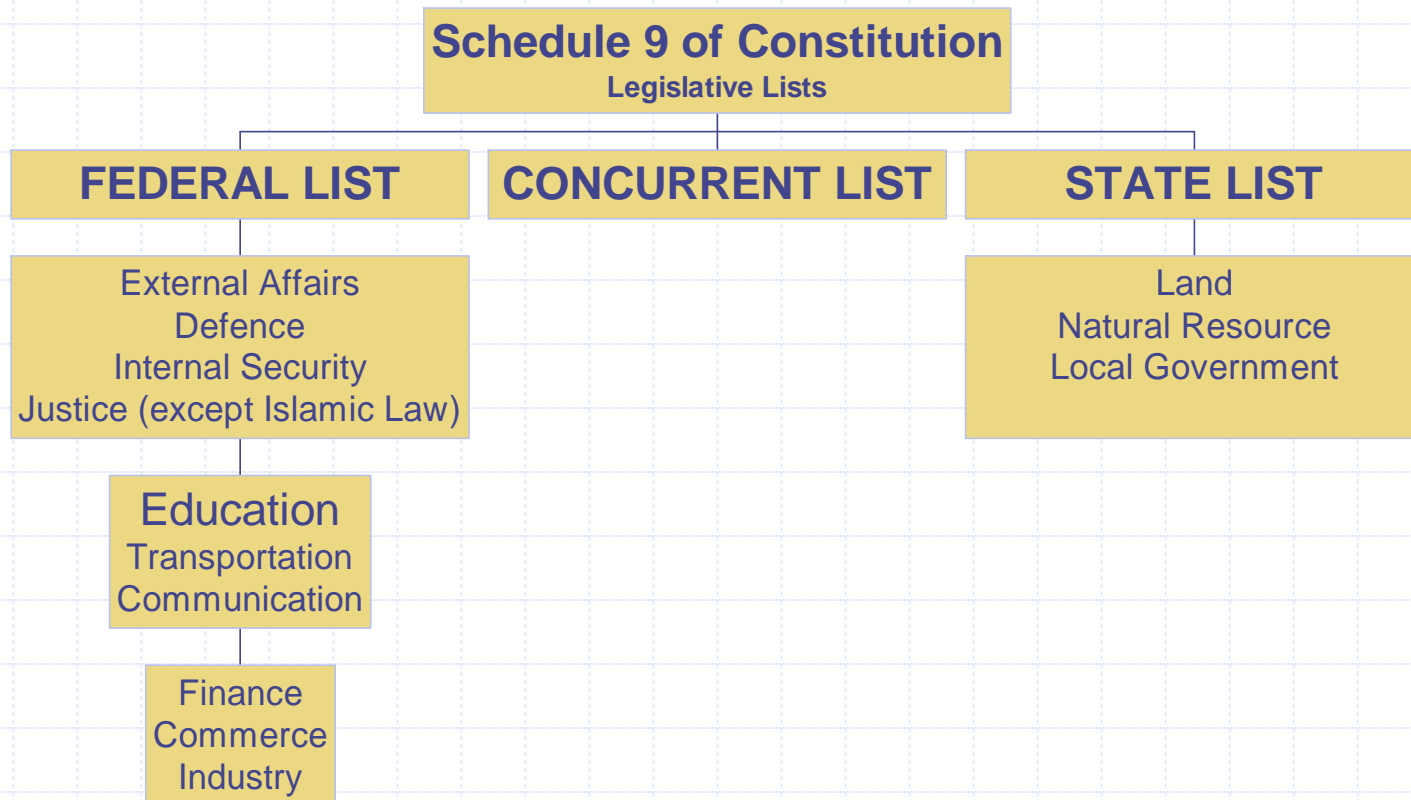
**Uniform Building By-Laws 1984**

**Housing Developers (Control and Licensing) Act and Regulations**

# Development Planning Federal, State & Local Governments



# Development Planning Legislative Powers



# **Development Planning**

## **NATIONAL LAND CODE**

**(Act 56)**

**1965**

**Consolidate the laws relating to land and land tenure, etc.**

Scope:

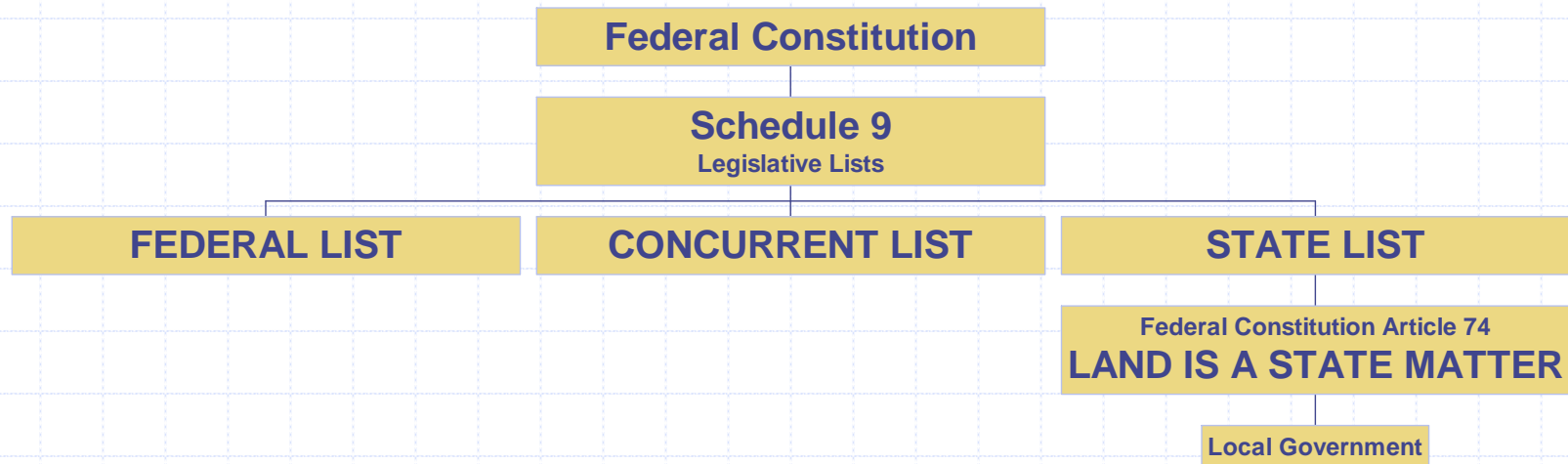
**Land Administration**

Date of Commencement:

**1 January 1966**

# NATIONAL LAND CODE (Act 56) 1965

## LAND IS A STATE MATTER



# NATIONAL LAND CODE (Act 56) 1965

## Concept

### “Torrens system”

- Ownership is evidenced by register and title.

### “Indefeasible”

- Guaranteed by Constitution
- Cannot be compulsorily acquired or used by any one (even by the government), unless in accordance with law (e.g. the Land Acquisition Act 1960), with “adequate compensation”.

# NATIONAL LAND CODE (Act 56) 1965

## Land Ownership & Supply

- Three routes:
  - Through Transaction, i.e. **purchase and followed by transfer**, in the prescribed form followed by registration at the relevant land registry.
  - Through **inheritance**, and
  - ‘Supplied’ by State Authority through **“alienation”**.
    - ‘**Land Resource Management**’

# NATIONAL LAND CODE (Act 56) 1965

## Forms of Titles

- Grant
  - freehold, “land held in perpetuity”, without expiry date.
    - Registry Grant, *Geran*
    - Mukim Grant, *Geran Mukim*
  
- Leasehold
  - “land held for a term of years”, e.g. 99 years.
    - State Lease, *Pajakan Negeri*
    - Mukim Lease, *Pajakan Mukim*

# NATIONAL LAND CODE (Act 56) 1965

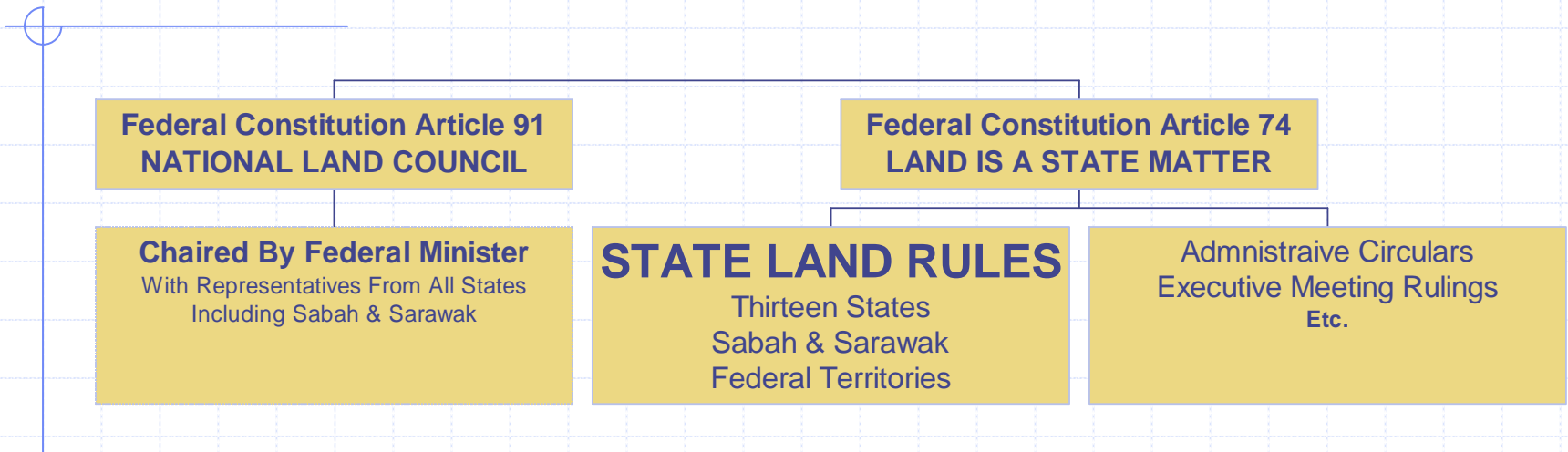
## Categories of Land Use

Every title will state:

- **Category of Land Use** (Jenis/Kategori Penggunaan Tanah, S.52):
  - **Agriculture**
  - **Building**
  - **Industry**
    - *Implied Conditions will not be stated.*
- **Expressed Conditions** (Syarat-syarat Nyata, S.121) and
- **Restrictions in Interest** (Sekatan-sekaan Kepentingan) of the land.

# NATIONAL LAND CODE (Act 56) 1965

## National Land Council



### NLC Amendment 2001

State Authority to make rules in accordance  
to directions of National Land Council

E.g. Foreign investment policy on residential properties

# Laws & Regulations On Development Planning

## Strata Titles Act (Act 318) 1985

# Strata Titles Act (Act 318) 1985

## **Application for Subdivision**

Compulsory by proprietor of any alienated land on which there is a completed building capable of being subdivided, within the period specified (S.8(2)).

# **Strata Titles Act (Act 318) 1985**

**Parcels**

**Accessory parcels**

**Common properties**

**Provisional Block**

# Strata Titles Act (Act 318) 1985

## Management Corporation

- MC shall be ***established automatically*** upon the registration of the strata titles.
- Consists of all owners of parcels, including in the case of phased development, proprietor of provisional block, or blocks.
- Statutory power, duties and by-laws.
- Maintain common properties and manage the strata scheme.
- Financed by management fund, contributed by all owners of parcels.

# Strata Titles Act (Act 318) 1985

## Low Cost Buildings

- Original proprietor of the strata scheme shall continue to manage until all parcels have been transferred to the parcel buyers/owners.
- First AGM to be held for parcel owners to decide whether:-
  - To manage the strata scheme collectively, i.e. as MC, or
  - Apply to state authority to appoint a person or a body to replace the MC.

# Strata Titles Act (Act 318) 1985

## Buildings Capable of Subdivision

- Two (2) – storey, or more horizontal division.
- Direct access to each parcel.
- On alienated land, whether QT or FT, freehold or leasehold, held as one lot.
- Single storey buildings of strata scheme consisting multi-storey building on the same land are capable of being sub-divided, as parcels or accessory parcels.

# Strata Titles Act (Act 318) 1985

## Future Development

### For cluster development and community living:

- Individual pieces of land held under individual titles
- Common properties will be shared and owned by a body corporate similar to MC under STA.

# Other Development

## Proposed Building & Common Property (Maintenance & Management) Act

- With reference to Australia & Singapore
  - Address management & maintenance of subdivided buildings, particularly period from VP to formation of MC
- Commissioner of Building
  - To administer BCPA
  - Part of STA in relation to MC
- Joint Management Establishment
  - Facilitate maintenance from VP to formation of MC
  - Building Maintenance Account
  - Deposit for rectifying defects
  - Duty to pay maintenance charge & recovery of charges

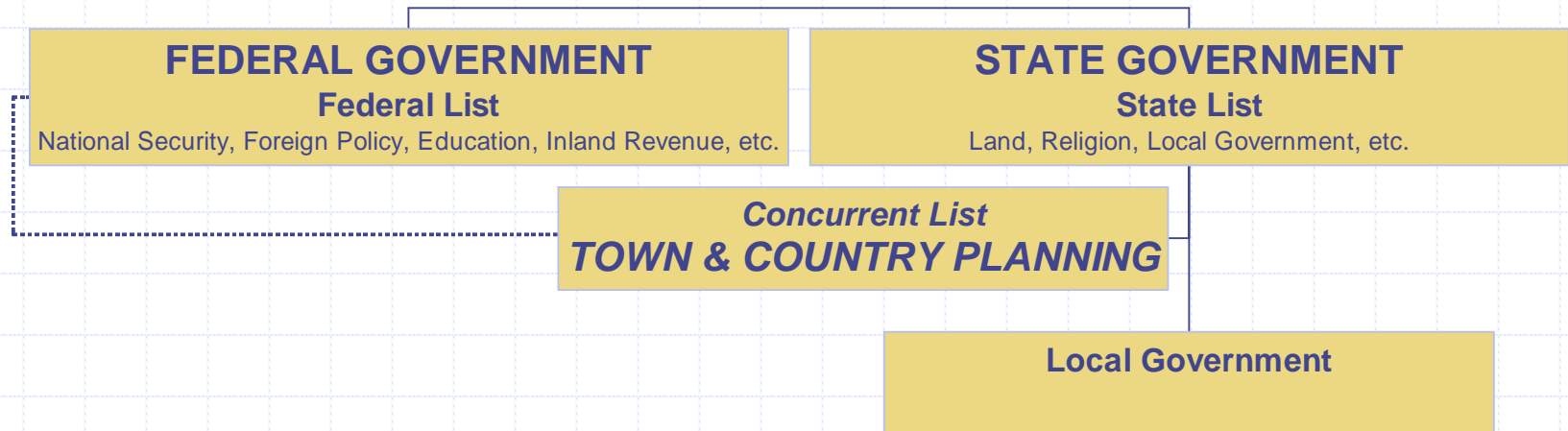
# **Development Planning**

## **Town & Country Planning Act (Act 172) 1976**

# Town & Country Planning Act & Local Government Act

- **Local Government Act**
  - (Act 171), 1976
  - Every part of the country to be covered by Local Authority.
- **Town & Country Planning Act**
  - (Act 172), 1976
  - Uniform Planning Legislation For All States.

# Development Planning Town & Country Planning



# Town & Country Planning Act Policy & Administration

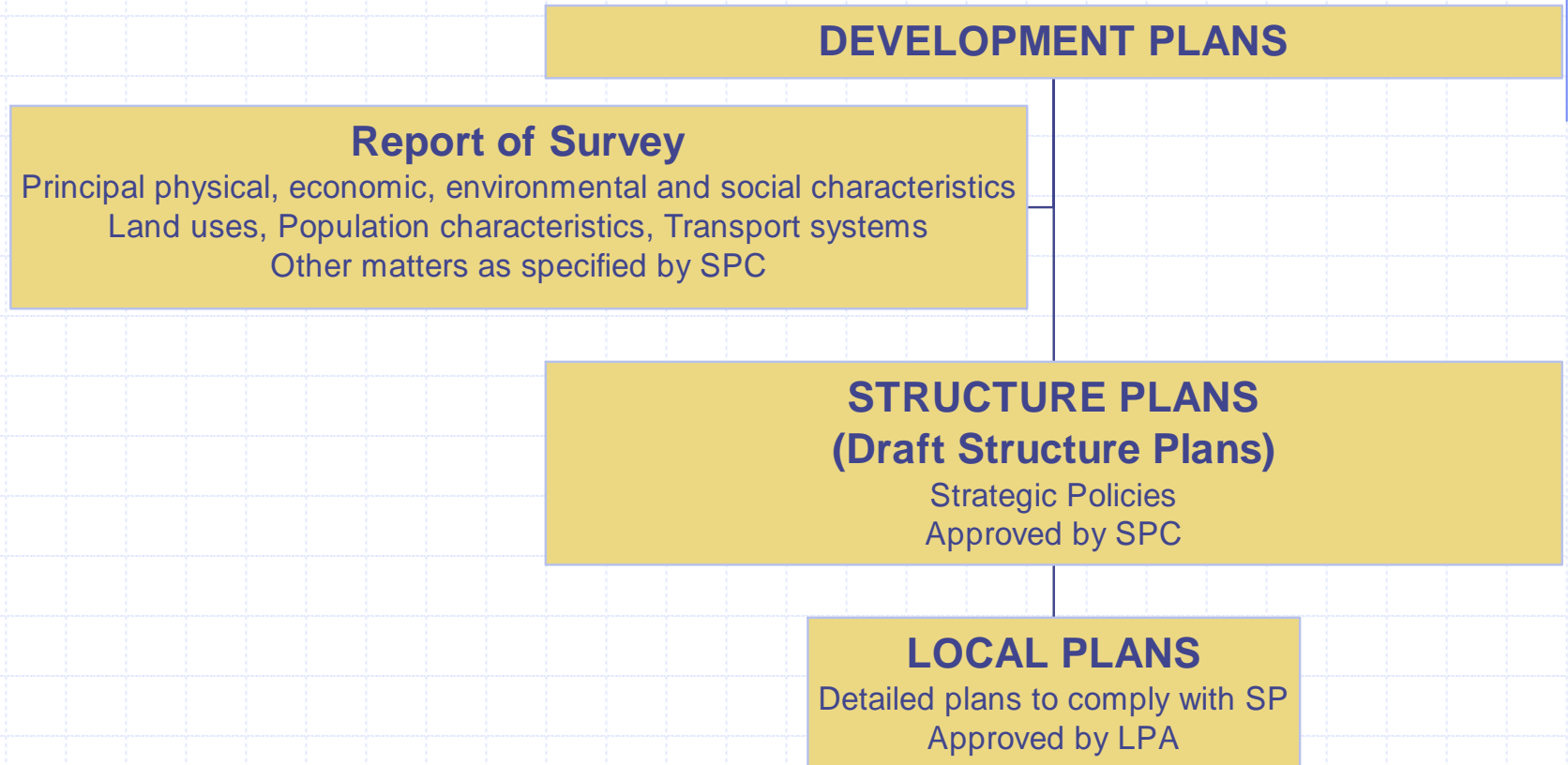


# Town & Country Planning Act **Concept**

Provides legal framework and uniform procedures for preparation  
**development plans**  
and **planning control.**

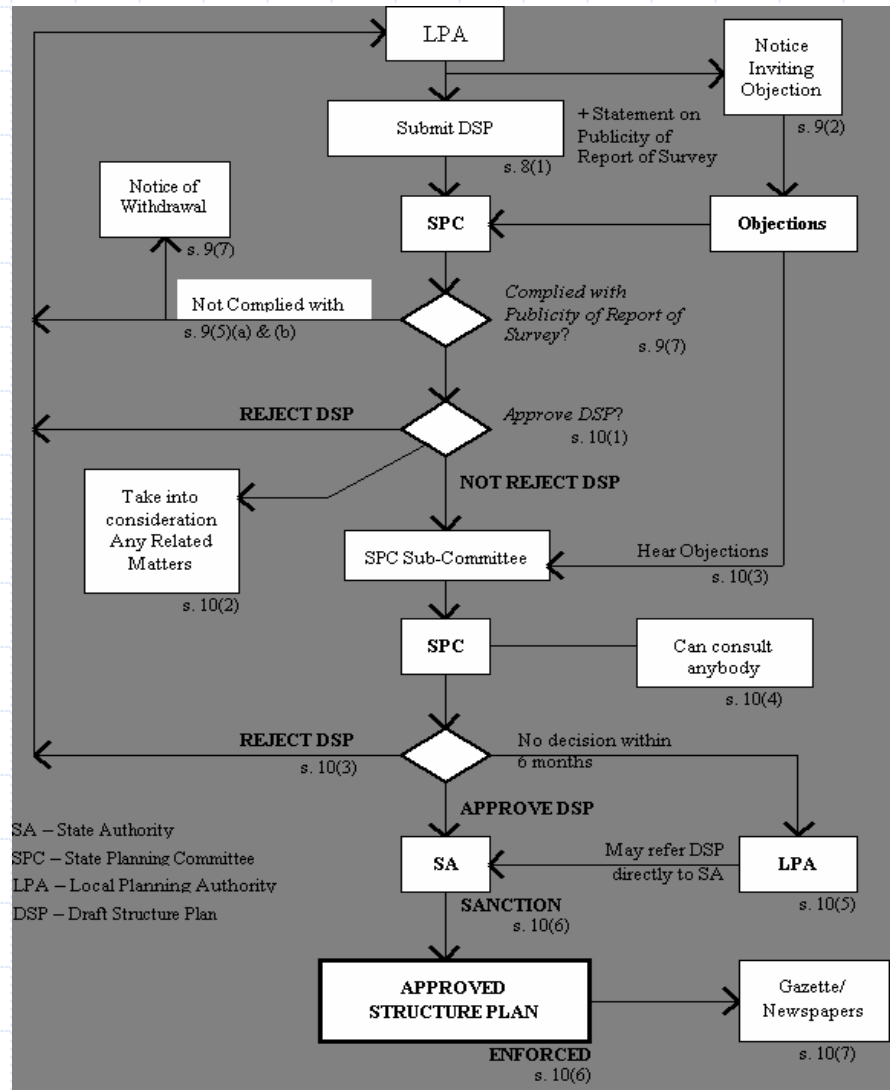
# Town & Country Planning Act

## Development Plans



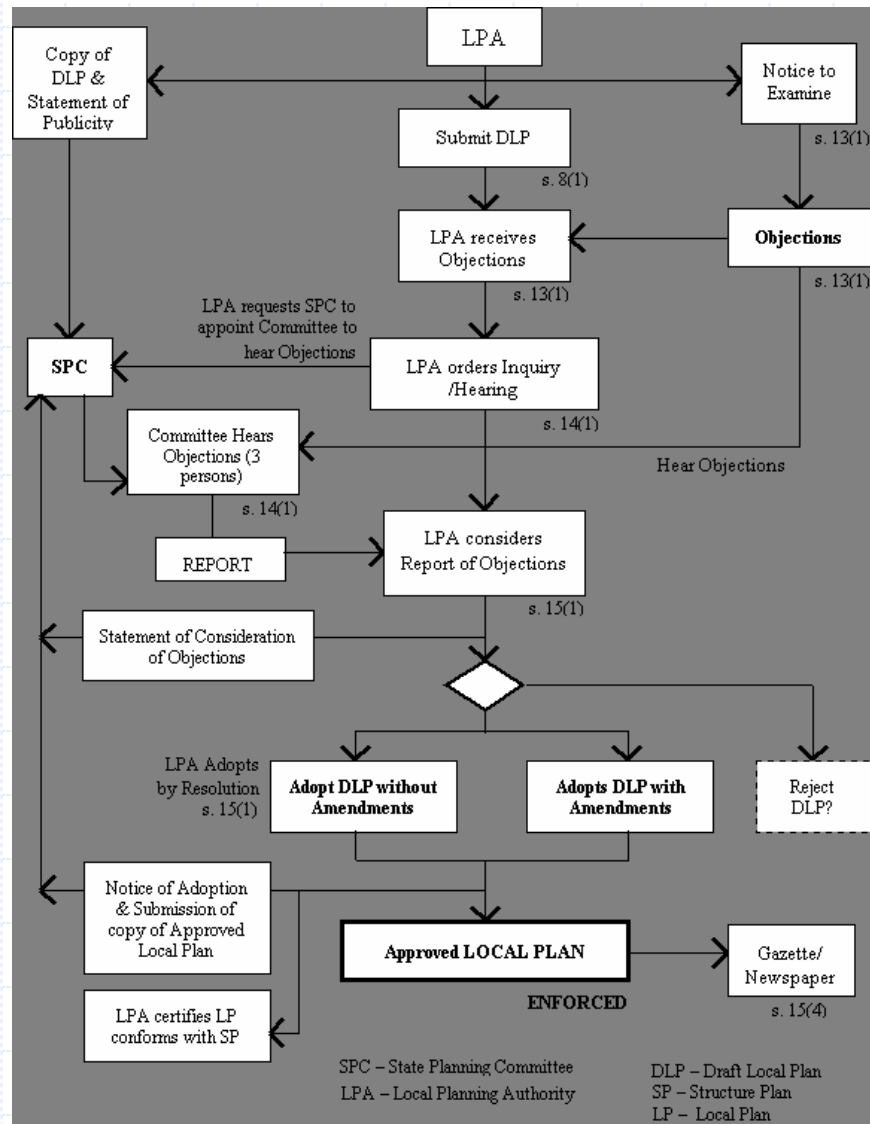
# TCP Act . Structure Plans

## DSP Approval Procedures



# TCP Act . Local Plans

## DLP Approval Procedures



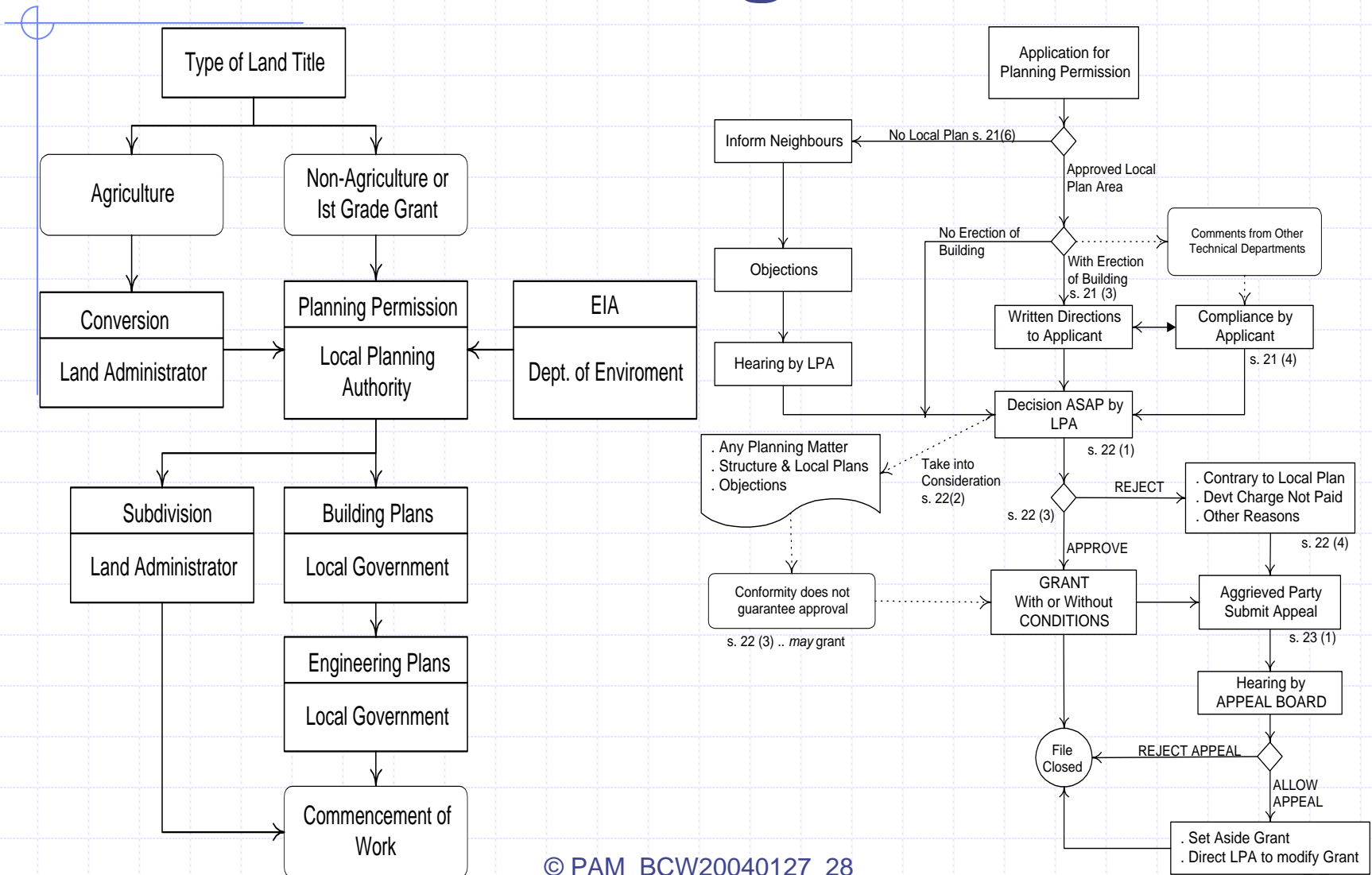
# Town & Country Planning Act

## Planning Control

- Must be in conformity to LP.
  - Continuance of existing uses permitted.
- Prohibition of Development without **Planning Permission** (PP):
  - Other than LPA, no person may carry out development without PP, except categories of development exempted.
- Prohibition of Development contrary to PP:
  - Must be in conformity to PP granted.

# TCP Act . Planning Controls

## Planning Permission



# TCP Act . Recent Amendments

2001 (1)

- **National Physical Planning Council**
  - Chair: Prime Minister
  - Secretary: DG of TCP, principal advisor.
  - Members:
    - Ministers whose portfolio related to T&CP &/or Land
    - Minister of Finance
    - Menteri Besar & Chief Ministers

# TCP Act . Recent Amendments

2001(2)

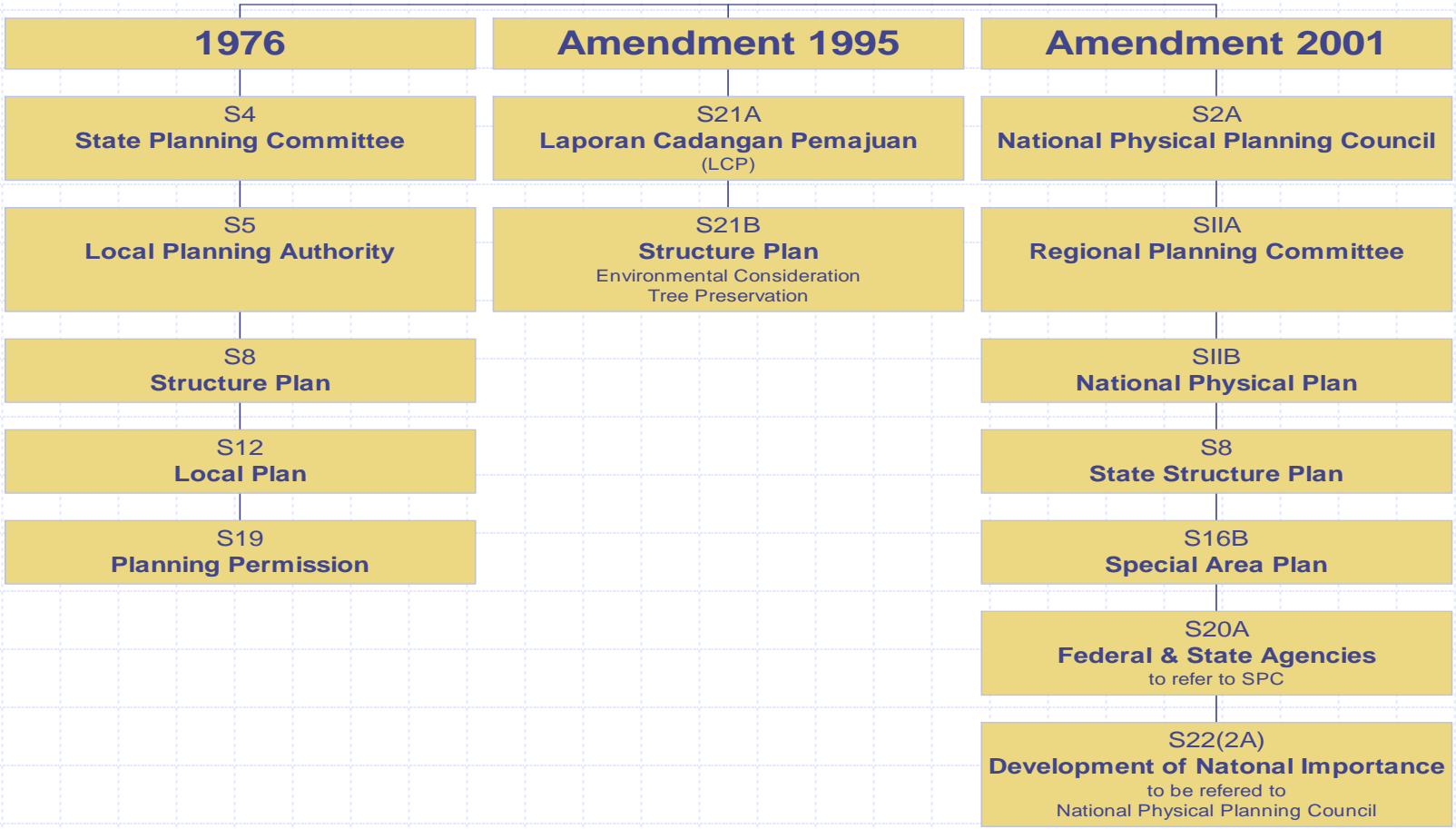
- DG of TCP to prepare National Physical Plan
  - Draft National Physical Plan 2003
  
- SD of TCP to prepare State Structure Plan
  - Draft Selangor State Structure Plan 2003
  
- Regional Planning Committee
  - e.g. KL-KLIA-Nilai
  - Draft Petaling District Local Plan 2003
  
- State Director of T&CP may submit to SPC for the designation of “**Special Area**” for detailed treatment

# TCP Act . Recent Amendments

2001(3)

- Planning Control to consider “**Social Impact Assessment, SIA**”
- In the event of inconsistency between Building By-Laws & Development Plan, **Development Plan shall prevail** and application of Building By-Laws shall be modified for the said areas.

# TCP Act Summary

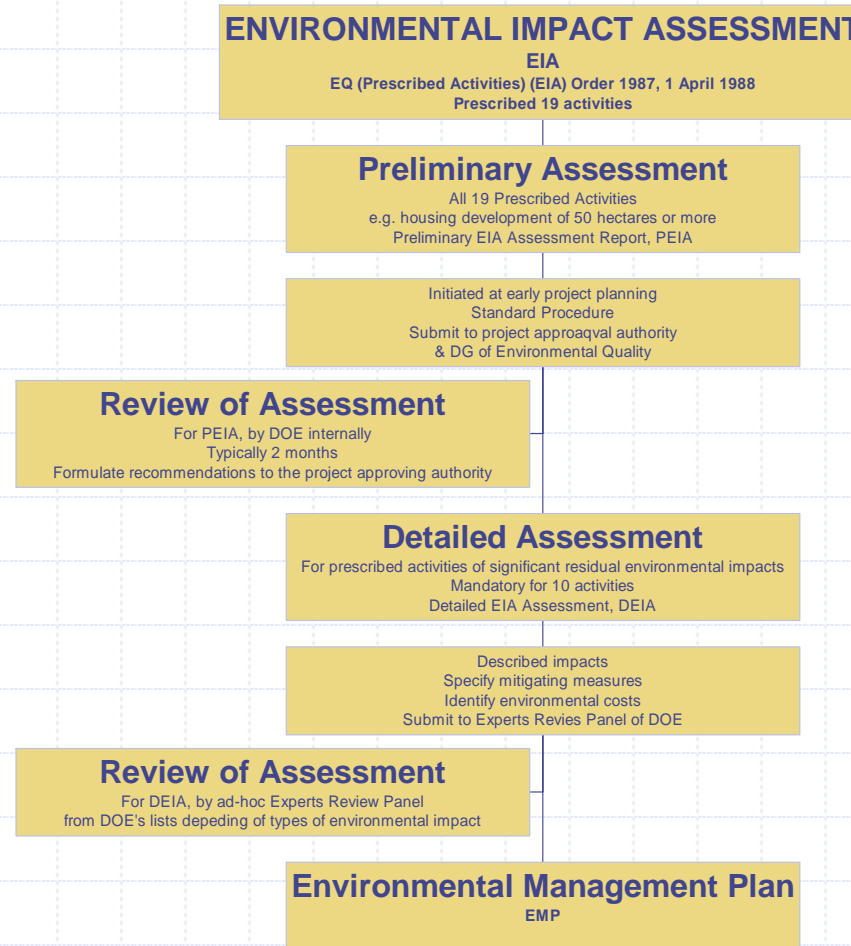


# ENVIRONMENTAL QUALITY ACT, 1974

Three strategies:

- Regulate,
- Prevent, and
- Abate, any form of pollution.

# ENVIRONMENTAL QUALITY ACT, 1974



# EQA . ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

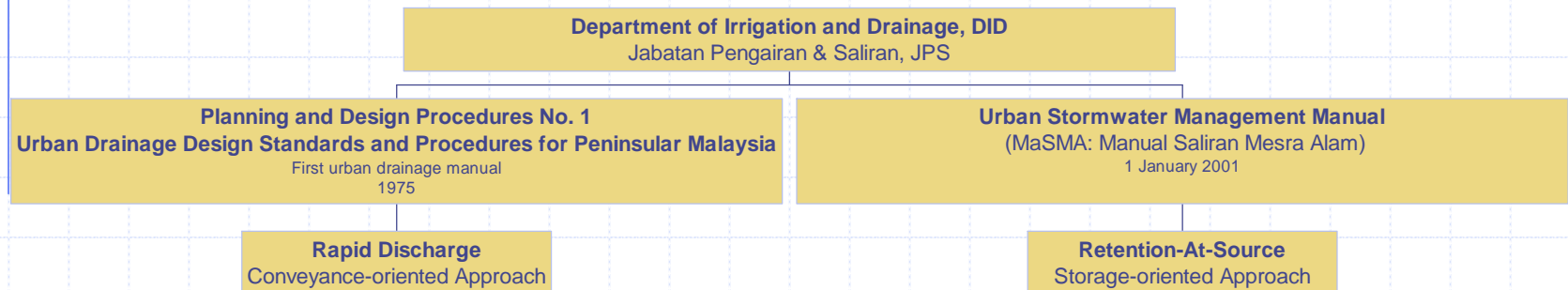
- S.34A: Mandatory for Prescribed Development Project Activities
  - **EQ (Prescribed Activities) (EIA) Order 1987, 1 April 1988:**
    - Prescribed **19 activities**, e.g. Housing development covering an area of 50 hectares or more, etc.
- Systematically identify, assess and mitigate negative environmental impacts of major developments

# EQA . EIA . Procedures

## MANDATORY DEIA

- Mandatory DEIA for **10 activities** due to significant environmental impacts normally associated with them:
  - Iron & Steel
  - Pulp & paper mill
  - Cement Plant
  - Coal fire plant
  - dams & hydroelectric power schemes
  - Land reclamation
  - Incineration plant
  - Sanitary landfill
  - Project covering area of 50% or more with slopes exceeding 25° except quarry
  - Logging exceeding 500 hectares.

# DRAINAGE WORKS ACT, (Act 354), (Revised 1988), 1954



# SEWERAGE SERVICES ACT (ACT 508) 1993

**Director General of Sewerage Services**  
Sewerage Services Department

## 1. Preliminary Sewerage Catchment Investigation

**Sewerage Privatisation Concession Agreement**  
9 December 1993  
**Indah Water Konsortium**  
1 April 1994 - 31 March 2022

## 2. Certification Requirement of Sewerage Works

Stage 1: Approval of Sewerage Planning Approval (Outline design stage)  
Stage 2: Approval of Sewerage Works (Detailed design stage)  
Stage 3: Approval of Sewerage Construction Works (Construction and commissioning).

## 3. Final Handing Over of Sewerage Works

Written request to DGSS to take over the sewerage system and to declare it to be a public utility.  
DGSS issues Certificate of Final Inspection  
Arrange, where applicable, for the sewerage system to be gazetted and vested in the Federal Government

**On recommendation for CFO to LA, IWK will take over operation of the sewerage system.**

# STREET, DRAINAGE & BUILDING ACT ACT 133, 1974

Street, Drainage & Building (Amendment) Act, (Act A435), 1978  
Street, Drainage & Building (Amendment) Act, (Act A867), 1993  
Street, Drainage & Building (Amendment) Act, (Act A903), 1994

Part II: Street

Part III: Drains

Part IV: Backlanes

Part V: Building

- **Uniform Building By Laws, UBBL**
- **Part V Cl.70A(1): Earthworks**

Part VII.Cl.133: By-laws

# **STREET, DRAINAGE & BUILDING ACT 133, 1974 Earthworks**

SDBA.Part V.Cl.70A(1):

- Earthworks approval from LA.
  - Any act of excavation, leveling, filling with any material, piling, the construction of foundations, or felling or trees, on any land, or any act of dealing with or disturbing any land.
- Local Authority Earthworks By-laws.

# **STREET, DRAINAGE & BUILDING ACT ACT 133, 1974**

## **Uniform Building By-Laws 1984**

- Part I : Preliminaries
- Part II : Submission of Plans for Approval
- Part III : Space, Light & Ventilation
- Part IV : Temporary Works
- Part V : Structural; Requirements
- Part VI : Construction Requirements
- Part VII : Fire Safety Requirements (Passive)
- Part VIII: Fire Safety Requirements (Active)
- Part IX : Miscellaneous

# Uniform Building By-Laws 1984

## Part I: Preliminaries

- Establish the 'powers' of the by-laws & its identity
- Defines terms. e.g.
  - Architects, Engineers, Registered Building Draughtsman
  - Qualified Person, Submitting Person
  - Basement, Floor, Type of Rooms, Walls, Roofs,
  - Height, Headroom, Depth
  - Dead Load, Wind Load, etc.

# Uniform Building By-Laws 1984

## Part II: Submission of Plans

- Rights, obligations & responsibilities of:-
  - Local Authority
  - Submitting Person
  - Land Owner / Occupier
- Submission of Plans:
  - Method of submission of plans
  - Contents & formats of plans to be submitted
  - Permits
  - Notices
  - Certificate of Fitness
    - Temporary
    - Partial
    - Full
    - Certificate of Completion & Compliance
  - Plan Fees

# Uniform Building By-Laws 1984

## Part III: Space, Light Ventilation

- Open space around a building
- Access to a building
- Projections over street & building line
- Natural lighting & ventilation
- Mechanical ventilation & air conditioning
- Minimum floor areas & dimensions
- Minimum heights of rooms

# Uniform Building By-Laws 1984

## Part IV: Temporary Works

(To Construction Works)

- Signboard
- Hoarding
- Construction vehicle access
- Fire fighting (to high rise construction)

# Uniform Building By-Laws 1984

## Part V: Structural Requirements

- Building materials
- Structural loading
- Parapet & balustrades
- Foundations

# Uniform Building By-Laws 1984

## Part VI: Constructional Requirements

- Site drainage, dampness
- Thickness of walls – party walls
- Kitchen & flues
- Staircases & handrails
- Roofs
- Refuse disposal
- Lifts
- Swimming pools

# Uniform Building By-Laws 1984

## Fire Safety Requirements

- Part VII : Passive
- Part VIII: Active

# Uniform Building By-Laws 1984

## Part IX: Miscellaneous

- Applicable buildings (to Parts VII & VIII)
- Reference to British Standards, & Malaysian Standards & Codes of Practice
- Building Failures

# Uniform Building By-Laws 1984

## Part IX: Miscellaneous . Schedules

- First Schedules
  - Fees
    - Plan
    - Permit
    - Inspection of Plans
    - Temporary Certificate of Fitness

# Uniform Building By-Laws 1984

## Part IX: Miscellaneous . Schedules con't

- **Second Schedule**
  - **Certificates & Notices**
    - A Certification of Plans
    - B Notice of Commencement
    - C Notice of Setting Out
    - D Notice of Completion of Foundations
    - E Application for the Issue of CFO
    - F Certificate of Completion & Compliance

# Uniform Building By-Laws 1984

## Part IX: Miscellaneous con't

- Third Schedule: Mechanical Ventilation
- Fourth Schedule: Weights & Loads

# Uniform Building By-Laws 1984

## Part IX: Miscellaneous.Schedules.Fire Safety

- 5th Schedule:
  - Purpose Group
- 6th Schedule:
  - Limits of Unprotected Openings
- 7th Schedule:
  - Travel Distances & Capacity of Exits
- 8th Schedule:
  - Flame Spread Over Walls & Ceilings
- 9th Schedule:
  - Fire Resistance of Structures
- 10th Schedule:
  - Fire Resistance of Structures

# **HOUSING DEVELOPMENT (CONTROL & LICENSING) ACT 1966**

## **Housing Developers (Control & Licensing) Act 1966**

Principal Act

Amended 1972

Revised 1973

Amended 1977

Amended 1988

## **Housing Developers (Control & Licensing) (Amendment) Act 2002**

Gazetted 31 January 2002. Effective 1 December 2002

# HOUSING DEVELOPMENT (CONTROL & LICENSING) ACT 1966

- Interpretation of housing development
- Prohibition of housing development except by license
- Conditions and restrictions of license
- Duties of licensed housing developer

## **S.24: Minister's powers to make regulations**

# HOUSING DEVELOPMENT (CONTROL & LICENSING) ACT 1966

# REGULATIONS

- **Housing Developers (Control & Licensing) Regulations 1989**
  - Housing Development (Control & Licensing) Regulations 1989
- **Housing Developers (Housing Developers Account) Regulations 1991**
  - Housing Development (Housing Developers Account) Regulations 1991
- **Housing Development (The Tribunal For Homebuyer Claims) Regulations 2002**
- **Housing Development (Compounding of Offences) Regulations 2002**

# HOUSING DEVELOPMENT (CONTROL & LICENSING) REGULATIONS 1989

- Application and renewal of license
- Advertisement and sale permit
- Restrictions on advertisement
- Proprietor to be a party of contract of sale, etc.

## Regulation 11 - Contract of sale:

- In the form prescribed in **Schedule G** for s&p of a housing accommodation with land, &
- In the form prescribed in **Schedule H** for s&p of a housing accommodation in a subdivided building.

# SCHEDULE G

## SALE & PURCHASE AGREEMENT (LAND & BUILDING)

### Cl.4 – Schedule of payments

- ***Third Schedule***

- Certificate signed by the Architect (or Engineer) shall be proof of the fact that the works therein referred to have been completed
  - LAM (Board of Architects) General Circular No.1/2001 (Revised 2002) Guidelines On The Third Schedule
- Vendor not bound to commence or complete in the order referred
- Any damage shall be repaired and made good before VP

# Schedule G

## Third Schedule: Schedule of Payment of Purchase Price

**Section 1: Immediately upon signing of Agreement: 10%**

**Section 2: Within 21 working days after receipt of Vendor's notice of the completion of:**

- a) foundation and footing works of the said Building, 10%
- b) reinforced concrete framework of the said Building, 15%
- c) walls of the said Building with door and window frames placed in position, 10%
- d) roofing, electrical wiring, plumbing, gas piping and internal telephone trunking and cabling, 10%
- e) internal and external plastering of the said Building, 10%
- f) sewerage works serving the said Building, 5%
- g) drains serving the said Building, 5%
- h) roads serving the said Building, 5%

**Section 3: On the purchaser takes vacant possession, 12.5%**

**Section 4: Separate document of title with M.o.T., 2.5%**

**Section 5: 5% to stakeholder, to be released 6 months after vacant possession(2.5%), and 18months after vacant possession (2.5%)**

# SCHEDULE G

## SALE & PURCHASE AGREEMENT (LAND & BUILDING)

### Cl.13 – Position & area of the lot

- Shown in Layout Plan, in *First Schedule*
  - Believed but not guaranteed to be correct
    - Purchase price shall be adjusted accordingly.
    - Vendor's claim for difference limited to max 2%
    - In relation to final Document of Title

# Schedule G

## MATERIALS & WORKMANSHIP

### Cl.14– Materials and workmanship to conform to description

- *Second Schedule* – Approved building plans
- *Fourth Schedule* – Building description
  - No changes without consent of purchaser, except required by appropriate authority
  - Purchaser entitled to corresponding reduction

### ▪ Cl.15 - Restrictions against variation by purchaser

- Approved building plans
- Certificate of fitness for occupation
- **Cl.16 Restriction against change to colour code**
  - **WP Putrajaya**

# Schedule G

## Other Payments

### CI.17 – Infrastructure & Maintenance

- Apportionment of contribution by competent person

### CI.18 – Payment of Outgoings

### CI.19 – Maintenance of Services

- Apportionment of contribution by competent person

### CI.20 – Water, electricity, gas piping, telephone trunking

# Schedule G LAWS

- **Cl.21 – Compliance with written laws**
- **Cl.22 – New laws affecting housing development**

# VACANT POSSESSION <sup>1</sup>

## CI.23 – Time for handing over of VP

- 24 months

# VACANT POSSESSION <sup>2</sup>

## CI.24 – Manner of delivery.

- Vendor's Architect certifying construction duly completed
  - LAM General Circular/Guidelines On The Third Schedule
- Water & electricity supply are ready for connection
  - LAM General Circular/Guidelines On The Third Schedule
- Vendor applied for CFO ***in compliance with UBBL***
  
- Delivery of VP supported by:
  - Certificate by Architect that building duly constructed & completed in accordance with all relevant Acts, by-laws & regulations & that all conditions imposed by the Appropriate Authority in respect of CFO have been duly complied
  - Letter from Appropriate Authority certifying Form E under 2<sup>nd</sup> schedule of UBBL has been submitted & checked & accepted

# VACANT POSSESSION <sup>3</sup>

## CI.25 – Defects liability period

- 18 months

# SCHEDULE H: “SALE & PURCHASE AGREEMENT (*BUILDING INTENDED FOR SUBDIVISION*)”

## Strata Title

- **STRATA TITLES**
  - **Cl.11 – Separate strata title & transfer of title**
    - Strata Titles Act.
  - **Cl.13 – Position & areas of Parcel**
    - **Over build: no adjustment to purchase price**
    - **Under build: adjustment in excess of 3%**
      - In relation to strata title
  - **Cl.15 - Restrictions against variation by Purchaser**
    - Strata title survey

# VACANT POSSESSION

## CI.26 – Time for handing over of VP

- 36 months

# **SCHEDULE H**

## **Common Property**

### **Cl.18 – Common facilities & services**

### **Cl.28 – Completion of common facilities**

- Second Schedule – Common facilities & services

- **Cl.19 Payment of Service Charge**

- **Cl.21 Insurance**

- **Cl.22 Payment of Outgoings**

- According to share units assigned by Vendor's licensed land surveyor

# Schedule H

## Third Schedule: Schedule of Payment of Purchase Price

**Section 1: Immediately upon signing of Agreement: 10%**

**Section 2: Within 21 working days after receipt of Vendor's notice of the completion of:**

- a) Works below ground of the said Building, 10%
- b) reinforced concrete framework of the said Parcel, 15%
- c) walls of the said Parcel with door and window frames placed in position, 10%
- d) Roofing/ceiling, electrical wiring, plumbing, gas piping and internal telephone trunking and cabling, 10%
- e) internal and external plastering of the said Parcel, 10%
- f) sewerage works serving the said Building, 5%
- g) drains serving the said Building, 5%
- h) roads serving the said Building, 5%

**Section 3: On submission of subdivision of the said Building 12.5%**

**Section 4: 5% to stakeholder, to be released 6 months after vacant possession(2.5%), and 18months after vacant possession (2.5%)**

# HOUSING DEVELOPMENT (HOUSING DEVELOPMENT ACCOUNT) REGULATIONS 1991

**“HDA Account Regulations”**

# HDA Account Regulations

## ■ Opening of account.

- Within 14 days after issuance of license.
- *Developer to notify purchaser's financier account no.*

## ■ Deposits.

- Collections
  - Cash – To issue statement of deposit within 2 days
  - Financier – To pay direct
- Loans.
- Interests.

## ■ Withdrawals.

- Supported by a certificate of Architect\*, or
- Certified by the director etc. of licensed housing developer's company.
- Legal fees for s&pa not item for withdrawal.
- Withdrawal for earthworks, etc in proportion to scope of developer's licence

## REGULATION 9

### WITHDRAWAL OF SURPLUS MONIES

- After issuance of CFO
- Approval of Controller
- Deducting:-
  - Amount required to complete the housing development, and the sale and purchase under the s&pa
  - 10% for contingencies and inflation
  - All claims on LAD that have been settled

# HDA Account Regulations

## REGULATION 11

### CLOSING OF ACCOUNT

- The housing development has been completed.
  - *as certified by the Architect, and*
- Solicitor's certification in respect of transfer of title under the s&pa.

# HOUSING DEVELOPEMENT (THE TRIBUNAL FOR HOMEBUYER CLAIMS) REGULATIONS 2002

## “HDA Tribunal Regulations”

In operation since 1 December 2002, with power to hear cases retrospectively.

# 3<sup>RD</sup> ASIAN FORUM

Standard Practices For Building Process In Asia

## “Laws Relating To Housing & Construction In Malaysia”

Tokyo

27-28 January 2004

Presented By  
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