

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Studies SPACE	Page : 1 of 7
Course Code : Real Estate Law (DDPF 1623) Total Lecture Hours : 42 hours Tutorial : 14 hours	Semester: 1 Academic Session: 2012/2013

Lecturer :
Room No. :
Telephone No. :
E-mail :
Synopsis : The course is designed to introduce students to applicable laws governing land matters in Malaysia and its close relationships with any type of landed property development. Students are taught the concept of land, jurisdictions and authorities of concerned parties over land matters. The importance of the Torrens system and understanding the types of commercial transactions created over land by land owners that are currently available and recognized by the National Land Code.

LEARNING OUTCOMES

By the end of the course, students should be able to:

No	Course Learning Outcome	Programme Learning Outcome(s) Addressed	Bloom Taxanomy & Generic Skills	Assessment Methods
1	Explain the concept of land law, how the NLC , the Torrens systems operate in Malaysia , the principles relating to land law as governs by the National Land Code, the jurisdictions and principles relating to land law, the principles and system in running and managing of land matters by the land office and Registrar of land office and distinguish the differences between rights and responsibilities of parties involved.	PO1	C3	T1, T2, F
2.	Express ideas clearly and effectively as well as demonstrate understanding	PO4	P3 CS1,CS3	A
3.	Develop qualities of an effective team player and reporting information.	PO5	A3 TS1-TS3	A

Prepared by: Name: Signature: Date:	Certified by: (Course Panel Head) Name: Signature: Date:
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STUDENT LEARNING TIME

Teaching and Learning Activities	Student Learning Time (hours)
1 Face to face learning	42
a. Lecturer- centred learning	
i. Lecture	
b. Student-centred learning	7
i. Tutorial/ discussion	7
ii. Student-centred learning activities	
2 Self-directed learning	33
a. Non face to face learning, student-centred learning Such as manual, assignment, module, e-learning, library, report writing, etc	
b. Revision	16
c. Assessment preparation	9
3 Formal Assessment	3
a. Continuous	3
b. Final Exam	

TEACHING METHODOLOGY

Lecture and Discussion, Co-operative Learning, Independent Study, Group Tutorials.

WEEKLY SCHEDULE

Week 1 : 1.0. INTRODUCTION TO MALAYSIAN LAND LAW

- Historical background of Malaysian Land Law
- Sources of Malaysian Land Laws
- National Land Code and other relevant and applicable statutes.
- Relationship between Federal and State Governments regarding land as a subject

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matter as provided by the federal constitution.

- Week 2 : TERMINOLOGIES**
- The concept and terminologies of land law.
 - Land includes : surface, land beneath the ground, seabed, etc.

- Weeks 3 : TORRENS SYSTEM**
- Land law system pre – Torrens.
 - All lands belong to the Malay Rulers
 - Feudal system.
 - Tanah adapt.
 - The advantages and disadvantages.
 - Torrens system – registration is everything
 - The advantages and disadvantages.

- Weeks 4 : RIGHT TO LAND**
- Right to:
- Natural support of land
 - Air space
 - To develop
 - Not to develop
 - Limits and restrictions to the rights above.

- Weeks 5 : TITLE OF LAND**
- Test 1**
- Land held under HSM title.
 - Land held under HSD title
 - Differences
 - Freehold title
 - Leasehold title
 - Qualified title

- Weeks 6 STATE GOVERNMENT:**
- Types and categories of land
 - Mines, permanent and reserved forest, sea, river etc.

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Weeks 7

STATE GOVERNMENT

- Disposal of land
- Reserve
- Alienation
- Temporary license of occupation (TOL)
- Rights and responsibilities of TOL Holder.
-

Weeks 8

MID TERM BREAK

Weeks 9

COMMERCIAL TRANSACTIONS UNDER NLC

Transfer:

- Parties
- Legal capacity
- Contract document

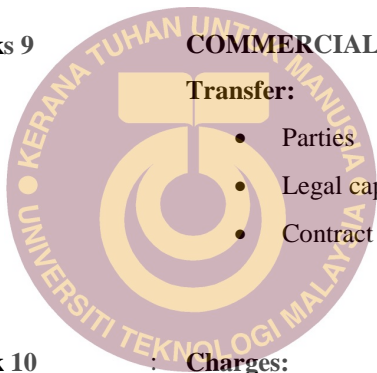
Week 10

Charges:

- Parties
- Legal capacity
- Contract document
- Purpose
- Procedures
- Documents for registration
- Grounds in rejecting registration

Lease:

- Parties
- Legal capacity
- Contract document
- Purpose
- Procedures
- Documents for registration



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- Grounds in rejecting registration

Weeks 11 : Tenancy:

Test II

- Legal capacity
- Contract document
- procedures
- purpose
- document for registration
- grounds of rejecting registration
- types of tenancy
- procedures

Lien:

- differences between charges, lease, lien
- legal capacity
- contract document

Weeks 12 : 9.0 INSTALMENT PURCHASES

- Introduction
- Interest charge based on original balance
- Interest charge based on reducing balance
- Unequal instalment payments and repayment schedules.

Week 13 DEFEASIBILITY OF TITLE

Bad Title:

- Bona fide purchaser
- Incomplete instrument
- Inadequate instrument section 340 (1) and section 340(2) National Land Code
- The right to challenge the title of land.
- Jurisdictions of the courts.
- Parties.

Weeks 14 : ENCUMBRANCES IN LAND



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Caveat:

- Parties and legal capacity
- Types of caveats: registrar, private and lien holder caveat.
- Lifespan of caveat
- Removal of caveat.
- Grounds.

Weeks 15 : Prohibitory Order:

- Purpose
- Effects of a Prohibitory Order
- Who may apply?
- Reason for applying
- Lifespan of a Prohibitory Order
- Removal of lapsed of a Prohibitory Order

REFERENCES : Main Reference:

1. S Y Kok (2010), *The Torrens System and Equitable Principles*, Sweet and Maxwell Asia.
2. Sathiaseelan, Joshua Kevin (2006), *Prinsip-prinsip Penting perundangan tanah di Malaysia*, Petaling Jaya, Lexisnexis
3. Teo Keang Sood & Khaw Lake Tee. (2003) *Land Law in Malaysia*, (4th Ed) Sweet & Maxwell, Kuala Lumpur,.
Hj Salleh Hj. Buang. (2007), *Malaysian Torrens System*, Kuala Lumpur, DBP

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GRADING

No.	Assessment	Number	% Each	% Total	Dates
No		Number	% each	% total	Dates
1	Test 1 (individual/ Group)	1	15	15	
2	Test 2 (individual/ Group)	1	15	15	
3	Final exam	1	60	60	
4	Assignment	1	CS1,CS3 TS1-TS3 10	10	
Overall Total				100	



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