PRINCIPLES OF MALAYSIAN LAND LAW

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MALAYSIA Malayan Law Journal Sdn Bhd,†
T1-6, Jaya 33, 3 Jalan Semangat, Seksyen 13,
46100 Petaling Jaya, Selangor Darul Ehsan

ARGENTINA LexisNexis Argentina, BUENOS AIRES

AUSTRALIA LexisNexis Butterworths, Chatswood,
NEW SOUTH WALES

AUSTRIA LexisNexis Verlag ARD Orac GmbH & Co KG,
VIENNA

CANADA LexisNexis Butterworths, Markham, ONTARIO

CHILE LexisNexis Chile Ltda, SANTIAGO DE CHILE

CZECH REPUBLIC Nakladatelství Orac sro, PRAGUE

FRANCE Editions du Juris-Classeur SA, PARIS

HONG KONG LexisNexis, HONG KONG

HUNGARY HVG-Orac, BUDAPEST

INDIA LexisNexis, NEW DELHI

IRELAND Butterworths (Ireland) Ltd, DUBLIN

ITALY Giuffrè Editore, MILAN

NEW ZEALAND Butterworths of New Zealand, WELLINGTON

PRC LexisNexis Beijing Representative Office, BEIJING

POLAND Wydawnictwo Prawnicze LexisNexis, WARSAW

SINGAPORE LexisNexis, SINGAPORE

SOUTH AFRICA Butterworths SA, DURBAN

SWITZERLAND Stämpfli Verlag AG, BERNE

UNITED KINGDOM LexisNexis Butterworths Tolley,
LONDON AND EDINBURGH

USA LexisNexis, Dayton, Ohio

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2008

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†Company No. 76125-H

ISBN 978-967-962-920-0

Printed in Malaysia by Vivar Printing Sdn Bhd
Director, Publishing & Editorial, Asia
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Cover Design
NG KWANG WEE

Published in Malaysia by
MALAYAN LAW JOURNAL SDN BHD

Indexer
PUDDINGBURN PUBLISHING SERVICES PTY LTD
PREFACE

All thanks to God the Almighty and Merciful for without His Grace and Blessings, this work could not have been possible.

This book is the work of seven authors who were desirous of writing on their topics of interest in Malaysian land law mainly to address the need of the students of the Ahmad Ibrahim Kulliyyah of Laws, International Islamic University Malaysia. The authors are Land Law lecturers and former graduates of the Ahmad Ibrahim Kulliyyah of Laws except for Dr Fauziah Md. Nor who graduated from Akademi Islam in University Malaya but very much part of us. All the authors have more than 12 years of experience in teaching and researching Malaysian land law and related areas including property law, and land use planning and development law from both the Civil and Shariah perspectives. The authors are also actively involved in consultancy and capacity building projects for the Government in the related field.

Although there is already several notable land law books in the market written by reputed scholars such as Judith Sihombing, David Wong, Das, Teo Keang Sood and Khaw Lake Tee, and Salleh Buang, this book can be said to be different in many respects. First, it is a product of teamwork between a group of lecturers teaching land law that is apparent and reflected in the different styles of presentation between chapters. Second, this book seeks to strike a balance between being one that is readable by those with little or no legal background and one that is very academic in nature. Third, this book dedicates a chapter discussing the position of land under Islamic law in detail to include various concepts and terminologies, which is very useful.

Numerous challenges were faced by all of us in completing this book especially with regard to the task of coordinating seven authors to complete their chapters within the agreed schedule. The task is juggled between writing the chapters whilst at the same time handling teaching duties at the Kulliyyah as well as other administrative tasks assigned by the University Management. The authors would like to thank staff members of Malayan Law Journal, especially Puan Ida Nurbayututy, Ms Diana Chai and the team, for bearing with the many delays in sending out the chapters in a piecemeal manner despite there being a targeted dateline! We would also like to record our appreciation to all friends and colleagues that have made this endeavour possible. Our deepest appreciation
goes to our families for their understanding and patience. We take responsibility for any mistakes that may appear in our work and welcome suggestions for further improvements that can be incorporated in the next edition. The book only covers aspects of land law applicable in Peninsular Malaysia and not Sabah and Sarawak. This is intentional as the land law in Sabah and Sarawak is rather different from that applicable in the Peninsular Malaysian states and it will not be justified to merely provide a brief overview in between the lines in this book.

The law is as stated at 31st December 2007.
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