



**Bar Malaysia  
Malaysian Bar**

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**Circular No 192/2017  
Dated 30 Aug 2017**

To Members of the Malaysian Bar

**National Land Code (Amendment of First and Fifth Schedules) Order 2017**

Please be informed that the National Land Code (Amendment of First and Fifth Schedules) Order 2017 was gazetted on 28 Aug 2017 as P.U. (A) 247/2017, and will come into force today (30 Aug 2017).

A copy of P.U. (A) 247/2017 is attached for your reference.

Members are advised to take note of the amendments, in particular the new paragraph 2A inserted after paragraph 2 of the Fifth Schedule of the National Land Code 1965, which reads as follows:

*An advocate and solicitor, or an advocate, as the case maybe, in attesting any execution, shall indicate that he holds a practising certificate which is in force at the date of the attestation and shall also indicate the reference number to which it relates.*

Members are hereby advised to adopt the attached sample of Form 13B provided by the Department of Director General of Lands and Mines (Jabatan Ketua Pengarah Tanah dan Galian, "JKPTG") wherein "reference number" referred to in Paragraph 2A is the Member's Bar Council membership number.

You can refer to the number with the prefix "BC/" displayed at the top right-hand corner of your Practising Certificate to obtain your membership reference number, for example "BC/A/1234".

Please also note that in lieu of typing / inserting the details below the Member's signature, the Member can also use a rubber stamp so long as it contains the details stated in the attached sample, including the Member's Bar Council membership number.

The attached sample Form 13B attestation clause will apply to Forms 12A, 12B, 14A, 14B, 15A, 15B, 15C, 16A, 16B, 16C, 16N, 17A, 17B, 17C, 18A, 18B, 18C, 18D, 19E, 19G and 19H and the attestation of such other instruments of dealing under the National Land Code 1965.

Members are reminded to renew their Sijil Annual and Practising Certificate in a timely fashion in order to avoid any unnecessary complication in complying with paragraph 2A of the Fifth Schedule of the National Land Code 1965.

This circular reflects the undersigned's telephone discussion with JKPTG's Deputy Director General (Timbalan Ketua Pengarah, "SKPP"), Tuan Haji Che Roslan b Che Daud, and Director of Policy and Consultation Division, Puan Norfaizah bt Omar.

Should you have any enquiries, please contact Donovan Lee Shyun Hyn, Officer, by email at [conveyancing@malaysianbar.org.my](mailto:conveyancing@malaysianbar.org.my).

Thank you.

**Roger Tan**  
**Chairperson**  
**Conveyancing Practice Committee**



28 Ogos 2017  
28 August 2017  
P.U. (A) 247

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT  
GAZETTE*

PERINTAH KANUN TANAH NEGARA  
(PINDAAN JADUAL PERTAMA DAN KELIMA) 2017

*NATIONAL LAND CODE  
(AMENDMENT OF FIRST AND FIFTH SCHEDULES)  
ORDER 2017*

DISIARKAN OLEH/  
PUBLISHED BY  
JABATAN PEGUAM NEGARA/  
ATTORNEY GENERAL'S CHAMBERS

KANUN TANAH NEGARA

PERINTAH KANUN TANAH NEGARA (PINDAAN JADUAL PERTAMA DAN KELIMA) 2017

PADA menjalankan kuasa yang diberikan oleh subseksyen 9(2) Kanun Tanah Negara [*Akta No. 56 Tahun 1965*], Menteri, atas syor Majlis Tanah Negara, membuat perintah yang berikut:

**Nama dan permulaan kuat kuasa**

1. (1) Perintah ini bolehlah dinamakan **Perintah Kanun Tanah Negara (Pindaan Jadual Pertama dan Kelima) 2017**.

(2) Perintah ini mula berkuat kuasa pada 30 Ogos 2017.

**Pindaan Jadual Pertama**

2. Kanun Tanah Negara yang disebut “Akta ibu” dalam Perintah ini dipinda dalam Jadual Pertama—

(a) dalam Borang 7D, dengan memasukkan selepas perenggan (2) perenggan yang berikut:

“3. I hereby declare that, as shown on the attached plan, a satisfactory means of access to each sub-divisional portion (other than any portion from which there will be direct access to a road, a river, a part of the foreshore or a railway station, or to a point within the land from which such a means of access is capable of being obtained by application for a Land Administrator's right-of-way) is to be provided—

\*(a) by private road to which a separate title is to be issued;

\*(b) over land which is to be treated as surrendered to the State Authority;

\*(c) by a right of way to be declared by the Land Administrator.

\*4. With respect to the land to be treated as surrendered in accordance with subparagraph (b) above, I hereby undertake to make up a road to the standard specified by the State Authority.

[For use only where the land is affected by a designation made by the State Authority under section 136(2) of the National Land Code].”;

(b) dalam Borang 13B, dengan memasukkan selepas perkataan “Here insert name of person executing” perkataan “or the expression ‘the person named above’ ”;

(c) dalam Borang 19B—

(i) dengan memasukkan selepas perenggan (3) perenggan yang berikut:

“\*4. The last known address of the proprietor in my knowledge is:  
.....  
.....  
.....

\*5. I hereby agree to accept service by facsimile and the number is .....”; dan

(ii) dengan memasukkan selepas perkataan “\*Delete as appropriate” perkataan “\*\*Not applicable in the case of a caveat binding a particular interest only”;

(d) dalam Borang 19D, dalam perenggan (2), dengan memotong perkataan “for a loan”; dan

- (e) dalam Borang 28A, dengan menggantikan perkataan “Mukim” dengan perkataan “Town/Village/Mukim”.

### **Pindaan Jadual Kelima**

3. Jadual Kelima kepada Akta ibu dipinda—

- (a) dalam perenggan 1—

- (i) dalam subsubperenggan (2)(b), dengan menggantikan perkataan “Land Administrator” dengan perkataan “Collector of Land Revenue”;

- (ii) dalam subperenggan (4)—

- (A) dalam subsubperenggan (d), dengan menggantikan perkataan “the High Commissioner, the Deputy High Commissioner, or any Secretary or Attache of the High Commission of Malaysia.” dengan perkataan “a diplomatic officer of Malaysia;” dan

- (B) dengan memasukkan selepas subsubperenggan (d) subsubperenggan yang berikut:

“(e) a consular officer of Malaysia.”;

- (iii) dalam subperenggan (5)—

- (A) dengan menggantikan perkataan “Republic of Pakistan” dengan perkataan “Islamic Republic of Pakistan”;

- (B) dalam subsubperenggan (e), dengan menggantikan perkataan “the Ambassador, the Charge d’Affaires a.i., or

any Secretary or Attache of the Embassy of Malaysia.”  
dengan perkataan “a diplomatic officer of Malaysia;” dan

- (C) dengan memasukkan selepas subsubperenggan (e)  
subsubperenggan yang berikut:

“(f) a consular officer of Malaysia.”;

- (iv) dalam subperenggan (6)–

- (A) dalam subsubperenggan (e), dengan menggantikan perkataan “the High Commissioner, the Deputy High Commissioner, or the First Secretary of the High Commission of Malaysia.” dengan perkataan “a diplomatic officer of Malaysia;” dan

- (B) dengan memasukkan selepas subsubperenggan (e)  
subsubperenggan yang berikut:

“(f) a consular officer of Malaysia.”;

- (v) dalam subperenggan (7)–

- (A) dalam subsubperenggan (d), dengan menggantikan perkataan “the High Commissioner, the Deputy High Commissioner, or any Secretary or Attache of the High Commission of Malaysia.” dengan perkataan “a diplomatic officer of Malaysia;” dan

- (B) dengan memasukkan selepas subsubperenggan (d)  
subsubperenggan yang berikut:

“(e) a consular officer of Malaysia.”;

- (vi) dalam subperenggan (8)—
  - (A) dengan menggantikan perkataan “In the State of Brunei” dengan perkataan “In Brunei Darussalam”;
  - (B) dalam subsubperenggan (c), dengan menggantikan noktah dengan koma bernoktah; dan
  - (C) dengan memasukkan selepas subsubperenggan (c) subsubperenggan yang berikut:
    - “(d) a diplomatic officer of Malaysia;
    - (e) a consular officer of Malaysia.”;
- (vii) dengan memotong subperenggan (8A);
- (viii) dalam subperenggan (9)—
  - (A) dalam subsubperenggan (a), dengan menggantikan perkataan “the High Commissioner of Malaysia, the Deputy High Commissioner of Malaysia or any Secretary of the High Commission of Malaysia;” dengan perkataan “a diplomatic officer of Malaysia;” dan
  - (B) dengan memasukkan selepas subsubperenggan (a) subsubperenggan yang berikut:
    - “(aa) a consular officer of Malaysia;”;
- (ix) dengan memasukkan selepas subperenggan (9), subperenggan (9A) yang berikut:



“(9A) In Taiwan—

The following officials of the Malaysian Friendship and Trade Centre:

(a) the President;

(b) the Deputy President;

(c) the Economic Director.”; dan

(x) dalam subperenggan (10), dengan memasukkan selepas subsubperenggan (a) subsubperenggan yang berikut:

“(aa) a consular officer of Malaysia;”;

(b) dalam perenggan 2, dengan memasukkan selepas perkataan “as the case may be” perkataan “, and diplomatic officer and consular officer has the meaning assigned to them in the Diplomatic and Consular Officers (Oaths and Fees) Act 1959 [Act 348]”; dan

(c) dengan memasukkan selepas perenggan 2 perenggan yang berikut:

“2A. An advocate and solicitor, or an advocate, as the case maybe, in attesting any execution, shall indicate that he holds a practising certificate which is in force at the date of the attestation and shall also indicate the reference number to which it relates.”.

### **Kecualian**

4. (1) Pindaan yang dibuat kepada Borang 19B dalam Jadual Pertama hendaklah tidak memberi kesan kepada dokumen yang disempurnakan sebelum berkuatkuasanya Perintah ini dan hendaklah diteruskan perserahannya seolah-olah Jadual Pertama tidak dipinda oleh Perintah ini.

(2) Pindaan yang dibuat kepada Jadual Kelima dengan memasukkan perenggan 2A hendaklah tidak memberi kesan kepada dokumen yang disempurnakan sebelum berkuatkuasanya Perintah ini dan hendaklah diteruskan perserahannya seolah-olah Jadual Kelima tidak dipinda oleh Perintah ini.

Dibuat 23 Ogos 2017

[JKPTG(S)/101/KPU/1032-31 Jld. 8; PN(PU2)213/LXXXVI]

DATO SRI DR. HAJI WAN JUNAIDI BIN TUANKU JAAFAR  
*Menteri Sumber Asli dan Alam Sekitar*

NATIONAL LAND CODE

NATIONAL LAND CODE (AMENDMENT OF FIRST AND FIFTH SCHEDULES)  
ORDER 2017

IN exercise of the powers conferred by subsection 9(2) National Land Code [*Act No. 56 of 1965*], the Minister, on the recommendation of National Land Council, makes the following order:

**Citation and commencement**

1. (1) This order may be cited as the **National Land Code (Amendment of First and Fifth Schedules) Order 2017**.

(2) This Order comes into operation on 30 August 2017.

**Amendment of First Schedule**

2. National Land Code which is referred to as “the principal Act” in this Order is amended in the First Schedule—

(a) in Form 7D, by inserting after paragraph (2) the following paragraphs:

“3. I hereby declare that, as shown on the attached plan, a satisfactory means of access to each sub-divisional portion (other than any portion from which there will be direct access to a road, a river, a part of the foreshore or a railway station, or to a point within the land from which such a means of access is capable of being obtained by application for a Land Administrator's right-of-way) is to be provided—

\*(a) by private road to which a separate title is to be issued;

\*(b) over land which is to be treated as surrendered to the State Authority;

\*(c) by a right of way to be declared by the Land Administrator.

\*4. With respect to the land to be treated as surrendered in accordance with subparagraph (b) above, I hereby undertake to make up a road to the standard specified by the State Authority.

[For use only where the land is affected by a designation made by the State Authority under section 136(2) of the National Land Code].”;

(b) in Form 13B, by inserting after the words “Here insert name of person executing” the words “or the expression ‘the person named above’ ”;

(c) in Form 19B—

(i) by inserting after paragraph (3) the following paragraph:

“\*4. The last known address of the proprietor in my knowledge is:  
.....  
.....  
.....

\*5. I hereby agree to accept service by facsimile and the number is .....”; and

(ii) by inserting after the words “\*Delete as appropriate” the words “\*\*Not applicable in the case of a caveat binding a particular interest only”;

(d) in Form 19D, in paragraph (2), by deleting the words “for a loan”; and

(e) in Form 28A, by substituting for the word “Mukim” the words “Town/Village/Mukim”.

**Amendment of Fifth Schedule**

3. The Fifth Schedule to the principal Act is amended—

(a) in paragraph 1—

(i) in subsubparagraph (2)(b), by substituting for the words “Land Administrator” the words “Collector of Land Revenue”;

(ii) in subparagraph (4)—

(A) in subsubparagraph (d), by substituting for the words “the High Commissioner, the Deputy High Commissioner, or any Secretary or Attache of the High Commission of Malaysia.” the words “a diplomatic officer of Malaysia;” and

(B) by inserting after subsubparagraph (d) the following subsubparagraph:

“(e) a consular officer of Malaysia.”;

(iii) in subparagraph (5)—

(A) by substituting for the words “Republic of Pakistan” the words “Islamic Republic of Pakistan”;

(B) in subsubparagraph (e), by substituting for the words “the Ambassador, the Charge d’Affaires a.i., or any Secretary or Attache of the Embassy of Malaysia.” the words “a diplomatic officer of Malaysia;” and

(C) by inserting after subsubparagraph (e) the following subsubparagraph:

“(f) a consular officer of Malaysia.”;

(iv) in subparagraph (6)—

(A) in subparagraph (e), by substituting for the words “the High Commissioner, the Deputy High Commissioner, or the First Secretary of the High Commission of Malaysia.” the words “a diplomatic officer of Malaysia;” and

(B) by inserting after subparagraph (e) the following subparagraph:

“(f) a consular officer of Malaysia.”;

(v) in subparagraph (7)—

(A) in subparagraph (d), by substituting for the words “the High Commissioner, the Deputy High Commissioner, or any Secretary or Attache of the High Commission of Malaysia.” the words “a diplomatic officer of Malaysia;” and

(B) by inserting after subparagraph (d) the following subparagraph:

“(e) a consular officer of Malaysia.”;

(vi) in subparagraph (8)—

(A) by substituting for the words “In the State of Brunei” the words “In Brunei Darussalam”;

(B) in subparagraph (c), by substituting for the full stop a semicolon; and

(C) by inserting after subparagraph (c) the following subparagraphs:

“(d) a diplomatic officer of Malaysia;

(e) a consular officer of Malaysia.”;

(vii) by deleting subparagraph (8A);

(viii) in subparagraph (9)—

(A) in subparagraph (a), by substituting for the words “the High Commissioner of Malaysia, the Deputy High Commissioner of Malaysia or any Secretary of the High Commission of Malaysia;” the words “a diplomatic officer of Malaysia;”; and

(B) by inserting after subparagraph (a) the following subparagraph:

“(aa) a consular officer of Malaysia;”;

(ix) by inserting after subparagraph (9), the following subparagraph (9A):

“(9A) In Taiwan—

The following officials of the Malaysian Friendship and Trade Centre:

(a) the President;

(b) the Deputy President;

(c) the Economic Director.”; and

- (x) in subparagraph (10), by inserting after subparagraph (a) the following subparagraph:

“(aa) a consular officer of Malaysia;”;

- (b) in paragraph 2, by inserting after the words “as the case may be” the words “, and diplomatic officer and consular officer has the meaning assigned to them in the Diplomatic and Consular Officers (Oaths and Fees) Act 1959 [Act 348]”; and

- (c) by inserting after paragraph 2 the following paragraph:

“2A. An advocate and solicitor, or an advocate, as the case maybe, in attesting any execution, shall indicate that he holds a practising certificate which is in force at the date of the attestation and shall also indicate the reference number to which it relates.”.

### **Savings**

4. (1) The amendment made to Form 19B in the First Schedule shall have no effect to the documents executed before the commencement of this Order and shall be continued to be presented as if the First Schedule had not been amended by this Order.

(2) The amendment made to the Fifth Schedule by inserting paragraph 2A shall have no effect to the documents executed before the commencement of this Order and shall be continued to be presented as if the Fifth Schedule had not been amended by this Order.

Made 23 August 2017

[JKPTG(S)/101/KPU/1032-31 Jld. 8; PN(PU2)213/LXXXVI]

DATO SRI DR. HAJI WAN JUNAIDI BIN TUANKU JAAFAR  
*Minister of Natural Resources and Environment*



**Contoh Pengisian Borang 13B oleh Peguam Selaras Pindaan KTN**

*Kanun Tanah Negara*

**Borang 13B**

[Seksyen 211]

**BORANG KLAUSA PENGAKUSAKSIAN**

Saya, (contoh: Ahmad bin Ali seorang peguamcara dan peguambela Mahkamah Tinggi Malaya yang beramal di Kuala Lumpur dan mempunyai sijil amalan yang sah) dengan ini mengaku bahawa \*tandatangan/cap ibu jari yang di atas itu telah \*ditulis/dicapkan di hadapan saya pada..... haribulan..... 20....., dan adalah \*tandatangan/cap ibu jari yang benar bagi-

.....  
yang telah mengaku kepada saya:

- (i) bahawa dia adalah cukup umur;
- (ii) bahawa dia adalah warganegara Malaysia;
- (iii) bahawa dia telah menyempurnakan suratcara ini dengan kerelaan hatinya sendiri; dan
- (iv) bahawa dia faham akan kandungan serta natijahnya.

Disaksikan dengan tandatangan saya pada..... haribulan ....., 20.....

.....  
*Tandatangan*

*Contoh:  
Nama  
Peguamcara dan peguambela  
Kuala Lumpur  
(BC/A/..... - no rujukan)*

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\*Potong sebagaimana yang sesuai.

Di sini masukkan nama penuh dan kelayakan orang yang menyaksikan.

Di sini masukkan nama orang yang menyempurnakan [atau kenyataan 'orang yang dinamakan di atas'].