

BLANKET ASSUMPTIONS ON PROFESSIONAL BODIES INAPPROPRIATE

YOUR reports “195 Housing projects undertaken by illegal developers” (April 3) and “Govt to resolve housing debacle” April 4) have triggered an alarm and drawn a sudden reaction from the public. It was also mentioned that “the government will take action against the various authorities, including banks and professional bodies, responsible for approving housing projects without the basic requirement of the law – licences”.

We are concerned at the misconception that may have been created by this sweeping statement involving professional bodies. The Malaysian Institute of Architects (PAM) feels compelled to write to clarify the role, responsibility and involvement of architects in housing development projects.

Projects are abandoned for many reasons and it is only proper for each case to be investigated in detail to determine the party responsible, rather than make a blanket assumption that professional bodies are at fault.

Upon engagement by a developer, a professional architect prepares the necessary building plans to be submitted to the local authority for approval. The role of the architect at this stage is to ensure the building design conforms to the relevant acts, by-laws, regulations and any other statutory requirement inclusive of getting planning approval from the local authority. At a certain stage, due to the administrative procedure in Malaysia, applications for building approval must be submitted by the planners.

However, obtaining the Housing Developer Licence (HDL) under the Housing Development (Control and Licensing) Act is solely the responsibility of the developer. Without this licence, a developer cannot call itself a housing developer and will not be able to obtain the Advertising Permit (AP) to launch sale and promotional activities. A developer will be able to apply to the Housing and Local Government Ministry for an AP to sell residential units to purchasers only after the building plans have been approved. It is obvious that the architect has no control over the developer's failure to secure the HDL or the AP.

In a housing development, besides submitting building plans and ensuring the buildings are constructed according to approved plans, the professional architect is also given the duty of certifying the completion of various stages of construction under the standard sale and purchase agreement, which are Schedule G and H of the Housing Development (Control and Licensing) Regulations, to enable the developer to collect stage payment from purchasers. Finally, upon completion and compliance with statutory requirements,

DIARY

8 June 2012
PAM Annual Dinner 2012
Venue Shangri-La Hotel, Kuala Lumpur

16 June 2012
Terracotta Ventilated Façade
By Olivier Robert
Venue Kuala Lumpur

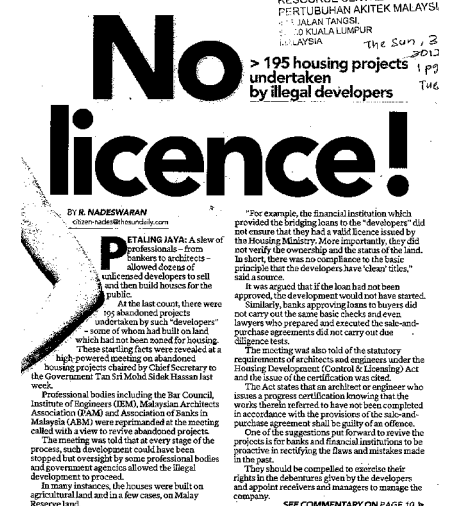
20 June 2012
Hospital Design for the Future is Now
By Ar Leswee S.W. Wong
Venue Kuala Lumpur

30 June 2012
The Architect as the Contract Administrator – A Legal Perspective
By Ar Thurai Das Thuraingam
Venue PAM Sarawak Chapter

4 – 7 July 2012
PAM Convention
Venue Kuala Lumpur Convention Centre

28 October – 2 November 2012
ARCASIA Bali 2012
The 15th Asian Congress of Architects
Venue Bali Nusa Dua Convention Centre, Indonesia

Kindly note that the scheduled events above are subject to change. Please call PAM at 03-2693 4182 for confirmation.



No licence!
> 195 housing projects undertaken by illegal developers

RESURSE UNIT
PERTUBUHAN AKITEK MALAYSIA
11, JALAN TANGSI,
KUALA LUMPUR
MALAYSIA

By R. RADESWARAN
0199-946818@redsky.com

PETALING JAYA: A slew of professionals – from bankers to architects – allowed dozens of unlicensed developers to sell and then build houses for the public.

At the last count, there were 195 abandoned projects undertaken by such “developers” – some of whom had built on land which had not been zoned for housing.

These startling facts were revealed at a high-powered meeting on abandoned housing projects chaired by Chief Secretary to the Government Tan Sri Mohd. Sidak Hassan last week.

Professional bodies including the Bar Council, Institute of Engineers (IME), Malaysian Architects Association (PAM) and Association of Banks in Malaysia (ABM) were represented at the meeting which was held with a view to revive abandoned projects.

The meeting was told that at every stage of the process, such development could have been stopped but oversight by some professional bodies and government agencies allowed the illegal development to proceed.

In many instances, the houses were built on agricultural land and in a few cases, on Ministry Reserve land.

“For example, the financial institution which provided the bridging loans to the ‘developers’ did not ensure that they had a valid licence issued by the Housing Ministry. More importantly, they did not verify the ownership and the status of the land. In short, there was no compliance to the basic principle that this developers have ‘clean’ titles,” said a source.

It was argued that if the loan had not been approved, the development would not have started. Similarly, banks approving loans to buyers did not carry out the same basic checks and even lawyers who prepared and executed the sale-and-purchase agreements did not carry out due diligence tests.

The meeting was also told of the statutory requirements of architects and engineers under the Housing Development (Control & Licensing) Act and the issue of the certification was cited.

The Act states that an architect or engineer who issues a progress certification knowing that the works therein referred to have not been completed in accordance with the provisions of the said-and-purchase agreement shall be guilty of an offence.

One of the suggestions put forward to revive the projects is for banks and financial institutions to be proactive in verifying the plans and minutes made in the past.

They should be compelled to assist their rights to the debentures given by the developers and appoint receivers and managers to manage the company.

SEE COMMENTARY ON PAGE 10 >

46TH PAM ANNUAL GENERAL MEETING 28 APRIL 2012 KUALA LUMPUR

The 46th PAM Annual General Meeting (AGM) was held on 28 April 2012 at the Saloma Theatre Restaurant, Jalan Ampang, Kuala Lumpur, chaired by PAM President 2011-2012 Ar Haji Saifuddin Ahmad. It was attended by 50 Corporate members and 3 Graduate members including Past Presidents: Dato' Sri Ar Hj Esa bin Mohamed, Ar Paul Lai Chu, Ar Lee Chor Wah, Ar Boon Che Wee, Ar Tan Pei Ing, Dato' Ar Ken Yeang and Ar David Teh Teik Lim.

The Election Officer Ar Chris Yap Seng Chye and the Deputy Election Officer Ar Rosli Mohd Ali, conducted the counting of returned ballots for this year's election with the assistance of Ar Indra Maiza Abdul Hamid, Datin Ar Kaniza Mohd @ Shafie, Ar Azhar bin Mohd, Ar Ahmad Najmi Che Pee and Ar Yeo Soon Teck.

Office Bearers and Ordinary Members of Council 2012-2013 duly elected are as follows:

President : Ar Hj. SAIFUDDIN BIN AHMAD
Deputy President : Ar CHAN SEONG AUN
Vice President : Ar ABU ZARIM BIN ABU BAKAR
Hon. Secretary : Ar MOHD ZULHEMLEE BIN AN
Hon. Treasurer : Ar Hj. ABDUL HALIM BIN SUHOR

Council Members :

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- Ar AZMIL BIN ABDUL AZMI
- Ar EZUMI HARZANI BIN ISMAIL
- Ar JASMIN KAMARUDIN
- Ar LILLIAN TAY
- Ar LAURENT LIM AUN GIAP
- Ar ALVIN LIM HAI SEAH
- Ar NURAKMAL ABDULLAH
- Ar SARIZAL YUSMAN YUSOFF
- Ar SARLY ADRE SARKUM
- Ar STEVEN THANG BOON ANN
- Ar THIRILOGACHANDRAN A/L SHANMUGASUNDARAM
- Ar ZAMRI ISMAIL

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Southern Chapter Chairman : Ar Hj. MUHAMAD ZAWAWI
BIN ZAINUDDIN

Sabah Chapter Chairman : Ar LO SU YIN

Sarawak Chapter Chairman : Ar PETER WONG KING LAI



From left Ar Haji Abdul Halim Suhor, Ar Mohd Zulhemlee An, Ar Haji Saifuddin Ahmad, Ar Chan Seong Aun and Ar Abu Zarim Abu Bakar



From left Ar Haji Saifuddin Ahmad, Ar Chan Seong Aun, Ar Abu Zarim Abu Bakar and Ar Chris Yap Seng Chye



Ar Mustapha Kamal



Dato' Sri Ar Haji Esa Mohamed



Ar David Teh Teik Lim

CHAPTERS' Elected Committee for 2012-2013

PAM SOUTHERN CHAPTER

7 April 2012

Chairman : Ar Hj Muhamad Zawawi Zainuddin
Deputy Chairman : Ar Marzuki @ Mahadi Muhammad
Vice Chairman : Ar Normal Ahmad
Honorary Secretary : Ar Hj. Azmi Zakaria
Honorary Treasurer : Ar Hj Ismail Ros
Immediate Past Chairman : Ar Hj Azman Bilaji

Committee Members : Ar Hj. Norzam Darmin
YM Ar Hjh. Nor Aini Juffery
Ar Hj. Md. Razin Mahmood
Ar Hong Lim Foo
Ar Wong Cheah Wei, Eugene
Ar Ng Hong Ling
Ar Hjh Nik Rosnani Nik Mohd Amin
Ar Samsiah Abdulllah

Graduate Architect Rep : Mr Chok Liong Hoi

PAM NORTHERN CHAPTER

7 April 2012

Chairman : Ar Lawrence Lim Hua Kwang
Deputy Chairman : Ar Khor Wooi Khean
Vice Chairman : Ar Loh Chiak Eong
Honorary Secretary : Ar Goh Ching Keng
Honorary Treasurer : Ar Zalena Abdul Aziz
Immediate Past President : Ar Nik Rahiman Taib

Committee Members : Ar Ahmad Tajuddin bin Hj Mohd Ali
Ar Loo Boon Hock
Ar Parama Nathan
Ar Ooi Bok Kim
Ar Vijayalaxmi Nadarajan

PAM SARAWAK CHAPTER

7 April 2012

Chairman : Ar Peter Wong King Lai
Deputy Chairman : Ar Mike Boon Chee Khian
Vice Chairman : Ar Stephen Liew Ngian Chin
Honorary Secretary : Ar Stephen Mong Vui Min
Honorary Treasurer : Ar Tan Kiat Soon
Immediate Past Chairman : Ar Desmond Kuek Teck Hiong

Committee Members : Ar Kho Meng K'ang
Ar Kevin Wong Yii Sing
Ar Bong Joon Hin
Ar Felix Wee Lik Chiang
Ar Chai Si Yong
Ar Wee Hii Min

PAM SABAH CHAPTER

14 April 2012

Chairman : Ar Lo Su Yin
Deputy Chairman : Ar Wong Kon Yu, Victor
Vice Chairman : Ar Liew Kim Kiong, Jebb
Honorary Secretary : Ar Kwan Chee Hung, Arnold
Honorary Treasurer : Ar Chin Kok Lum, Lawrence
Immediate Past Chairman : Ar Ho Jia Lit

Committee Members : Ar Yong Ming Cheong
Ar Sim Sie Hong
Ar Rizal Ahmad Banjar
Ar Koh Chung Hou, Daniel
Ar Mok Juang Yu
Ar Ooi Bee Yan, Noreen

continued from Page 1 >

the architect shall certify the completion of the building by issuing the Certificate of Completion and Compliance. A professional architect should possess integrity and sufficient knowledge and skills to evaluate the stage of completion under this agreement. False certification by the architect is a serious offence and should be reported to the Board of Architects Malaysia (LAM).

We do not dispute the fact that there are black sheep in our profession and instances when our members were found to have fraudulently or prematurely certified. LAM as the governing body of architectural practice in Malaysia under the Architects Act 1967, has the authority to regulate the practice and take necessary action against any architect found to have committed an offence under the Act. Any misconduct or complaint lodged against the architect will be investigated by the board's disciplinary committee. LAM views fraudulent certification very seriously and amended the Act recently to increase the penalty for wrongful and fraudulent certification. Any architect found guilty of false or negligent certification can be fined for up to RM50,000 or have his registration suspended for up to two years. PAM as a professional body is certainly vigilant to architects who fail to uphold their professionalism.

To prevent such cases, both the board and PAM continuously remind members of the seriousness of offences through circulars and seminars. The board establishes clear guidelines on work required to be completed before the architect can certify the respective stages, to ensure they are clear on their role as certifiers under the standard sale and purchase agreement. PAM also continuously promotes good practice among its fraternity, educates members through professional development courses and conducts training for new graduates taking the professional examination. The board has implemented compulsory CPD requirements to ensure professional architects are educated on the latest laws and requirements to upgrade their skill and professional competence.

Ar Saifuddin Ahmad
PAM President

Announcement from Kementerian Perumahan Dan Kerajaan Tempatan (KPKT)

“Makluman Berkenaan Ketetapan Mengenai Orang Yang Layak Untuk Menyedia Dan Mengemuka Pelan Serta Dokumen Untuk Kebenaran Merancang”

JPBD (IP)S.185/9/10. Jld13 (2)

22 Mac 2012

MAKLUMAN BERKENAAN KETETAPAN MENGENAI ORANG YANG LAYAK UNTUK MENYEDIA DAN MENGEMUKA PELAN SERTA DOKUMEN UNTUK KEBENARAN MERANCANG

Dengan hormatnya saya merujuk perkara di atas dan surat ketetapan yang telah diedarkan kepada semua Y.B. Setiausaha Kerajaan Negeri [Rujukan: JPBD(S) 185/9/10 Jld. 12 (33)] bertarikh 22 Julai 2011 serta surat Ketua Pengarah Jabatan Perancangan Bandar dan Desa Semenanjung Malaysia [Rujukan: JPBD(IP)S.185/9/10 Jld.12(45)] bertarikh 5 Januari 2012.

2. Sukacita dimaklumkan, selaras dengan peruntukan sedia ada di bawah seksyen 21c Akta Perancangan Bandar dan Desa Semenanjung 1976 [Akta 172], Kementerian Perumahan dan Kerajaan Tempatan (KPKT) telah memutuskan, orang yang layak menyedia pelan serta dokumen untuk kebenaran merancang adalah seperti berikut:

(i) Orang yang menyedia dan mengemuka pelan serta dokumen untuk kebenaran merancang adalah tertakluk kepada **peruntukan undang-undang sedia ada sepertimana ditetapkan di bawah seksyen 21c Akta 172**; dan

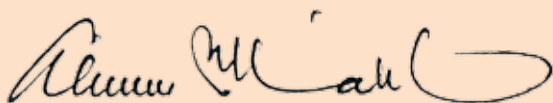
(ii) **Pihak Berkuasa Negeri (PBN) hendaklah menetapkan kelayakan** bagi orang yang dinyatakan **di bawah subseksyen 21c (a) Akta 172, melalui pewartaan kaedah-kaedah di bawah perenggan 58(2)(h) Akta 172**, dengan kadar segera bagi mewujudkan keseragaman dalam pelaksanaan proses kebenaran merancang di peringkat Pihak Berkuasa Perancang Tempatan (PBPT).

3. Sehubungan ini, bagi tujuan penyelarasan di peringkat Negeri, PBN disarankan agar dapat menyediakan kaedah-kaedah menurut perenggan 58(2)(h) bagi memastikan proses kebenaran merancang yang lebih teratur dapat dilaksanakan oleh Pihak Berkuasa Tempatan.

Sekian, terima kasih.

“BERKHIDMAT UNTUK NEGARA”

“1Malaysia: Rakyat Didahulukan, Pencapaian Diutamakan”



DATUK SERI AHMAD HAJI KABIT

ASA NATIONAL CONVENTION 2012, BANGKOK 24 - 29 APRIL 2012



Official delegates of Tri-Nations to the ASA National Convention 2012

Delegates at Welcome Networking Party



Smith Obayawat receiving memento from Ar Haji Saifuddin Ahmad

Official Delegates at ASA ARCHITECT '12 Convention



In conjunction with ASA National Convention 2012, the World Architecture Cup 2012 Tournament was held on 27 April 2012 at Maung Thong United SCG Stadium, Bangkok. The Malaysian team won the tournament

MALAYSIA STANDARDS (MS) FOR CEMENT

PAM Members are advised that the MS Standards for Cement would be made mandatory upon implementation of the amended CIDB Act. The Cement & Concrete Association of Malaysia (C&CA) as the appointed Standards Writing Organization (SWO) for Cement Standards in Malaysia, had reviewed and revised the Malaysian Standards (MS) for Cement. Below is the list of the current MS Standards available for cement for your information. The old MS Standards for Cement would therefore be superseded and replaced with the new MS Standards which are available for purchase at the SIRIM library.

Should you have any queries or require any clarifications on the new MS Standards for Cement, please contact The Cement & Concrete Association of Malaysia at Tel: 603-7492 1368 or email at cemca@tm.net.my

List of Mandatory Malaysian Cement Standards

No	Old MS Standard	New/Current MS Standard	Remarks
1	<p>MS 522:2003 Specification for Portland Cement (Ordinary & Rapid Hardening)</p> <p>MS 1227:1991 Specification for Portland Pulverised-Fuel Ash Cement</p> <p>MS 1388:1995 Specification for High Slag Blastfurnace Cement</p> <p>MS 1389 Specification for Portland Blastfurnace Cement</p>	<p>MS EN 197-1:2007 Cement – Part 1: Compositions, Specifications and Conformity Criteria for Common Cements</p> <p>MS EN 197-2: 2007 Conformity Evaluation</p>	Standards available for purchase at the SIRIM Library
2	<p>MS 888: 1991 Specification for White Portland Cement</p>	<p>MS 888:2011 Compositions, Specifications and Conformity Criteria for White Cement</p>	Standards available for purchase at the SIRIM Library
3	<p>MS794: 1982 Specifications for Masonry Cement</p>	<p>MS EN 413-1:2011 Part 1: Compositions, Specifications and Conformity Criteria</p>	Standards had been sent for printing. Both the MS 794:1982 and MS EN 413:2011 would run co-currently for one year upon publication of the new standard.
4	<p>MS 1037:1986 Specification for Sulphate-Resisting Portland Cement</p>	<p>MS 1037:1986 Specification for Sulphate-resisting Portland Cement</p>	Standards available for purchase at the SIRIM Library
5	<p>MS 1387:1995 Specification for Ground Granulated Blastfurnance Slag for use in Portland Cement</p>	<p>MS EN 15167-1:2010 Ground Granulated Blast Furnace Slag for use in Concrete Mortar and Grout – Part 1 Definitions, Specifications and Conformity Criteria</p>	Standards available for purchase at the SIRIM Library

OTHER HIGHLIGHTS

4 April 2012

30 Under 40 Lecture VIII
By: Ar. Hanc Wang Hon Choon,
Ar Tan Sih Pin & Mr Lim Kee Yen
*National Textile Museum,
Kuala Lumpur*



14 April 2012

Coral Stone Mosques of Maldives
A Fusion of Indian Ocean Cultures
By: Mohamed Mauroof Jameel
Taylor's University Lakeside Campus



14 April 2012

Building Information Modelling (BIM) Training for Architects – ArchiCAD
By: Ar Gary Wong Wai Choong,
Mr. Chew Leng Sen & Mr David Lim
Taylor's University Lakeside Campus



21 April 2012

PAM Award 2011 Lectures & Architectural Tour to Taylor's University Lakeside Campus
By: Ar Ng Wai Keong
Taylor's University Lakeside Campus



23 April 2012

Certifying Timber Products Under PEFC System
By: Mr Michael Hermens, Ms Sarah Price & Mr Harnarinder Singh
*National Textile Museum,
Kuala Lumpur*



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vice president

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BERITA AKITEK EDITORIAL

Ar Saifuddin Ahmad

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Pertubuhan Akitek Malaysia

4 & 6 Jalan Tangsi

50480 Kuala Lumpur or

PO Box 10855

50726 Kuala Lumpur Malaysia

t 603-2693 4182

f 603-2692 8782

e info@pam.org.my

www.pam.org.my

publishing agency

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3A15 & 3A16 Kelana Square

Jalan SS7/26 Kelana Jaya

47301 Petaling Jaya Selangor

t 603-78800730

f 603-78802736

e ask@memo.com.my

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37659, No. 11, Jalan 4/37 A

Taman Bukit Maluri Industrial Area

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