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HOUSING DEVELOPMENT (CONTROL AND LICENSING)
ORDINANCE, 2013

HOUSING DEVELOPMENT (CONTROL AND LICENSING) (ASSUMPTION AND
CESSATION OF CONTROL) DIRECTION, 2023

(Made under section 27(1)(a) and (c))

In exercise of the powers conferred by section 27(1)(a) and (c) of the Housing Development (Control and Licensing) Ordinance 2013 [*Cap. 69*] (“the Ordinance”), the Minister has made the following Direction:

Citation and commencement

1. This Direction may be cited as the **Housing Development (Control and Licensing) (Assumption and Cessation of Control) Direction, 2023**, and shall be deemed to have come into force on the 21st day of December, 2022.

Assumption of Control of Business of Licensed Housing Development

2. The Minister directs that MUTUAL ORIENT SDN BHD (“Mutual Orient”) (Company No. 1043334-W), a company incorporated under the Companies Act 2016 [*Act 777*], shall assume control and carry on the business of licensed housing development for SENVISION SDN BHD (“Senvision”)

(Company No. 431387-M) in respect of the housing development as specified below which are parts and parcels of Lot 1257 Block 7 Sibu Town District and licensed under the housing developer's licence, L2340/KP/HD/03/424-R1.

<i>No.</i>	<i>Type of House</i>	<i>No. of Units</i>	<i>Status</i>	<i>Pending Action</i>
1.	Single Storey Terrace	37	Occupation Permit (OP) Issued	Issuance of Individual titles
2.	Double Storey Terrace	25	On-going construction	Issuance of OP and Individual titles
3.	Double Storey Semi-Detached	2	On-going construction	Issuance of OP and Individual titles
4.	Double Storey Semi-Detached	4	Vacant Land	Issuance of Individual titles
5.	Detached	1	Vacant Land	Issuance of Individual titles

Terms of Control

3. In carrying out the Direction made pursuant to paragraph 2, Mutual Orient shall be subject to the following terms:

(a) shall take all necessary steps for the successful completion of the said housing development which shall include the following.

(i) to obtain the development rights for the said housing development area;

(ii) in the event of the circumstance allows of permits, to secure the Power of Attorney from the landowners for the said housing development area;

(iii) to obtain financial funding and be responsible for the payment of all costs, fees, charges and other expenses incurred for the completion of the said housing development;

(iv) to hand over vacant possession of the housing accommodation in accordance with the contract of sale to the purchasers upon completion of the said housing development;

(v) in the event of the circumstance allows or permits, to apply for and to obtain the approval of the relevant authorities for the subdivision and issuance of individual titles, and the transfer of such

titles to the purchasers; and

(iv) to appoint contractors, consultants, architects, engineers and any other party;

(b) to comply with all provisions of the Ordinance and any subsidiary legislations made under the Ordinance and notwithstanding the generality of the foregoing shall, for each phase of the said housing development:

(i) to apply and obtain a housing development licence under section 6 of the Ordinance;

(ii) to apply and obtain an advertisement and sale permit under regulation 4 of the Housing Development (Control and Licensing) Regulations, 2014 [*Swk. L.N. 105/2014*];

(iii) to open and maintain a Housing Development Account under section 12 of the Ordinance; and

(iv) to fulfill the duties of a licensed housing developer under section 10 of the Ordinance;

(c) to submit, within two weeks after the commencement date of this Direction, a schedule of work for the completion of the said housing development for the approval of the Controller and upon obtaining the approval of the Controller, to undertake and complete the said housing development in accordance with the approval schedule of work;

(d) to submit the Controller, a monthly statement in a form as may be determine by the Controller from time to time containing such information on the progress of the said housing development until the Occupation Permit (OP) is issued to all the houses in the said housing development; and

(e) to inform the Controller of any change in circumstances rendering it incapable of meeting any of its obligations to the purchasers at any stage of the said housing development.

Cessation of Control of Business

4.—(1) In accordance with section 27(4) of the Ordinance, Senvision shall submit its business of the said housing development to the control of Mutual Orient and shall provide Mutual Orient with all the facilities necessary for Mutual Orient to complete the said housing development.

(2) Senvision shall take all necessary steps to assist Mutual Orient in obtaining the development right of the said housing development area and ensure Mutual Orient is granted the development rights of the said housing development area.

(3) Senvision shall, as soon as practicable, take all necessary steps to close the existing Housing Development Account for the said housing development and to transfer the balance of the monies in the said Housing Development Account to

the Housing Development Account opened by Mutual Orient in respect of the said housing development.

Non-liability of Mutual Orient

5. Mutual Orient shall not be liable for any liabilities in respect of the said housing development, including the liquidated damages and defect liability, accruing prior to the date the company is granted a housing development licence for the said housing development under section 6 of the Ordinance pursuant to this Direction.

Dated this 13th day of September, 2023.

DATO SRI DR. SIM KUI HIAN
*Minister For Public Health, Housing and Local
Government Sarawak*

MPLHG/P/W/23-1/JLID. 1 (60)

