

## **BAB 1**

### **PENGUKURAN HAKMILIK MENURUT KTN**

**U**kur hakmilik meliputi mana-mana kerja ukur hakmilik tanah, strata dan stratum yang diwajibkan oleh undang-undang bertulis yang berhubung kait dengan pendaftaran sesuatu hakmilik bagi pelupusan tanah, pecah sempadan, pecah bahagian dan cantuman termasuk menanda, mengganti, menanam pastian dan mengesahkan tanda-tanda sempadan di mana perlu, merekodkan data ukuran, menyediakan hitungan dan menyediakan Pelan Akui (PA).

Oleh kerana ukur kadaster berkait rapat dengan sistem pendaftaran tanah maka proses dan tatacara kerja ukur kadaster telah diperundangkan.

#### **Pembahagian Kuasa**

Perlembagaan Persekutuan melalui perkara 74 dan 77 telah menetapkan pembahagian kuasa Kerajaan Persekutuan dan Kerajaan Negeri menerusi Jadual ke 9 di mana tanah telah disenaraikan di bawah Senarai 2 – Senarai Negeri. Sementara ukur kadaster pula telah disenaraikan di bawah Senarai 2A. – Tambahan Kepada Senarai Negeri Bagi Negeri-negeri Sabah dan Sarawak, dan tidak bagi negeri-negeri lain.

#### **Pelantikan, Punca Kuasa dan Perwakilan Kuasa.**

##### Kuasa-kuasa Persekutuan dan Pegawai Persekutuan.

Petikan Seksyen 6 KTN, "..... dan Yang di-Pertuan Agong boleh melantik ..... dan pegawai-pegawai lain yang dia fikirkan perlu bagi maksud Akta ini". Melalui Seksyen 3 Akta Perwakilan Kuasa 1956 (Akta 358), Suruhanjaya Perkhidmatan Awam akan melantik pegawai persekutuan.

Petikan Seksyen 10(1) KTN, Menteri bolehlah, selepas berunding dengan Majlis Tanah Negara, melalui perintah yang diisarkan dalam Warta Persekutuan, menetapkan-

- (a) prosedur yang diterima-pakai oleh JUPEM, dan kuasa serta kewajipan pegawai-pegawai JUPEM;
- (b) bayaran, kos dan jumlah wang lain yang hendak dikenakan untuk apa-apa pengukuran yang dijalankan oleh JUPEM;
- (c) syarat-syarat yang dikenakan, dan pihak berkuasa yang boleh mengubah atau membayar apa-apa bayaran kos atau jumlah wang lain, samada keseluruhan atau sebahagiannya.

Petikan Seksyen 399(2) KTN, "Tugas-tugas Menteri di bawah subseksyen (1) bolehlah, tertakuk kepada apa-apa arahan yang diberi oleh Menteri, dilaksanakan bagi pihak Menteri oleh Ketua Pengarah Ukur dan Pemetaan." Ini selaras dengan Seksyen 5 Akta Perwakilan Kuasa 1956.

##### Kuasa-kuasa Negeri dan Pegawai Negeri

Petikan Seksyen 12(1) KTN, "PBN bolehlah melantik untuk Negeri itu-

- (a) Seorang PTG bagi Negeri, seorang Pendaftaran Hakmilik dan seorang PUPN;
- (b) Seberapa Timbalan PTG, Penolong PTG bagi Negeri, Timbalan Pendaftaran Hakmilik dan Timbalan PUPN, Pentadbir Daerah Tanah, Penolong Pentadbir Daerah Hasil Tanah, Pegawai-pegawai Ukur, Pegawai-pegawai Penempatan dan lain-lain pegawai yang PBN Negeri memikrkan perlu bagi maksud-maksud Akta ini;

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**Jianjun Gao**



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