



LEGAL AND PRACTICAL ISSUES ON GATED AND GUARDED DEVELOPMENT IN MALAYSIA

**5TH MAY 2017
DORSETT
KUALA LUMPUR**

Outline

1. To what extent the Housing Developers Act is applicable to Gated Developments in Malaysia

- a. Understanding the compulsory adoption of the standard S&P - Schedule G & H
- b. Why is the development of "Strata Bungalows" a serious legal contradiction
 - Meaning of "The construction of Land & Building" under Schedule G
 - Meaning of "The Construction of a Sub-Divided Building" under Schedule H.
 - Understanding "Sub-Division of Land" and "Sub-Division of Building" under the National Land Code and the Housing Developers Act and the Strata Titles Act.
 - The legal and practical meaning of "Strata"
 - The legal and practical problems affecting the frontage and set-back
 - The legal status of roads once surrendered to the local authorities
 - The legal status of guard house
 - Management of Gated Developments in Selangor under the latest Guidelines adopted by the State Housing, Building and Squatter Committee

2. Management of Gated and Guarded Development under Schedule H - The amended Housing Developers Act 2015; The Strata Titles Act 2015 and The Strata Management Act 2013

- a. Meaning of "Common Areas"
 - b. Scope and duration of management under the HDA and The Strata Titles Act
 - c. Collection and Recovery of service charges
 - d. Legal and practical problems affecting the management and the recovery of service charges in a "Gated Development."
 - e. Important differences between the management company and the Management Corporation (MC)
 - f. The legal status of the "Sinking Fund"
 - g. The convening of the First Annual General Meeting (AGM)
 - h. The legal and Practical issues arising under the Strata Management Act 2013
 - Appointment of the Joint Management Committee (JMC)
 - The powers and duties of the Commissioner of Buildings
 - Duties of developers to pay maintenance/service charges for unsold units
- 3. Maintenance of Common Facilities under the Deed of Mutual Covenants under Schedule G**
- a. The Legal Effect of the Deed of Mutual Covenants
 - b. Variations and changes to the Deed of Mutual Covenants via AGM or EGM
 - c. Enforcement of the Deed of Mutual Covenants
 - Non- Legal process
 - Legal process

Conducted By Distinguished Speaker:

MR. TANG KEAN ONN
*Advocate & Solicitor,
LL.B Hons (UM), LL.M (UM)*

Mr. Tang Kean Onn is a practising advocate and solicitor of the High Court of Malaya and a senior member of the Malaysian Bar. He holds a degree in the Bachelor of Laws (LL.B Hons.) and Master of Laws (LL.M) both from the University of Malaya. He has vast experience in commercial and banking litigation as well as conveyancing and documentation procedures over the last 23 years.

In recognition for his contributions to legal education especially in the areas of banking law and practice, Mr. Tang has been conferred the Associate Fellowship of the Institute of Banks, Malaysia (FIBM).

He was also a Part-time Senior Lecturer and Examiner of the University of Malaya in both the Faculties of Law, Business Administration and Accounting. He has lectured both the Undergraduate and Post Graduate programmes there for more than 20 years.

For more than 23 years, Mr. Tang has conducted numerous courses and seminars relating to legal issues on banking for the Institute of Banks, Malaysia (IBBM) and various banks and financial institutions throughout Malaysia including:

1. *Legal & Practical Issues on Loan Recovery and Litigation*
2. *The Law & Practice of Hire-Purchase in Malaysia*
3. *Land Law and Securities Documentation*
4. *The Practice of Land Law Under the National Land Code 1965*

REGISTRATION FORM

REF: MAY17GATED

Early Birds: Registration by 18th April 2017: RM888.00 per person
 Group Discount (Two or more persons from same organization) – RM950.00 per person
 Regular Fee – RM1000.00 per person *(The above fees are inclusive of lunch / tea-breaks / valuable seminar materials & certificate)*
 Crossed Cheque/Bank Draft payable to GOODCONSULT SDN. BHD.
 Mailing Address: 36th Floor, Menara Maxis, Kuala Lumpur City Centre, 50088 Kuala Lumpur Contact Person: Ms. Erna /Cik Sharifah/Ms. Chai Tel: 03-2615 7278 Fax: 03-6204 5612 Email: goodconsultsb@gmail.com
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Cancellations & Transfers: If you are unable to attend, a substitute candidate(s) is welcome at no extra charge. Please provide the name and position of the substitute delegate at least 2 days prior to the seminar. A full refund less 25% administrative charge will be made for cancellation received in writing 2 weeks prior to the seminar. A 50% refund will be given for cancellation received 1 week prior to the seminar. Regrettably, no refund can be made for cancellation 3 days before the seminar. If registration is confirmed, a 25% administrative charge will be incurred for non-attendance.
 The organizer reserves the right to change speakers/or modify the programme content without prior notice.