



NEGERI JOHOR

Warta Kerajaan

DITERBITKAN DENGAN KUASA

GOVERNMENT OF JOHORE GAZETTE

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AKTA JALAN, PARIT DAN BANGUNAN 1974
UNDANG-UNDANG KECIL MENDAPATKAN TUNGGAKAN
(MAJLIS DAERAH KOTA TINGGI) 2012

PADA menjalankan kuasa yang diberikan oleh seksyen 133 Akta Jalan, Parit dan Bangunan 1974 [*Akta 133*], Pihak Berkuasa Negeri membuat undang-undang kecil yang berikut:

Nama, pemakaian dan permulaan berkuat kuasa

1. (1) Undang-Undang Kecil ini bolehlah dinamakan **Undang-Undang Kecil Mendapatkan Tunggakan (Majlis Daerah Kota Tinggi) 2012** dan hendaklah dipakai hanya bagi kawasan Majlis Daerah Kota Tinggi.

(2) Undang-Undang Kecil ini hendaklah mula berkuat kuasa pada tarikh ia disiarkan dalam *Warta*.

Tafsiran

2. Dalam Undang-Undang Kecil ini, melainkan jika konteksnya menghendaki makna yang lain—

“Pemunya premis” ertinya—

(a) tuan punya berdaftar bagi tanah, atau;

(b) pemegang pajak bagi suatu pajakan termasuk seorang pemegang pajak kecil bagi tanah sama ada berdaftar atau tidak; atau.

JADUAL PERTAMA
 AKTA JALAN, PARIT DAN BANGUNAN 1974
 UNDANG-UNDANG KECIL MENDAPATKAN TUNGGAKAN
 (MAJLIS DAERAH KOTA TINGGI) 2012

BORANG A
 NOTIS TUNTUTAN
 [Undang-Undang Kecil 3]

No.:

Kepada:

Butir-butir kerja.....

 di alamat.....

Lot No.

Seksyen/Mukim.....

Sila ambil perhatian bahawa kamu adalah dikehendaki membayar kepada Yang Dipertua perbelanjaan dan kos yang dilakukan oleh Yang Dipertua pada menjalankan kerja-kerja yang tersebut di atas berjumlah RM..... (Ringgit Malaysia:.....) bersama dengan fee sebanyak RM..... (Ringgit Malaysia:.....) bagi Notis Tuntutan di bawah seksyen..... Akta Jalan, Parit dan Bangunan 1974 [Akta 133], di pejabat Majlis Daerah Kota Tinggi dalam tempoh lima belas (15) hari dari tarikh notis itu disampaikan, dan jika mungkir membayar dalam tempoh yang ditetapkan tindakan sita dan kos berkaitan sita akan dikenakan ke atas kamu, amaun tunggakan yang kena dibayar bersama dengan kos proses hendaklah didapatkan menurut kuasa-kuasa yang terkandung dalam Akta Jalan, Parit dan Bangunan 1974 [Akta 133].

<i>Butiran</i>	<i>RM.</i>	<i>Sen</i>
Perbelanjaan dan kos bagi kerja-kerja		
Fee bagi Notis Tuntutan		
Jumlah		

Bertarikh..... 20.....

.....
 Yang Dipertua
 Majlis Daerah Kota Tinggi

AKTA JALAN, PARIT DAN BANGUNAN 1974
UNDANG-UNDANG KECIL MENDAPATKAN TUNGGAKAN
(MAJLIS DAERAH KOTA TINGGI) 2012

BORANG B
WARAN TAHANAN
[Undang-Undang Kecil 4]

No.:

Kepada:

.....
.....
.....

Butir-butir kerja.....
di alamat.....
Lot No.
Seksyen/Mukim.....

Bahawasanya melalui suatu notis bernombor..... yang diposkan atau diserahkan pada.....20..... pemunya adalah dikehendaki membayar di pejabat Majlis Daerah Kota Tinggi wang sebanyak RM.....(Ringgit Malaysia:.....) sebagai tunggakan bayaran bagi kerja-kerja yang tersebut di atas dan bahawasanya wang sebanyak RM.....(Ringgit Malaysia:.....) yang tersebut telah tidak dibayar.

Ini adalah perintah untuk kamu supaya menahan harta alih atau apa-apa tanaman pemunya atau penduduk yang terdapat di dalamnya (alamat premis itu)..... dan juga apa-apa harta alih atau apa-apa tanaman kepunyaan sesiapa juga yang terdapat di premis tersebut dan melainkan wang sebanyak RM.....(Ringgit Malaysia:.....) sebagai kos bagi tahanan ini dibayar, supaya menahannya sehingga diberi perintah selanjutnya.

Kamu adalah selanjutnya diperintahkan supaya menghantar balik waran ini pada atau sebelum20..... bersama dengan suatu catatan memperakui tarikh dan cara bagaimana waran ini telah dilaksanakan atau mengapa waran ini telah tidak dilaksanakan.

BUTIR-BUTIR TUNGGAKAN DAN KOS

<i>Butiran</i>	<i>RM</i>	<i>Sen</i>
Amaun Tunggakan		
Fee Notis Tuntutan		
Fee Waran Tahanan		
Jumlah		

Bertarikh.....20.....

.....
Yang Dipertua
Majlis Daerah Kota Tinggi

AKTA JALAN, PARIT DAN BANGUNAN 1974
 UNDANG-UNDANG KECIL MENDAPATKAN TUNGGAKAN
 (MAJLIS DAERAH KOTA TINGGI) 2012

BORANG C

NOTIS INVENTORI

[Undang-Undang Kecil 5]

No.:.....

Kepada:

.....
 yang beralamat di Lot No.....
 Seksyen/Mukim.....

(atau apa-apa perihal pengenalan lain)

Sila ambil perhatian bahawa pada hari ini saya telah menahan harta yang dinyatakan dalam inventori yang tersebut di bawah bernilai RM..... (Ringgit Malaysia:.....) sebagai tunggakan dan kos yang telah didapatkan di bawah Akta Jalan, Parit dan Bangunan 1974 [Akta 133], sebagaimana dinyatakan butir-butirnya di bawah dan melainkan kamu membayar kepada pejabat Majlis Daerah Kota Tinggi amaun yang kena dibayar itu bersama dengan kos bagi tahanan ini dalam tempoh tujuh (7) hari dari tarikh notis ini. Selepas tempoh ini sekiranya pihak Majlis tidak mendapat maklumbalas, harta itu akan dijual.

INVENTORI

Bil. Barang	Perihal Harta/Tanaman

BUTIR-BUTIR TUNGGAKAN DAN KOS

Butiran	RM	Sen
Amaun Tunggakan		
Fee Notis Tuntutan		
Fee Waran Tahanan		
Fee Notis Inventori		
Caj Pengawal		
Jumlah		

Bertarikh.....20.....

Tandatangan.....
 Nama.....
 Jawatan.....

AKTA JALAN, PARIT DAN BANGUNAN 1974
 UNDANG-UNDANG KECIL MENDAPATKAN TUNGGAKAN
 (MAJLIS DAERAH KOTA TINGGI) 2012

BORANG D
 NOTIS JUALAN/LELONGAN
 [Undang-Undang Kecil 6]

Kepada:

.....

Notis ini diberi untuk memaklumkan bahawa harta yang disita di..... pada
20.....di bawah Waran Tahanan/Notis Inventori No.....
 akan dijual/dilelong pada.....20.....pukul..... pagi/
 petang melainkan amaun tunggakan dan kos pelaksanaan dibayar terlebih
 dahulu.

Bertarikh.....20.....

Tandatangan.....

Nama.....

Jawatan.....

JADUAL KEDUA
 FEE NOTIS TUNTUTAN

[Undang-Undang Kecil 3(2)]

(1) Amaun Tunggakan	(2) Fee Notis Tuntutan (RM)
RM1,000.00 ke bawah	4.00
Melebihi RM1,000.00 tetapi tidak melebihi RM2,000.00	8.00
Melebihi RM2,000.00 tetapi tidak melebihi RM3,000.00	12.00
Melebihi RM3,000.00 tetapi tidak melebihi RM4,000.00	16.00
Melebihi RM4,000.00 tetapi tidak melebihi RM5,000.00	20.00
Selepas daripada itu setiap RM1,000.00 atau apa-apa bahagian daripadanya	2.00

JADUAL KETIGA

FEE WARAN TAHANAN

[Undang-Undang Kecil 4(3)]

(1) Amaun Tunggakan	(2) Fee Notis Tuntutan (RM)
RM1,000.00 ke bawah	20.00
Melebihi RM1,000.00 tetapi tidak melebihi RM2,000.00	40.00
Melebihi RM2,000.00 tetapi tidak melebihi RM3,000.00	60.00
Melebihi RM3,000.00 tetapi tidak melebihi RM4,000.00	80.00
Melebihi RM4,000.00 tetapi tidak melebihi RM5,000.00	100.00
Selepas daripada itu setiap RM1,000.00 atau apa-apa bahagian daripadanya.	20.00

JADUAL KEEMPAT

FEE NOTIS INVENTORI

[Undang-Undang Kecil 5(2)]

(1) Amaun Tunggakan	(2) Fee Notis Tuntutan (RM)
RM1,000.00 ke bawah	4.00
Melebihi RM1,000.00 tetapi tidak melebihi RM2,000.00	8.00
Melebihi RM2,000.00 tetapi tidak melebihi RM3,000.00	12.00
Melebihi RM3,000.00 tetapi tidak melebihi RM4,000.00	16.00
Melebihi RM4,000.00 tetapi tidak melebihi RM5,000.00	20.00
Selepas daripada itu setiap RM1,000.00 atau apa-apa bahagian daripadanya.	2.00

JADUAL KELIMA
FEE NOTIS JUALAN/LELONGAN
[Undang-Undang Kecil 6(2)]

(1) Amaun Tunggakan	(2) Fee Notis Jualan/Lelongan (RM)
RM1,000.00 ke bawah	4.00
Melebihi RM1,000.00 tetapi tidak melebihi RM2,000.00	8.00
Melebihi RM2,000.00 tetapi tidak melebihi RM3,000.00	12.00
Melebihi RM3,000.00 tetapi tidak melebihi RM4,000.00	16.00
Melebihi RM4,000.00 tetapi tidak melebihi RM5,000.00	20.00
Selepas daripada itu setiap RMI,000.00 atau apa-apa bahagian daripadanya.	2.00

Bertarikh 28 April 2010
[MDKT/PUD/05/02/02]

AZMAN BIN HAJI MOHAMED SHAH
Yang Dipertua
Majlis Daerah Kota Tinggi

Disahkan pada 10 Januari 2012
[K.T. 24/69 Jld. 11(25)]

HAJI MOHD. HALIM BIN HASBULLAH
Jurutulis Majlis Mesyuarat Kerajaan
Johor.

STREET, DRAINAGE AND BUILDING ACT 1974

RECOVERY OF ARREARS
(KOTA TINGGI DISTRICT COUNCIL) BY-LAWS 2012

In exercise of the powers conferred by the section 133 of the Street, Drainage and Building Act 1974 [Act 133], the State Authority makes the following by-laws:

Citation, application and commencement

1. (1) These By-Laws may be cited as the **Recovery of Arrears (Kota Tinggi District Council) By-Laws 2012** and shall apply only to the area of Kota Tinggi District Council.

(2) These By-Laws shall come into operation on the day of its publication in the *Gazette*.

Interpretation

2. In these By-Laws, unless the context otherwise requires—

“Premise Owner” means—

- (a) proprietor registered for land, or;
- (b) pawnbroker given a lease including a small pawnbroker for land whether registered or no, or;
- (c) agent or trustee for owners informed in paragraph (a) and (b) this interpretation if to a opinion local authority any from the persons unaccounted or, if any from the person died, his legal representative beside law, or;
- (d) people who are to when accept rent of the premises those pertaining it word so used whether as own interest or as agent or trustee of any other person or as receiver or will receive the rent if those premises rent to a person tenant.

“President” means the person for the time being lawfully performing the duties of the office of President of a Kota Tinggi District Council and includes the Secretary;

“premises” means the premises in respect of which the arrears are due;

“arrears” means all or any sum of money payable by or recoverable from the owner or owners of any premise in respect of the expenses and costs incurred by the President in the execution of any work, which is, under the Act, recoverable from the owner or owners.

Notice of Demand and fees

3. (1) Where the council has executed any work under the Act, an invoice in receipt of the costs incurred by the President in the execution of the work shall be sent to the owner of the premises requiring him to pay the sum within the period of two (2) months.

(2) Where the expenses and costs or any part thereof remain unpaid after expiration of the period specified in paragraph (1), a Notice of Demand in Form A of the First Schedule shall be served to the owner of the premises requiring him to pay a sum of money together with the fee of the Notice of Demand as describe in the Second Schedule within the period of fifteen (15) days from the date of service of the notice or such extended period as the President may allow.

Warrant of Attachment and fees

4. (1) If the expenses and costs or any part thereof remain in arrears after the expiration of the period specified in paragraph (2) of By-Law 3, the Warrant of Attachment in Form B of the First Schedule may be issued and any movable property and any crop of the owner or occupier or of whomsoever belonging which are found on the premises may be seized.

(2) The fees payable for the Warrant of Attachment are as describe in the Third Schedule.

(3) The Warrant of Attachment shall be fixed on some conspicuous parts of the premises and a copy thereof shall be displayed on the notice board at the Kota Tinggi District Council.

Notice of Inventory and fee

5. (1) Where any movable property or any crop is seized under the Warrant of Attachment, an inventory shall be made and the Notice of Inventory in Form C of the First Schedule shall be served to the owner or occupier of the premises requiring him to pay the arrears within the period of seven (7) days from the date of service of the notice.

(2) The Notice of Inventory may be given to the owner or occupier personally or left at the premises from which the property was seized.

(3) The fees payable for the Notice of Inventory are as describe in the Fourth Schedule.

(4) The movable property and crops seized under the Warrant of Attachment shall be sold by public auction if the arrears are not paid after the expiration of the specified period.

(5) Where the President employs any person to watch over the property as listed in the Notice of Inventory, any expense incurred there by shall be recovered from the owner.

Notice of Sale and fees.

6. (1) Before conducting a sale by public auction the Notice of Sale in Form D of the First Schedule shall be fixed at the premises and on the notice board at the Kota Tinggi District Council.

(2) The fees payable for the Notice of Sale as describe in the Fifth Schedule.

(3) The fees for conducting a public auction is RM200.00 or any reasonable amount which is determined by Council if auctioning do by licensed auctioneer follow methods determined.

Fees as part of the arrears

7. All fees payable under these By-Laws shall be paid by the owner of the premises and shall be recovered from the owrier of the premises as if they formed part of the arrears.

FIRST SCHEDULE
STREET, DRAINAGE AND BUILDING ACT 1974
RECOVERY OF ARREARS
(KOTA TINGGI DISTRICT COUNCIL) BY-LAWS 2012

FORM A

NOTICE OF DEMAND

[By-Law 3]

No.:.....

To:
.....
.....
.....
.....

Particulars of works
At (address)
Lot No.
Section/Mukim

Take notice that you are required to pay the President the expenses and costs incurred by the President in the execution of the above mentioned notice amounting to RM.....(Ringgit Malaysia:.....) together with the fee RM.....(Ringgit Malaysia:.....) for notice of demand under section.....of the Street, Drainage and Building Act 1974 [Act 133], at the office of the Kota Tinggi District Council within fifteen (15) days from the date of service of this notice, and in default of payment within the period specified, the amount due together with the costs of process shall be recovered pursuant to the powers contained in the Street, Drainage and Building Act 1974 [Act 133].

Particulars	RM	Cent
Expenses and costs for works		
Notice of Demand Fee		
Total		

Dated.....20.....

.....
President
Kota Tinggi District Council

STREET, DRAINAGE AND BUILDING ACT 1974
 RECOVERY OF ARREARS
 (KOTA TINGGI DISTRICT COUNCIL) BY-LAWS 2012

FORM B

WARRANT OF ATTACHMENT

[By-Law 4]

To: No:.....

Particulars of works.....
 at (address).....
 Lot No.....
 Section/Mukim.....

Whereas by the notice bearing No..... posted or delivered on the..... day of..... 20..... the owner was required to pay the office of the Kota Tinggi District Council the sum of RM..... (Ringgit Malaysia:.....) being arrears of payment for the above mentioned works and whereas the said sum of RM..... (Ringgit Malaysia:.....) has not been paid.

This is to command you to attach the movable property or any corps of the said owner or occupier which may be found in (address of the premises.....) and also any movable property or any crop of whomsoever belonging which if found on the said premises, and unless the said sum RM..... (Ringgit Malaysia:.....) together with RM..... (Ringgit Malaysia:.....), being the costs of this attachment, be paid, to hold the same until further orders.

You are further commanded to return this warrant on or before the..... 20..... with an endorsement certifying the date and manner in which it has been executed or why it has not been executed.

PARTICULARS OF ARREARS AND COSTS

Particulars	RM	Cent
Amount of Arrears		
Notice of Demand Fee		
Warrant of Attachment Fee		
Total		

Dated..... 20.....

.....
 President
 Kota Tinggi District Council

STREET, DRAINAGE AND BUILDING ACT 1974
 RECOVERY OF ARREARS
 (KOTA TINGGI DISTRICT COUNCIL) BY-LAWS 2012.

FORM C

NOTICE OF INVENTORY

[By-Law 5]

No.:.....

To:

.....
 at (address) Lot No.
 Section/Mukim.....

.....
 (or any other indentifiable description)

Take notice that I have this day attached the property or crops specified in the undermentioned inventory for the sum of RM.....(Ringgit Malaysia:.....) being arrears and costs recoverable under the Street, Drainage and Building Act 1974 [Act 133], as detailed below and that unless you pay into the office of the Kota Tinggi District Council the amount due together with the costs of this attachment within seven (7) days of the date of this notice the property will be sold.

INVENTORY

No. of Articles	Description of Property/Crops

DETAILS OF ARREARS AND COSTS

Details	RM	Cent
Amount of Arrears		
Notice of Demand fee		
Warrant of Attachment fee		
Notice of inventory fee		
Watchman Charges		
Total		

Dated:.....20.....

Signature.....

Name.....

Designation:.....

STREET, DRAINAGE AND BUILDING ACT 1974
RECOVERY OF ARREARS
(KOTA TINGGI DISTRICT COUNCIL) BY-LAWS 2012

FORM D

NOTICE OF SALE

[By-Law 6]

To:

.....
.....
.....
.....

Notice is hereby given that the property seized at, on the20..... under the Warrant of Attachment/Notice of Inventory No. will be sold by public auction on the20..... at am/pm unless the amount of arrears and the costs of execution be sooner paid.

Dated.....20.....

Signature.....

Name.....

Designation.....

SECOND SCHEDULE

NOTICE OF DEMAND FEE

[By-law 3(2)]

(1) Amount of Arrears	(2) Notice of Demand Fee (RM)
RM1,000.00 and below	4.00
Exceeds RM1,000.00 but not above RM2,000.00	8.00
Exceeds RM2,000.00 but not above RM3,000.00	12.00
Exceeds RM3,000.00 but not above RM4,000.00	16.00
Exceeds RM4,000.00 but not above RM5,000.00	20.00
Thereafter for every RM1,000.00 or part thereof	2.00

THIRD SCHEDULE
WARRANT OF ATTACHMENT FEE

[By-Law 4(3)]

(1) Amount of Arrears	(2) Warrant of Attachment Fee (RM)
RM1,000.00 and below	20.00
Exceeds RM1,000.00 but not above RM2,000.00	40.00
Exceeds RM2,000.00 but not above RM3,000.00	60.00
Exceeds RM3,000.00 but not above RM4,000.00	80.00
Exceeds RM4,000.00 but not above RM5,000.00	100.00
Thereafter for every RM1,000.00 or part thereof	20.00

FOURTH SCHEDULE
NOTICE OF INVENTORY FEE

[By-Law 5(2)]

(1) Amount of Arrears	(2) Notice of Inventory Fee (RM)
RM1,000.00 and below	4.00
Exceeds RM1,000.00 but not above RM2,000.00	8.00
Exceeds RM2,000.00 but not above RM3,000.00	12.00
Exceeds RM3,000.00 but not above RM4,000.00	16.00
Exceeds RM4,000.00 but not above RM5,000.00	20.00
Thereafter for every RM1,000.00 or part thereof	2.00

FIFTH SCHEDULE
 NOTICE OF SALE FEE
 [By-Law 6(2)]

(1) Amount of Arrears	(2) Notice of Sale Fee (RM)
RM1,000.00 and below	4.00
Exceeds RM1,000.00 but not above RM2,000.00	8.00
Exceeds RM2,000.00 but not above RM3,000.00	12.00
Exceeds RM3,000.00 but not above RM4,000.00	16.00
Exceeds RM4,000.00 but not above RM5,000.00	20.00
Thereafter for every RM1,000.00 or part thereof	2.00

Dated 28 April 2010
 [MDKT/FUD/05/02/02]

AZMAN BIN HAJI MOHAMED SHAH
President
 Kota Tinggi District Council

Confirmed on the 10 January 2012
 [K.T. 24/69 Jld. 11(25)]

HAI MOHD. HALIM BIN HASBULLAH
Clerk of the State Executive Council
 Johore

Hakcipta Pencetak ©
 PERCETAKAN NASIONAL MALAYSIA BERHAD,
 Semua Hak Terpelihara. Tiada mana-mana jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh
 diperolehi semula atau disebarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya
 tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang diantik).



DICETAK OLEH
 PERCETAKAN NASIONAL MALAYSIA BERHAD,
 CAWANGAN JOHOR BAHRU, 2012
 BAGI PIHAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA
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