



LAWS OF MALAYSIA

Act A1516

NATIONAL LAND CODE (AMENDMENT) ACT 2016

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LAWS OF MALAYSIA

Act A1516

NATIONAL LAND CODE (AMENDMENT) ACT 2016

An Act to amend the National Land Code.

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WHEREAS it is expedient for the purpose only of ensuring uniformity of law and policy that the National Land Code be amended:

NOW, THEREFORE, pursuant to Clause (4) of Article 76 of the Federal Constitution, **IT IS ENACTED** by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the National Land Code (Amendment) Act 2016.

(2) This Act comes into operation in each State on a date to be appointed by the Minister, with the approval of the National Land Council, by notification in the *Gazette* of the Federation, and the Minister may, with the approval of the National Land Council, appoint different dates for the coming into operation of different provisions of this Act.

(3) This Act comes into operation in the Federal Territory of Kuala Lumpur, the Federal Territory of Putrajaya and the Federal Territory of Labuan on such date to be appointed by the Minister, by notification in the *Gazette* of the Federation, and the Minister may appoint different dates in respect of different provisions of this Act.

Amendment of section 5

2. The National Land Code [*Act No. 56 of 1965*], which is referred to as the “Code” in this Act, is amended in section 5—

(a) by inserting after the definition of “subdistrict” the following definition:

‘ “subdivided building”, in relation to subdivision of any building under the Strata Titles Act 1985 [*Act 318*], includes subdivision of building or land;’;

(b) in the definition of “territorial waters”, by substituting for the words “subsection 4(2) of the Emergency (Essential Powers) Ordinance, No. 7/1969 [*P.U. (A) 307A/69*]” the words “subsection 3(3) of the Territorial Sea Act 2012 [*Act 750*]”; and

(c) in the definition of “trust”, by substituting for the word “Muslim” the word “Islamic”.

Amendment of section 5D

3. Subsection 5D(3) of the Code is amended—

(a) in paragraph (b), by substituting for the word “Code” the word “Act”; and

(b) in subparagraph (b)(ii), by inserting after the words “licence or permit” wherever appearing the words “or lease of reserved land”.

Amendment of section 14

4. Subsection 14(1) of the Code is amended—

- (a) in paragraph (f), by inserting after the words “other incidents of,” the words “including matters relating to refund or forfeiture of any sum paid as deposit,”; and
- (b) in paragraph (i), by deleting the words “or any collecting agent as approved by the State Authority”.

Amendment of section 15

5. Subparagraph 15(1)(e)(i) of the Code is amended by inserting after the words “to produce for inspection” the words “or any other purpose provided under this Act,”.

Amendment of section 16

6. Subsection 16(2) of the Code is amended by inserting after the words “in the name of his office” the words “and shall not in any circumstances be in the name of any officer”.

Amendment of section 42

7. Paragraph 42(2)(a) of the Code is amended by substituting for the words “the Mining Enactment” the words “any written law for the time being in operation relating to mining”.

Amendment of section 43

8. Paragraph 43(c) of the Code is amended by substituting for the words “Diplomatic and Consular Privileges Ordinance 1957 [Ord. No. 53 of 1957]” the words “Diplomatic Privileges (Vienna Convention) Act 1966 [Act 636], the International Organizations (Privileges and Immunities) Act 1992 [Act 485] and the Consular Relations (Vienna Convention) Act 1999 [Act 595]”.

Amendment of section 46A

9. Section 46A of the Code is amended—

- (a) in the shoulder note, by inserting after the words “**share in land**” the words “**or parcel of subdivided building**”; and
- (b) by inserting after the words “Where an undivided share in land” the words “or parcel of a subdivided building”.

Amendment of section 66

10. Section 66 of the Code is amended—

- (a) by renumbering the existing section as subsection (1);
- (b) in subparagraph (1)(b)(i) as renumbered—
 - (i) by substituting for the words “Senior Inspector of Mines” the words “Director of Mines”; and
 - (ii) by substituting for the word “mining” the words “mineral development”;
- (c) in subparagraph (1)(c)(ii) as renumbered, by substituting for the colon at the end of the subparagraph a full stop;
- (d) by deleting the proviso to subsection (1) as renumbered; and
- (e) by inserting after subsection (1) as renumbered the following subsection:

“(2) Nothing in this section shall authorize the Land Administrator to issue temporary occupation licences in respect of:

- (a) any such river and up to fifty metres of the bank of any such river; or

(b) any such lake or spring and up to fifty metres from the edge of any such lake or spring,

as may be declared by the State Authority by notification in the *Gazette* in accordance with the proviso to section 13.”.

Amendment of section 68A

11. Section 68A of the Code is amended by inserting after the words “as security for” the words “the due performance and observance of the provisions to which the licence is subject and”.

Amendment of section 71

12. Section 71 of the Code is amended—

(a) by renumbering the existing section as subsection (1);

(b) in paragraph (1)(c) as renumbered—

(i) by substituting for the words “Senior Inspector of Mines” the words “Director of Mines”; and

(ii) by substituting for the words “mining,” the words “mineral development,”; and

(c) by inserting after subsection (1) as renumbered the following subsection:

“(2) Nothing in this section shall authorize the Land Administrator to issue permits to extract, remove and transport rock material in respect of:

(a) any such river and up to fifty metres of the bank of any such river; or

(b) any such lake or spring and up to fifty metres from the edge of any such lake or spring,

as may be declared by the State Authority by notification in the *Gazette* in accordance with the proviso to section 13.”.

Amendment of section 75c

13. Section 75c of the Code is amended by inserting after the words “Land Administrator” the words “or any officer authorized by the State Authority”.

Amendment of section 80

14. Subsection 80(3A) of the Code is amended—

- (a) by inserting after the words “Notwithstanding subsection (3)” the words “and subsection 180(1)”; and
- (b) by inserting after the words “where it appears just and expedient,” the words “dispense with the issuance of qualified title and proceed to”.

New section 90A

15. The Code is amended by inserting after section 90 the following section:

“Extension of land alienated for a term of years

90A. (1) The proprietor of any land alienated for a term of years may apply to the State Authority for the term to be extended.

(2) The application shall be made before the expiry of the term specified in the document of title.

(3) Upon receiving any application referred to in subsection (1), the Land Administrator shall endorse, or cause to be endorsed, a note on the register document of title to the land to which the note relates.

(4) The State Authority shall not entertain any such application unless the State Authority is satisfied with respect to every person or body having a registered interest in the

land, either that he has consented to the application or that his consent ought in the circumstances of the case to be dispensed with.

(5) The approval or rejection of an application under subsection (1) shall be at the discretion of the State Authority, and such approval if given, may be subject to—

(a) payment of premium as may be determined by the State Authority; and

(b) other charges as may be prescribed.

(6) Subject to subsection (9), where the State Authority approves such application, the Land Administrator shall cause to be served on the proprietor a notice in Form 5A requiring him to pay any sum specified in subsection (5) within the specified time and if any such sum is not paid within such time the approval of the State Authority shall lapse.

(7) As soon as may be after the sum referred to in subsection (6) has been paid, the Land Administrator shall endorse, or cause to be endorsed, a memorial to effect such extended term on the register document of title to the land and on the issue document of title if he is able to secure or when the title is produced to him.

(8) In the case of land with subdivided building, the application may be made by the management corporation on the authority of a unanimous resolution and such application shall be regarded as an application in respect of the alienated land and provisional block, if any, consist therein and in the case where the payment is made upon approval of the application in accordance with the foregoing provisions, the memorial to be endorsed as provided under subsection (7) shall be construed to apply also to the subsidiary titles relating to the approval.

(9) Nothing in this section shall preclude the State Authority from considering the application together with any other application provided under this Act.”.

Amendment of section 92C

16. Section 92C of the Code is amended—

(a) by inserting after subsection (1) the following subsection:

“(1A) For the purpose of subsection (1), the Registrar may register and issue document of qualified title first before its continuation into final title where it appears just and expedient.”; and

(b) in subsection (6), by deleting the words “final Registry”.

Amendment of section 92D

17. Section 92D of the Code is amended—

(a) in subsection (2), by inserting after the words “underground land under section 92C” the words “and the approval of the application together with the depth of the alienated land of the proprietor shall be endorsed on the document of title to the alienated land and the depth, which may also include reference to the plan issued by the Director of Survey and Mapping shall, for the purpose of this Act, operate as express conditions, and the provisions of this Act relating to the express conditions shall accordingly apply”; and

(b) by inserting after subsection (6) the following subsection:

“(6A) The conditions as endorsed on the document of title referred to in subsection (6) may also include reference to the plan issued by the Director of Survey and Mapping.”.

Amendment of section 95

18. Section 95 of the Code is amended—

(a) by deleting the words “within the State”; and

(b) by inserting after the words “as may be prescribed” the words “or through any person or body as approved by the State Authority”.

New section 96A

19. The Code is amended by inserting after section 96 the following section:

“Rent of land with subdivided building

96A. (1) Upon the coming into operation of Part IVA of the Strata Titles Act 1985, the provisions of Part Six of this Act except section 101 (which relates to revision of rent), shall not be applicable in respect of land with subdivided building and any action taken for non-payment thereof shall be in accordance with the Strata Titles Act 1985.

(2) The application of section 101 in respect of land with subdivided building shall be in accordance with the provision of subsection 101(7).

(3) In the event of termination of the subdivided building in accordance with section 57 of the Strata Titles Act 1985, the rent in respect of the land shall become payable as from the beginning of the calendar year next following in accordance with this Act.”.

Amendment of section 101

20. Section 101 of the Code is amended by inserting after subsection (6) the following subsections:

“(7) Notwithstanding the operation of Part IVA of the Strata Titles Act 1985, this section shall also apply to land with subdivided building in accordance to section 96A.

(8) The rent of the land with subdivided building shall become payable only upon the termination of subdivision, in accordance with Part IVA of the Strata Titles Act 1985.”.

Amendment of section 122

21. Paragraph 122(d) of the Code is amended by inserting after the words “the use” the words “or uses”.

Amendment of section 124

22. Section 124 of the Code is amended—

- (a) in the further proviso to subsection (1), by inserting after the words “unless any rent due has been paid” the words “and if it relates to express conditions endorsed on the title by virtue of subsection 92B(2) and subsections 92D(2) and (6)”;
- (b) by inserting after subsection (1A) the following subsection:

“(1B) Upon receiving any application referred to in subsection (1), the Land Administrator shall endorse, or cause to be endorsed, a note on the register document of title to the land to which the note relates.”; and
- (c) in subsection (7), by inserting after the words “under his hand and seal” the words “of which the entry shall be made upon payment in accordance with subsection (8)”.

Amendment of section 160B

23. Section 160B of the Code is amended—

- (a) by inserting after subsection (2) the following subsection:

“(2A) Such action in relation to the land with subdivided building shall also be made to the subsidiary register.”; and
- (b) in subsection (5), by substituting for the words “which contains a note under subsection (2)” the words “and subsidiary register, which contain a note under subsection (2) or (2A), as the case may be,”.

Amendment of section 160c

24. Section 160c of the Code is amended—

- (a) by renumbering the existing section as subsection (1); and

(b) by inserting after subsection (1) as renumbered the following subsection:

“(2) In the case of land with subdivided building, the title in continuation shall be issued in respect of every document relating to parcel held under subsidiary title comprised thereto and the Land Administrator shall, pursuant to subsection (1), cause the relevant strata register in Form 2 and Form 3 in the First Schedule to the Strata Titles Act 1985 to be reestablished.”.

Amendment of section 166

25. Section 166 of the Code is amended by inserting after subsection (3) the following subsection:

“(4) For the purpose of paragraph (1)(h), if the part acquired refers wholly or in part to underground land, the title in continuation to be issued for the part left unacquired shall be endorsed in accordance with the provision of subsection 92B(2).”.

Amendment of section 170

26. Section 170 of the Code is amended—

(a) in subparagraph (1)(a)(iii), by inserting after the words “Form 4” the words “or Form 4A, as the case may be,”;

(b) in paragraph (1)(b), by inserting after the words “under this Act” the words “or the Strata Titles Act 1985, as the case may be,”; and

(c) by inserting after subsection (2) the following subsection:

“(3) In the case where the title in continuation is a land with subdivided building, a note relating to particulars of the title thereby continued shall be endorsed on Form 2 and Form 3 and the register document in Form 4 or Form 4A, as the case may be, in the First Schedule to the Strata Titles Act 1985.”.

Amendment of section 175F

27. Subsection 175F(4) of the Code is amended—

- (a) by inserting after the words “under this Act” the words “or the Strata Titles Act 1985, as the case may be,”; and
- (b) by inserting after the words “register document in question” the words “including the strata register, if any”.

Amendment of section 183A

28. Section 183A of the Code is amended by inserting after the words “where it appears just and expedient,” the words “dispense with the issuance of qualified title and proceed to”.

Amendment of section 184A

29. Section 184A of the Code is amended by inserting after the words “where it appears just and expedient,” the words “dispense with the issuance of qualified title and proceed to”.

Amendment of section 185A

30. Section 185A of the Code is amended by inserting after the words “where it appears just and expedient,” the words “dispense with the issuance of qualified title and proceed to”.

Amendment of section 199

31. Section 199 of the Code is amended by substituting for the shoulder note the following shoulder note:

“Re-vesting of land and destruction of issue document”.

Amendment of section 204B

32. Section 204B of the Code is amended—

- (a) by renumbering the existing section as subsection (1); and
- (b) by inserting after subsection (1) as renumbered the following subsection:

“(2) In relation to land held under qualified title, an application for surrender and re-alienation under this Part may only be entertained if the land has been duly surveyed and in respect of which a certified plan has been approved by the Director of Survey and Mapping except where the State Authority directs otherwise either generally or in any particular case.”.

Amendment of section 204D

33. Paragraph 204D(1)(c) of the Code is amended by substituting for the words “lot or lots” the word “portion”.

Amendment of section 204E

34. Section 204E of the Code is amended—

- (a) in subsection (3)—
 - (i) by substituting for the colon at the end of the subsection a full stop; and
 - (ii) by deleting the proviso to subsection (3); and
- (b) by inserting after subsection (3) the following subsections:

“(3A) Where the original title is a title in perpetuity, unless the proprietor apply for the land to be re-alienated to him for a term of years, the period for which the land is to be re-alienated shall also be in perpetuity, and where the original title is for a term of years, the period for which the land is to be re-alienated

shall not be less than the remainder of the term of years for which the land was held under the original title, except where the State Authority approves the application under section 90A, and in the case where there are dissimilarities as to the periods for which the original titles are held, the period for which the lands are to be re-alienated shall be as the State Authority may think fit.

(3B) The State Authority may in deciding the application, alienate adjoining State land to the proprietor.”.

Amendment of section 204G

35. Section 204G of the Code is amended by inserting after subsection (2) the following subsection:

“(2A) The memorial referred to in subsection (1) shall only be made—

- (a) if all the sum due upon approval in accordance with the matters specified in subsection 79(2) have been paid; and
- (b) in the case where section 204GA applies, after the charge subsisting in the title is discharged.”.

Amendment of section 204GA

36. Section 204GA of the Code is amended by substituting for subsection (2) the following subsection:

“(2) Where the State Authority approves such application under subsection 204E(3), the acceptance of the approval by the proprietor under subsection 204E(4) shall also include the consent by the chargee as to the discharge of the charge and for a fresh charge to be executed and presented in respect of the titles to be issued upon re-alienation.”.

Amendment of section 211

37. The proviso to subsection 211(1) of the Code is amended—

- (a) in paragraph (iii), by inserting after the comma the word “or”;
- (b) in paragraph (iv), by substituting for the words “, or” a full stop; and
- (c) by deleting paragraph (v).

Amendment of section 214A

38. Section 214A of the Code is amended—

- (a) in subsection (2), by inserting after the words “by the Board” the words “, or in the case where subsection (9) applies, a written approval of the State Authority”;
- (b) in subsection (10)—
 - (i) by substituting for the words “not exceeding RM10,000” the words “not less than one hundred thousand ringgit and not more than one million ringgit”; and
 - (ii) by substituting for the words “RM1,000” the words “five thousand ringgit”; and
- (c) in subsection (10A), by substituting for the words “not less than one year and not more than three years and to a fine not exceeding ten thousand ringgit” the words “not more than five years or to a fine not less than one hundred thousand ringgit and not more than one million ringgit, or to both”.

Amendment of section 241

39. Section 241 of the Code is amended by inserting after subsection (4) the following subsections:

- “(5) Subject to subsection (3), a charge in respect of alienated land or any lease of alienated land may be created in favour

of a financial institution notwithstanding that such institution having beneficial rights pursuant to any transaction contracted in compliance with Syariah.

(6) For the purpose of subsection (5), the financial institution shall be those institutions licensed under any written law relating to financial institutions or development financial institutions.”.

Amendment of section 254

40. Paragraph 254(1)(b) of the Code is amended by inserting after the words “in the charge” the words “which shall not be less than one month”.

Amendment of section 281

41. Subsection 281(1) of the Code is amended by deleting the words “for a loan”.

New section 292A

42. The Code is amended by inserting after section 292 the following section:

“Lodgment of instrument in electronic form

292A. (1) The Minister may, with the approval of the National Land Council by order published in the *Gazette* of the Federation, make such modification relating to any provision of this Act to facilitate lodgment of any such instrument in electronic form.

(2) In this section, “modifications” includes amendments, additions, deletions, substitutions, adaptations, and non-application of any provision.”.

Amendment of section 294

43. Paragraph 294(3)(b) of the Code is amended by substituting for the words “by section 47 of the Strata Titles Act 1985 shall be accompanied by the certificate required by paragraph (3)(c) of that section” the words “under the Strata Titles Act 1985 shall be accompanied by the relevant document required under the appropriate provision of that Act”.

Amendment of section 305

44. Section 305 of the Code is amended by inserting after subsection (2) the following subsections:

“(2A) For the purposes of paragraph (1)(e), the Registrar shall inform the person or body from whom the document was obtained to collect the document.

(2B) Where any document of title and duplicate lease, sub-lease or charge presented or produced in connection with the registration is not collected by the person or body from whom it was obtained upon being informed under subsection (2A) within the prescribed time, the release of such document thereafter shall be upon payment of such fees, as may be prescribed.

(2C) For the purposes of paragraph (1)(d), such action in respect of land held under land office title registered by virtue of paragraph 166(1)(j) or section 187^{AA} and the documents of which were kept by the former district shall be made by the Registrar in respect of the former district.

(2D) For the purposes of subsection (2C), “former district” refers to the district where the documents were first registered.”.

Amendment of section 323

45. Subsection 323(2) of the Code is amended—

(a) by inserting after the words “section 211” the words “notwithstanding that the provisions dealt with dealings in alienated land,”; and

- (b) by inserting after the words “in the land or a particular interest only” the words “, and the last known address of the proprietor if the caveat is to be expressed to bind the land itself or an undivided share in the land”.

Amendment of section 324

46. Section 324 of the Code is amended by inserting after subsection (3) the following subsection:

“(4) Notwithstanding the provision of subsection 431(1), it is sufficient for the notification to be served by ordinary post and shall be deemed to have been effected at the time at which the notification would be delivered in the ordinary course of post.”.

Amendment of section 325

47. Subsection 325(1) of the Code is amended by inserting after the words “by a notice in Form 19G” the words “, duly attested in accordance with the provisions of section 211 notwithstanding that the provisions dealt with dealings in alienated land,”.

Amendment of section 326

48. Section 326 of the Code is amended by inserting after subsection (1A) the following subsection:

“(1AA) Notwithstanding section 431, the service of notice in Form 19C may be effected by facsimile transmission to the person or body at whose instance the caveat was entered and it shall be deemed to have been duly served where there is a return acknowledgment by electronic or other means to the effect that the notice has been received by such person or body.”.

Amendment of section 330

49. Section 330 of the Code is amended—

- (a) in subsection (1), by deleting the words “for a loan”; and
- (b) in subsection (2), by inserting after the words “section 211” the words “notwithstanding that the provisions dealt with dealings in alienated land”.

Amendment of section 333

50. Subsection 333(2) of the Code is amended by inserting after the words “section 211” the words “notwithstanding that the provisions dealt with dealings in alienated land”.

Amendment of section 344

51. Subsection 344(4) of the Code is amended by deleting the words “the provisions of section 36 of”.

Amendment of section 351

52. Paragraph 351(3)(b) of the Code is amended by inserting after the words “undivided share in land” the words “or parcel of a subdivided building”.

Amendment of section 377

53. Section 377 of the Code is amended—

- (a) in subsection (1)—
 - (i) by inserting after the words “The Registrar may” the words “require the particulars of the person or body by whom the instrument or document was presented or delivered to be recorded and”; and
 - (ii) by inserting after the words “mark any instrument” the words “or document”;

(b) in subsection (2), by inserting after the words “any such instrument” the words “or document”; and

(c) by inserting after subsection (2) the following subsection:

“(3) The requirement under subsection (2) may also include any other method available to the Registrar.”.

Amendment of section 378

54. Section 378 of the Code is amended—

(a) by renumbering the existing section as subsection (1);

(b) in subsection (1) as renumbered, by substituting for the words “The Registrar may” the words “Subject to subsection (2), the Registrar may”; and

(c) by inserting after subsection (1) as renumbered the following subsection:

“(2) In the case of a natural person, such change may also refer to the description of his citizenship or the number of identity card issued to him under the National Registration Act 1959 [Act 78] or, where no such identity card has been issued to him, the number appearing in his passport or any other official document of identity.”.

Amendment of section 383

55. Subsection 383(1) of the Code is amended by inserting after the words “registered instrument of dealing” the words “or other document”.

Amendment of section 390

56. Subsection 390(1) of the Code is amended by deleting the word “country”.

Amendment of section 396A

57. Subsection 396A(3) of the Code is amended by inserting after the words “the register” the words “and the subsidiary register, if any,”.

Amendment of section 400

58. Subsection 400(3) of the Code is amended by substituting for the word “hundred” the word “thousand”.

Amendment of section 400A

59. Section 400A of the Code is amended by substituting for the word “ten” the word “twenty”.

Amendment of section 403

60. Section 403 of the Code is amended—

(a) in paragraph (a), by substituting for the word “hundred” the word “thousand”; and

(b) in paragraph (b), by substituting for the word “three” the word “five”.

Amendment of section 422

61. Section 422 of the Code is amended by substituting for the words “not exceeding five thousand ringgit and, in default of payment of such fine, to imprisonment for a term not exceeding three years” the words “not exceeding five hundred thousand ringgit or to imprisonment for a term not exceeding five years, or to both”.

Amendment of section 423

62. Section 423 of the Code is amended by substituting for the word “three” the words “five hundred”.

Amendment of section 424

63. Subsection 424(1) of the Code is amended by substituting for the words “five hundred” the words “one thousand”.

Amendment of section 425

64. Section 425 of the Code is amended—

(a) in subsection (1)—

- (i) by substituting for the word “ten” the words “five hundred”; and
- (ii) by substituting for the words “one year” the words “five years”; and

(b) in subsection (1A)—

- (i) by substituting for the word “ten” the words “five hundred”; and
- (ii) by substituting for the words “one year” the words “five years”.

Amendment of section 425A

65. Section 425A of the Code is amended by substituting for the word “two” the word “ten”.

Amendment of section 426

66. Section 426 of the Code is amended—

- (a) in subsection (1), by substituting for the word “fifty” the words “five hundred”; and
- (b) in subsection (1B), by substituting for the word “fifty” the words “five hundred”.

Amendment of section 426A

67. Section 426A of the Code is amended—

(a) by substituting for the shoulder note the following shoulder note:

“Power of arrest, seizure, etc.”;

(b) by inserting after paragraph (1)(a) the following paragraph:

“(aa) stop and examine any vehicle, tractor or any other thing whatsoever which he has reason to believe was used or is being used in the commission of an offence under that section;”;
and

(c) by inserting after subsection (5) the following subsection:

“(6) Any person who fails to cooperate with the authorized officer in the exercise of his power under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit, or to imprisonment for a term not exceeding six months, or to both.”.

Amendment of section 427

68. Subsection 427(2) of the Code is amended by substituting for the word “hundred” the word “thousand”.

Amendment of section 428

69. Subsection 428(2) of the Code is amended by substituting for the word “two” the word “five”.

Amendment of section 428A

70. Section 428A of the Code is amended by substituting for the word “one” the word “five”.

Amendment of section 429A

71. Section 429A of the Code is amended by substituting for the word “Code” the word “Act”.

Amendment of section 429B

72. Subsection 429B(1) of the Code is amended—

- (a) by deleting the word “reasonably”; and
- (b) by inserting after the words “committed an offence” the words “, which is prescribed to be compoundable,”.

Amendment of section 431A

73. Section 431A of the Code is amended—

- (a) by inserting after the words “the Registrar” the words “or the Land Administrator,”;
- (b) by substituting for the word “direct” the word “cause”; and
- (c) by deleting the words “or may cause the notice to be sent by post to the Official Administrator”.

Amendment of section 432

74. Subsection 432(1) of the Code is amended—

- (a) by inserting after the words “the Registrar” the words “or the Land Administrator”;
- (b) by substituting for the word “order” the words “cause the”; and

(c) in subparagraph (1)(a)(ii)—

- (i) by substituting for the words “in a market” the words “a community hall”; and
- (ii) by inserting after the words “other public place” the words “as he thinks fit”.

Amendment of section 433

75. Paragraph 433(a) of the Code is amended—

- (a) in subparagraph (i), by deleting the words “and on the penghulu’s office or *balai* in the area in which the land is situated”; and
- (b) by substituting for subparagraph (ii) the following subparagraph:
 - “(ii) on a court-house, mosque or penghulu’s office or *balai*, or a community hall or other public place as the State Director or Registrar or Land Administrator thinks fit, in the area in which the land is situated; and”.

Amendment of section 433A

76. Section 433A of the Code is amended in the definition of “foreign company”—

- (a) in paragraph (a), by substituting for the words “subsection 4(1) of the Companies Act 1965 [*Act 125*]” the words “the Companies Act 2016 []”;
- (b) in paragraph (b), by substituting for the words “Companies Act 1965” the words “Companies Act 2016”; and
- (c) in paragraph (c), by substituting for the words “Companies Act 1965” the words “Companies Act 2016”.

Amendment of section 433B

77. Section 433B of the Code is amended—

- (a) in the proviso, by deleting paragraph (aa);

(b) in subsection (4)—

(i) by inserting after the words “subject to the category “agriculture” or “building” ” the words “or “industry” ”; and

(ii) by inserting after the words “agricultural or building” the words “or industrial”;

(c) by deleting subsection (5); and

(d) in subsection (6), by substituting for the words “Subsections (3), (4) and (5)” the words “Subsections (3) and (4)”.

Amendment of section 433E

78. Subsection 433E(1) of the Code is amended in the proviso by deleting paragraph (a).

Amendment of section 433H

79. Section 433H of the Code is amended—

(a) in the shoulder note, by inserting after the word “**Part**” the word “, *etc.*”;

(b) by renumbering the existing section as subsection (1); and

(c) by inserting after subsection (1) as renumbered the following subsection:

“(2) Without prejudice to subsection (1), no corporation considered to be foreign incorporated or registered under any written law shall be capable of holding any land except in accordance with this Part.”.

Amendment of section 434

80. Subsection 434(2) of the Code is amended by substituting for the words “Arbitration Act 1952 [Act 93]” the words “Arbitration Act 2005 [Act 646]”.

Amendment of section 436A

81. Section 436A of the Code is amended—

- (a) in subsection (1), by substituting for the words “natural individual” the words “natural person”; and
- (b) in subsection (2), by substituting for the words “natural individual” the words “natural person”.

Savings and transitional

82. (1) All applications or other matters that are pending approval or registration or otherwise under sections 204B, 323, 324 and 326, immediately before the commencement of this Act shall, after the coming into operation of this Act, be continued or concluded as if the National Land Code had not been amended by this Act.

(2) Any order or proceedings that is pending or commenced under sections 214A, 400, 400A, 403, 422, 423, 424, 425, 425A, 426, 427, 428, 428A and 429B, before the coming into operation of this Act, shall be continued and concluded as if the National Land Code had not been amended by this Act.

