

## Land Amalgamation

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With the increasing populations in our country, the lands in the country become smaller due to the subdivision or partition of land. The major reason for the land subdivision is through inheritance such that the inheritors subdivide land property amongst themselves or for commercialization of land. Amalgamation is a process of combining two or more contiguous pieces of alienated lots. Before amalgamation, the lands are held under separate land titles, but after the lands are combined, they will be held under a single land title with all proprietors appearing in the title together with their shareholdings. Amalgamation shall be approved by fulfilling the following circumstances:

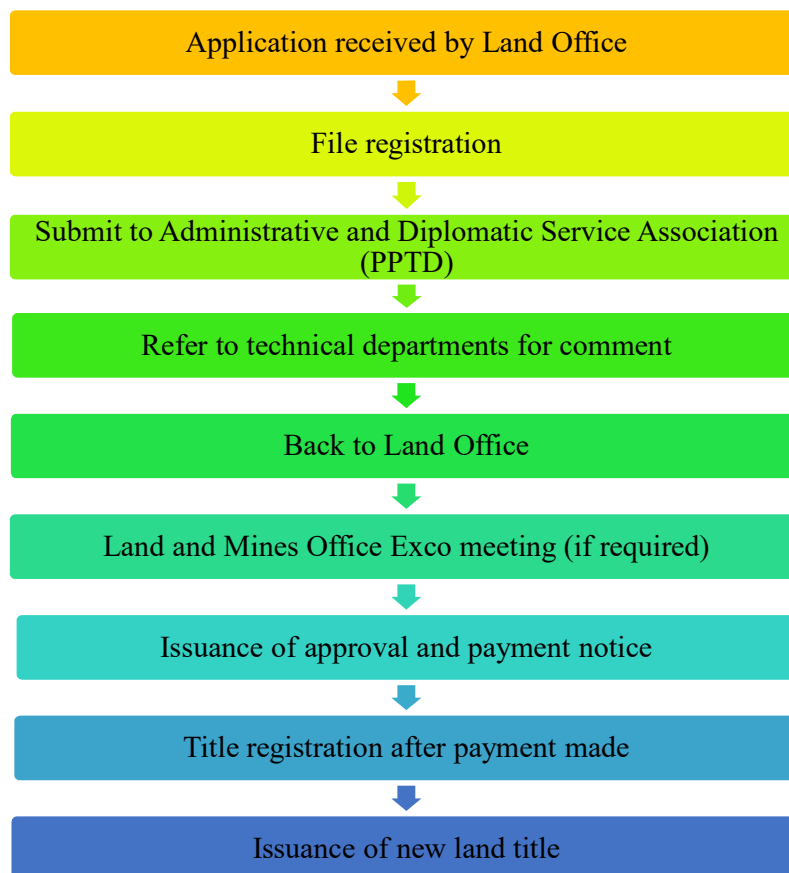
- a) An environment free from restriction in interest
- b) A situation unopposed to any written law in force
- c) Obtaining any necessary approval of planning authority and State Authority for the development area
- d) No outstanding item of land revenue
- e) The lots to be amalgamated must at least share one boundary in common
- f) The lots must be situated in the same town, village or district.

Before the starting of the application, the proprietor must take notes that the following conditions are required to seek for the sanction of the State Authorities:

- a) Where the lots to be amalgamated are all held under Land Office title and their combined area is exceeding 4 hectares
- b) Where the lots are held under partly Registry title and partly under Land Office title
- c) Where the dissimilarity exists between the land to be amalgamated in any of the following:
  - The periods for which they are held
  - The rates at which rent is payable
  - The categories of the land use, conditions, and restriction in interest.

Meaning to say, if the lots to be amalgamated are all held under Land Office title, and their combined area is not exceeding 4 hectares, the approval shall be given by Land Administrator, and by the State Authorities in every other case.

Similar to the subdivision of land, a certified Land Surveyor is typically necessary to get ready the plan for the amalgamation and other details needed for the planning and the documentation procedure under National Land Code. The proprietor will need to prepare some relevant documents for file registration at the Registry Office or Land Office. Applications for the amalgamation will be registered with the Administrative and Diplomatic Service Association (PPTD) where all the documents and plans of the proposed amalgamation will be submitted to the units involved for the registration, evaluation and approval process. The applicants is required to submit all relevant documents to One-Stop-Centre (OSC) of the respective district council and OSC will circular the documents and plans involved to other relevant units for the registration process, evaluation, technical views, and approval.



**Figure 1: Flow Chart for Land Amalgamation Application**

Application for land amalgamation in Malaysia must be submitted in writing to the Land Administrator or State Authorities, accompanied by the prescribed fee, a plan of land which includes details of amalgamation and consent from other authorities such as a person or body having an interest in the land.

### **Fees**

Throughout the amalgamation procedure, there are a variety of charges needed. The fees consist of, but are not restricted to:

- a) Fees for amalgamation application;
- b) Professional fees for land title survey;
- c) Fees for title registration;
- d) Fees for plans
- e) First-year quit rent payable

### **Documents Required for Land Amalgamation:**

For individual application, the documents required as follows:

- Certified copy of the land title
- Copy of quit rent receipt for the current year
- Appointment letter of Licensed land surveyor from Land Surveyor Board
- Authorized letter from every person or body having a registered interest in the land
- Contact details of the applicant
- Copy of authorization letter from planning authority
- Site plan
- Location plan

For company application, the additional documents are required to be prepared:

- Company resolution
- Memorandum and articles of the company
- List of Board of Directors
- Statement of share distribution

The process of land amalgamation application must cooperate with a set of codes and rules. The total duration of application varies from 18 to 24 months. It is encouraged to seek professional guidance and support in working with a variety of rules and specifications of regional local authorities to effectively expedite the process of application.

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#### References

1. Awang, A. (1997). Amalgamation of land. *Land Conversion, Subdivision and Amalgamation*. Retrieved on 29 March 2020 from <https://core.ac.uk/download/pdf/11781057.pdf>.
2. JP-Land. (2020). Land Amalgamation in Malaysia. *Land Amalgamation Malaysia*. Retrieved on 29 March 2020 from <http://jp-land.com/land-amalgamation-malaysia/>.