PLUS highway is one of the main projects initiated by the Government of Malaysia during the early privatization exercise in the 1980s. It consists of 846 km, covering several states: Kedah, Penang, Perak, Selangor, Negeri Sembilan, Melaka, and Johor.

PLUS highway was developed in two stages:

i) Developed by the Government in the early 1970s: Bukit Kayu Hitam - Jitra (24 km), Jitra - Alor Setar (24 km), Alor Setar - Gurun (36 km), Changkat Jering - Ipoh (54 km), Kuala Lumpur - Seremban (51 km), Seremban - Ayer Keroh (66 km), Ayer Keroh - Pagoh (55 km), and Federal Highway Route 2 (15 km). Total length: 325 km (later surrendered to PLUS).

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**Introduction**

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ii) Developed by PLUS: the remaining stretch of 521 km.
PLUS was given a Concession by Government to Manage and Operate the Highway

**Key Dates**

**The Concession**

March 1988 - The Concession Agreement between the Government of Malaysia and UEM (United Engineers Malaysia) Berhad was signed for a period of 30 years ended by 2018.

July 1988 - The obligations and liabilities of UEM under the Concession Agreement were novated to PLUS.

July 1999 - The Supplemental Concession Agreement was signed extending the concession period for another 12 years ended by 2030.

May 2002 - The Second Supplemental Concession Agreement was signed.

March 2004 - The official cessation of toll collection at Senai Toll Plaza.

October 2004 - PLUS takes over operation and maintenance of Seremban - Port Dickson Highway from Government.

April 2005 - The Third Supplemental Concession Agreement was signed extending the concession period for another 8 years and 7 months ended by 31 December 2038.

November 2011 - PLUS novates all its rights, liabilities, benefits, interest, duties and obligations under Principal Agreement to Projek Lebuhraya Usahasama Berhad.
**GAZETTING THE PLUS NORTH-SOUTH EXPRESSWAYS - THE CHALLENGES**

**WHAT IS LAND GAZETTING?**

- Definition of Gazette Land (under Section 5 National Land Code)
  Land which is gazetted for public purposes according to Section 62 National Land Code

- In Malaysia, Natural Land Council headed by Deputy Prime Minister to ensure land policy is user friendly to all level of government agency, private sector and public

- Gazetting the highway is a complex task whereby involved certain and strict processes to be adhered by respective government agencies

- The purpose to gazette PLUS highway - has legal right and to protect the highway right-of-way (ROW) encroach by third party

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**GAZETTING THE PLUS NORTH-SOUTH EXPRESSWAYS - THE CHALLENGES**

There are 2 type of processes involved with land in PLUS highway:

- i) Land gazetting - for highway alignment includes the interchange and layby

- ii) Land alienation – for commercial sites i.e Rest Service Area (RSA), Toll Supervision Building, Section & Regional Offices

- Both of the processes required land to be registered under Federal Land Commissioner (i.e. Director General, Department of Director General of Lands & Mines)
GOVERNMENT AGENCY INVOLVED IN LAND GAZETTING

- Department of Director General of Lands and Mines, Ministry of Natural Resources & Environment
- Lands and Mines Offices
- Malaysian Highway Authority (MHA)
- Ministry of Works (MOW)
- Department of Survey and Mapping Malaysia
- Land Offices (for respective state/district involved)
## FACTORS DELAYED THE GAZETTING PROCESS

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<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Required Approval from Higher State Authority</td>
<td>Gazetting process shall be endorsed either by Menteri Besar (Chief Minister) or Senior Exco State Member</td>
</tr>
<tr>
<td>2</td>
<td>Bureaucracy</td>
<td>Several government agency involved in gazetting process</td>
</tr>
<tr>
<td>3</td>
<td>Frequent Transfer of Land Office Staff</td>
<td>No continuity in gazetting process by the officer</td>
</tr>
<tr>
<td>4</td>
<td>Non-Revenue to State</td>
<td>The gazette does not return any revenue - less priority given by State</td>
</tr>
<tr>
<td>5</td>
<td>Complex Task with Legal Impact</td>
<td>Land matter/gazetting process flow involved complex task to be adhered with legal impact</td>
</tr>
<tr>
<td>6</td>
<td>Incomplete/Missing of Legal Document</td>
<td>Legal documents i.e. Form K is missing from the respective office</td>
</tr>
<tr>
<td>7</td>
<td>Inconsistency of Gazette Process within State</td>
<td>Some of the state has their own requirement to be fulfill</td>
</tr>
<tr>
<td>8</td>
<td>Lacking of Experience/Knowledge</td>
<td>Most of the officer in Land Office didn’t have experience in gazetting the land for highway</td>
</tr>
</tbody>
</table>
ACTION TAKEN TO EXPEDITE/COMPLETE THE GAZETTING PROCESS

- Develop close network with respective government agencies
- Sharing and exchange knowledge amongst the government agency/staff
- Frequent follow up with Land Officers & other government agency
- To propose task force unit consists of government agencies for every states to identify/zoom in issue and propose the solution
- Identify problem and take pro-active action
- Propose a workshop to be organised by Director General, Department of Director General of Lands & Mines

THE IMPACT DELAYING GAZETTE PROCESS

- Government agency/Plus Berhad is open to be sued by land owner
- Encroachment issue by third party
- Land owner will take advantage
- Denial of owner right on the land
- Difficulty to upgrade the highway
GAZETTING THE PLUS NORTH-SOUTH EXPRESSWAYS - THE CHALLENGES

CONCLUSION

- Gazetting the highway required full cooperation from several government agencies.
- Gazetting process is vital for PLUS to ensure smoothness on the operation and development of the highway.
- Government Agency & Local Authority must be pro-active to resolve issues related to land matters.
- PLUS and other government agencies, including Malaysian Highway Authority, Ministry of Works, Department of Director General of Lands & Mines and Lands and Mines Offices, Department of Survey & Mapping Malaysia, and Land Offices, need to focus more and play their role to ensure highway gazetting is completed as soon as possible.

STATUS OF GAZETTING THE PLUS EXPRESSWAYS R.O.W. AS FEDERAL RESERVE UNDER SECTION 62, NATIONAL LAND CODE

<table>
<thead>
<tr>
<th>STATE</th>
<th>2013 PROGRESS (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>KEDAH</td>
<td>90%</td>
</tr>
<tr>
<td>PULAU PINANG</td>
<td>92%</td>
</tr>
<tr>
<td>PERAK</td>
<td>85%</td>
</tr>
<tr>
<td>SELANGOR</td>
<td>54%</td>
</tr>
<tr>
<td>WILAYAH PERSEKUTUAN</td>
<td>69%</td>
</tr>
<tr>
<td>NEGERI SEMBILAN</td>
<td>97%</td>
</tr>
<tr>
<td>MELAKA</td>
<td>100%</td>
</tr>
<tr>
<td>JOHOR</td>
<td>60%</td>
</tr>
<tr>
<td>ACHIEVEMENT</td>
<td>82%</td>
</tr>
</tbody>
</table>