



KEMENTERIAN TENAGA DAN SUMBER ASLI

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Land matters a click away

By EDWARD RAJENDRA
edward@thestar.com.my

DIGITAL platforms have the potential to increase public service effectiveness for the people's benefit.

It can also facilitate data transparency and when employed carefully and thoughtfully, technology can also improve public trust.

The Covid-19 pandemic has raised the importance of digitalisation and the application of technology in playing a role to improve government engagement with the public, professionals and other government entities.

To this end, the Federal Government, at the end of July, announced its expansion plan for

Expansion of one-stop service e-Tanah into Selangor and other states is long-awaited, as it will help public save time and money

e-Tanah, a land administration digital platform currently in operation in Kuala Lumpur and Perak.

Work has begun to implement e-Tanah in Selangor, Pahang, Terengganu, Kedah, Kelantan, Johor, Perlis and Federal Territories of Putrajaya and Labuan, with the project expected to be completed by 2024.

Puncak Tegap Sdn Bhd has been charged with managing a large amount of data from the various states for this citizen-centric service.

A tech company, it has experience dealing with this type of data as it collaborated with the government through a private-public partnership to digitalise land administration matters for this electronic platform in Perak and Kuala Lumpur.

Puncak Tegap chief executive officer Nigel Lee said the first online platform, which can be accessed via PC or smartphone, was launched in 2017 for land matters in Federal Territory of Kuala Lumpur Land Office

(PTGWP) and it gave the public an option to deal with land matters online.

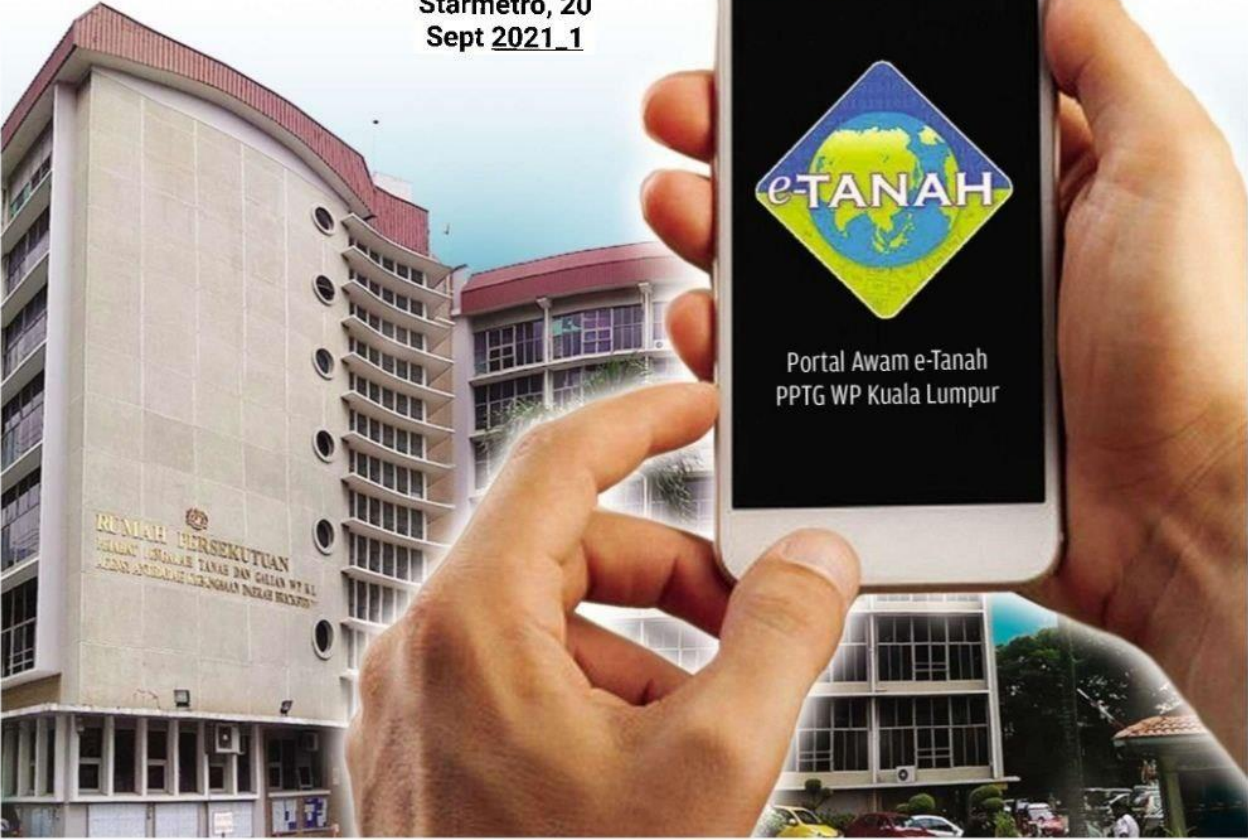
"Our recent data shows some 80% of users have done private land search online for Kuala Lumpur while 50% of users have gone onto the digital platform in Perak," he said, adding that the firm was on track to expand its coverage nationwide.

E-Tanah is a comprehensive one-stop service that acts as a single point of contact for the Federal Territories Director of Lands and Mines Office' customers.

Lee said the platform had benefited companies, government agencies, law firms, licensed surveyors and individuals as it allowed services such as private land search and payment of land tax to be conducted online.

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E-Tanah makes private land search and payment of land tax easier as these can be performed online. — Photos: AZLINA ABDULLAH/The Star

Land matters such as land development submissions and land registration require those involved to be physically present at the land registry in certain key transactions.

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"E-Tanah enables integration between various land-related agencies, including Survey and Mapping Department, Malaysia Geospatial Data Infrastructure and Department of Director-General of Lands and Mines (Federal).

"We aim to transform land administration so that it is more efficient, transparent and secure, in line with the direction of Energy and Natural Resources Ministry," he added.

Other government agencies are also integrated with the system, including the Inland Revenue Board and National Registration Department.

He said the digital platform ensured that there were no missing documents.

This will help both the public and lawyers when it comes to dealing with land matters.

"Before e-Tanah can be implemented in all states, several amendments to existing state laws need to be made as we need to take into account the existing legal system and different requirements of each state," explained Lee.

He noted that Puncak Tegar had to ensure that e-Tanah fully complied with relevant laws such as the National Land Code 1965 and Strata Title Act 1985.

Long-awaited move

Lawasia Real Estate and Transactions Law Committee chair Murad Ali Abdullah said the expansion of e-Tanah to include Selangor was a long-awaited and welcome move.

"It is not a choice but a necessity.

"Many jurisdictions, including United Kingdom, Australia, New Zealand, Canada, Germany, Hong Kong and Singapore, have migrated to electronic integrated land administration since the 1980s," he elaborated.

He said, for now, experience with e-Tanah was still limited to only some aspects of land administration such as private title search and quit rent payments.

Since July this year, Murad added, there had been a gradual application in Selangor, but auction, consent application and title rectification were not uniformly implemented via an online system.

He said a hybrid system — which had both partial initial submission online and part physical presence and submissions at the land registry counter — was still ongoing.

Fully-integrated system to have positive impact on land matters



Some suggest that a manual backup system should be maintained at land offices such as this one, which is the Petaling District Government Office and Land Registry Department in Shah Alam.

"Other land matters such as land development submissions, land acquisition, forfeiture of land, surrender and cancellation of ownership, enforcement and land registration very much require physical presence at the Land Registry Department in some respect," he clarified.

Murad added that ideally, all land-related administration would be fully implemented into an online system to have a positive impact in terms of time management; speed of commercial turnover of transactions and reduction in physical mobility of people.

It can also help with fraud, loss or damage of documents; and avoiding severity of unreasonable delay in asserting a claim, which may result in its dismissal, and avoid multi-department delay in non-integrated manner of clearance of submissions.

"Every system is only as good as the people managing and using it.

"It requires the use of the latest and durable electronic system and foolproof apps, accurate barcoding, correct electronic authentication, user-friendly interface and single point-of-contact mechanism completely integrated with all related institutions.

"It also needs to be fortified by

well-trained staff at the land registry with the right discipline, diligence, dedication and integrity, and near-zero or negligible downtime are essential to make e-Tanah effective and efficient," stressed Murad.

He pointed out that the current weaknesses with e-Tanah dealings were the movement control order and Covid-19 infections, which had delayed and affected both physical and virtual dealings because of a shortage of staff at the land registry.

"The human element is the greatest factor that is much needed and must be looked into," he said.

Murad added that e-Tanah enabled and expedited legal works and services related to real estate and transactions both in terms of time and ease of dealing with the departments and sectors in charge of land matters.

"Lawyers or their runners need not waste too much time queuing up at land registry counters, going from one counter to another to complete tasks over hours or days.

"Uncertainty as to when completion or approval will be done and being rejected time and again for a multitude of reasons can now be sorted out online at the time of data entry and attach-

ment of supporting documents before submission.

"This reduces travel costs as well," he said.

Not entirely foolproof

Lawyer Derek Fernandez also felt it was a positive move to have e-Tanah extended to include Selangor and other states.

"It is long overdue and it will certainly provide an efficient method to ascertain land ownership details," he said.

Fernandez added that not all transactions could be done through e-Tanah because of the sensitive nature regarding the transfer of land ownership as well as land particulars as electronic systems were not foolproof and susceptible to hacking, malware attacks or off-grid issues such as power failure.

"So, land offices should always maintain a manual backup system, so that they can continue to function irrespective of whether a digital platform is hacked or corrupted by malware," he explained.

Fernandez added that for a start, basic land searches or search for ownership of land particulars would be good.

"I would discourage actual prop-



Lee says the online platform will help ensure there are no missing documents.



Murad says the expansion of e-Tanah to include Selangor is a long-awaited move.

erty ownership transfer via electronic systems at this stage," he said.

Derek highlighted that a technological change in land searching, which is currently done manually, could lead to the displacement of job opportunities and reduced incomes among the most vulnerable workers who depend on allowances.

"One solution is to maintain the manual side and make advancements on the digital side.

"It will be better to have a hybrid system.

"The Covid-19 crisis has reinforced people's desire for the government to play a more important role in social protection where jobs are concerned," he said.

Klang District Land Office chief assistant district officer Mohd Shahrizal Mohd Salleh said e-Tanah was important to establish transparency and accountability.

"With the immense amount of data available and being able to move into digitalisation, it offers an opportunity to strengthen trust among citizens, which will foster effective collaboration between the land office, the people and other government agencies," he said.