

PLANNING PRACTICES
IN MALAYSIA
LEGAL PERSPECTIVE

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CHAPTER 1

THE EVOLUTION OF PLANNING LAW IN MALAYSIA

by

Azila Ahmad Sarkawi & Mariana Mohamed Osman¹

The aim of this introductory chapter is to provide a historical account of planning legislation in Malaysia, forming a source of planning law and a basis of the planning system in Malaysia nowadays. At present, the law governing town and country planning in Malaysia is the Town and Country Planning Act 1976 (Act 172)². As part of the legal and administrative basis, a study of the development of planning system and its legislation in Malaysia is essential as it establishes a link between the past scenario and the present application of planning law in planning practice. In the Malaysian context, it provides a historical basis for certain legal issues that strongly affect the planning process.

The planning system of Malaysia could be traced back to the old Melaka Sultanate reign, which was followed by the colonisation of the Portuguese in the 16th century, the Dutch in the 17th century and the British in the mid 17th century. Looking at the history based on the social, legal and political system during the Malacca historical era, it was said that no specific law was devoted to urban planning.