

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 1 of 7
Course Code : Real Estate Development Law (DDPF 2643) Total Contact Hours : 56 hours	Semester: 2 Academic Session: 2012/2013

Lecturer :

Room No. :

Telephone No. :

E-mail :

Synopsis : The course is designed to introduce students to applicable laws governing land and property development law in Malaysia and the close relationships with the provisions of NLC and authorities of local councils. Students shall be taught the concept of land development, types of land development and other subject matters that are closely linked and affected or shall affect land development. Various laws, issues and subject matters such as Malay Reserved Land, land acquisition, strata title and land and property developers shall be discussed.

LEARNING OUTCOMES

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

LEARNING OUTCOMES

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

No	Course Learning Outcome	Programme Learning Outcome(s) Addressed	Bloom Taxonomy & Generic Skills	Assessment Methods
1	Explain the concept of land and property development in Malaysia based on the issues and subject matters that must be taken into account before a property could be developed .	PO1	C3	T1, T2, F,
2.	Identify and analyse real life problems based on the principles and provisions of all relevant statutes	PO3	P3 CTPS1	A
3.	Relate relevant information in Real Estate Development Law to real estate profession	PO6	A3 LL1-LL2	A

Prepared by: Name: Signature: Date:	Certified by: (Course Panel Head) Name: Signature: Date:
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Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 2 of 7
Course Code : Real Estate Development Law (DDPF 2653) Total Contact Hours : 56 hours	Semester: Academic Session: 2012/2013
4. Practice ethics and values towards oneself and others	PO8 A3 EM1-EM2 A

STUDENT LEARNING TIME

Teaching and Learning Activities	Student Learning Time (hours)
1 Face to face learning	4
a. Lecturer- centered learning	
i. Lecture	
b. Student-centered learning	
i. Tutorial/ discussion	7
ii. Student-centered learning activities	7
2 Self-directed learning	
a. Non face to face learning, student-centered learning Such as manual, assignment, module, e-learning, library, report writing, etc	33
b. Revision	
c. Assessment preparation	16
3 Formal Assessment	9
a. Continuous	
b. Final Exam	3
Total	120

TEACHING METHODOLOGY

Lecture and Discussion, Co-operative Learning, Independent Study, Individual or Group

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 3 of 7
Course Code : Real Estate Development Law (DDPF 2653) Total Contact Hours : 56 hours	Semester: Academic Session: 2012/2013

Assignment

WEEKLY SCHEDULE

Week 1 : 1.0 Introduction to land and property development law

Historical background

-Differences between land law and land development law

- National Land Code and other relevant and applicable statutes

-Relationship between Federal and State governments regarding land as a subject matter as provided by the Federal Constitution

Week 2 : 2.0 Applicable terminologies and concepts in developing land and property

The concept and terminologies of land /property development

The significances of these terminologies

- Ownership,

- Co-ownership

- Joint ownership

Weeks 3 : Cont

Partition

Division

The effects of partition and division

Procedures

Forms to use

Weeks 4 : Cont

Subdivision

Amalgamation

The effects

Procedures

Forms to use

Annual rent

Quit rent

Where to pay

Time to pay

Who can collect

Forfeiture of land

Weeks 5 Cont

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 4 of 7
Course Code : Real Estate Development Law (DDPF 2653) Total Contact Hours : 56 hours	Semester: Academic Session: 2012/2013

Test 1 : Conditions of land use
 Change of those conditions
 Restriction in interest
 Surrender
 Reversion
 Reserved land
 Purpose
 Types of reserved land

Weeks 6 3.Malay Reserved Land
 Purpose
 Allocated land
 The non-applicability of MRS laws to Sabah & Sarawak
 Definition of Malays
 Restrictions in dealings
 Problems arising from MRL

Weeks 7 Cont
 Future of MRL
 SA as the controlling body
Assignment MRL as Tanah Wakaf
 Differences between MRL and Tanah Wakaf
 Development and re-development programmes for MRL
 Suggestions
 Viabilities of those suggestions

Weeks 8 MIDTERM BREAK

Weeks 9 4 Land Acquisition
 Purpose and grounds for acquisitioning land
 - Parties
 - Legal capacity
 - Legality of land acquisition
 - Art. 13 of the Federal Constitution

Week 10 : Procedures in acquisitioning land
 The declaration by SA
 The issuance of Form A
 Form B
 Form C
 Form D
 Form E
 Form F

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 5 of 7
Course Code : Real Estate Development Law (DDPF 2653) Total Contact Hours : 56 hours	Semester: Academic Session: 2012/2013

Form G
 Form H
 Form I
 Form J
 Form K
 Form N
 Form N

LA inquiry
 Grounds in challenging land acquisition
 Determining factors for amount of compensation
 Methods in calculating the amount of compensation
 Grounds in challenging compensation or other matters, if any
 Jurisdictions of courts

Week 11 : 5. Strata title

Purpose
 Advantages of having a strata title
 A strata title would include
 -exclusive rights
 -air space
 -car park
 -common amenities
 -common rights

Rights of strata title under STA 1988
 Obligations of strata title under STA 1988
 Failure to discharge duties and obligations by strata title owner

: 6. Building Maintenance Corporation (BMC)

Test 2 What is a BMC
 Members
 Functions and roles of BMC
 Collection of funds for BMC
 The running and management of BMC
 Rights and jurisdictions of BMC

Week 12 : 7. Property development- transfer of rights

The role of property developer
 Property developer-company or individual
 Property Developer Act

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 6 of 7
Course Code : Real Estate Development Law (DDPF 2653) Total Contact Hours : 56 hours	Semester: Academic Session: 2012/2013

Rights and obligations of property developer
 Rights and obligations of property owner

When / does the transfer in title occur in

- i. 1st sale
- ii. 2nd sale
- iii. Before or after the signing the contract document
- iv. Before or after the signing of Form 14A
- v. Before or after the presentation of Form 14A at land office

8. Vacant possession Certificate of fitness

- Definition
- Rights of property owner to CF
- Who to apply
- When to apply
- Where to apply
- Status and value of property when there is no CF
- Definition
- Rights of property owner to VP
- When to deliver VP
 - i. First sale
 - ii. 2nd sale
 - iii. Expiry of a tenancy

Week 13 : **Current issues on land development**

Week 14	Week 11		13 Sale of Goods Law Hire Purchase
	Questions and Answers -Revisions	:	11.1 Mechanism of hire purchase system
	Test 2	:	11.2 Types of goods
			11.3 Identified, unidentified goods
			11.4. Goods in delivery state
			11.5 Goods not in delivery state

Statutes

Federal Constitutions
 National Land Code 1965
 Malay Reservations Enactment(s)
 Housing Development Act 1976
 Land Acquisition Act 1965
 Strata Title Act 1988

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Centre For Diploma Study SPACE	Page : 7 of 7
Course Code : Real Estate Development Law (DDPF 2653) Total Contact Hours : 56 hours	Semester: Academic Session: 2012/2013

REFERENCES : Main Reference:

1. Salleh Buang. *Malaysian Torrens System (Second Edition)*, Dewan Bahasa dan Pustaka, Kuala Lumpur, 2007.
2. Abdullah Mahmood & Abdul Aziz Hussin. *Pembangunan Harta Tanah: Perundangan dan Prosedur Pengurusan*, Penerbit Universiti Sains Malaysia, Pulau Pinang, 2004.
3. Koperasi Pegawai Pentadbiran dan Pengurusan Tanah Malaysia Berhad. *Manual Kanun Tanah Negara*, Koperasi Pegawai Pentadbiran dan Pengurusan Tanah Malaysia Berhad, Kuala Lumpur, 2003.
4. Abdul Aziz, *Undang-Undang Perolehan and Pengambilan Tanah*, Dewan Bahasa & Pustaka, Kuala Lumpur, 1996.
5. Jamila Hussien, *Strata Title in Malaysia*, Pelanduk K.Lumpur, 1999.
6. Salleh Buang, *Compulsory Land Acquisition*. Cental Law Book, K. Lumpur, 1993.
7. Salleh Buang. *Undang-Undang Tanah Di Malaysia*, Dewan Bahasa & Pustaka, Kuala Lumpur, 1993.

GRADING

No.	Assessment	Number	% Each	% Total	Dates
1	Test 1 (individual/ Group)	1	10	10	
2	Test 2 (individual/ Group)	1	10	10	
3	Final exam	1	60	60	
4	Assignment	2	CTPS1 LL1-LL2 EM1-EM2 10	20	
	Overall Total			100	