



cpd seminar 2011

PAM Sabah Chapter CPD Seminar & Event Committee 2011

Saturday, 23rd April 2011: 10am to 1.00pm

Property Outlook Talk 2011:-

- a) *The Architecture of Short Term Gain Long Term Pain*
- b) *Property Development On Native Titles*

Speakers: Sr. Robert M New & Mr. Christopher Chin

Venue:

Seminar Room,
Sabah Trade Centre,
Jalan Istiadat, Likas,
88450 Kota Kinabalu

Registration fees:

Admission is free

Seminar programme:

10.00 am – 10.30 am

Registration

10.30 am – 11.00 am

**Presentation start
-by Sr. Robert M New**

11.00 am -11.30 am

Q & A Session

11.30 am – 12.30 pm

**Presentation continues
-Mr. Christopher Chin**

12.30 pm –1.00 pm

Q & A Session

1.00 pm

End

**LAM CPD Points
have been applied**

REGISTRATION FORM

I am a PAM member

I am a non PAM Member

I am a Student

Membership No (PAM): _____ (LAM): _____

Fax No: _____ Office No: _____

Name: _____

Address: _____

Email address: _____

H/P No: _____

Capacity is limited to 70 participants only. Thus, registration is based on first come-first-served basis. Any cancellation of registration must be notified by 19th April 2011, 12 noon.

Note: This presentation is held in conjunction with IPEX 2011 And Ideal Home Show exhibition from 21 – 24 April 2011 at Sabah Trade Centre.

NOTE: At times, due to unforeseen circumstances, the scheduled events may have to be cancelled or rescheduled for which PAM Secretariat would normally inform the registered attendees/participants accordingly. In order to avoid causing any inconvenience to members due to any last-minute changes, we strongly recommend that members to call **PAM Sabah Chapter at 088-232 524 or 088-261 313** for confirmation of the scheduled events or visit PAM website at www.pamsabah.com.



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Synopsis of Presentation (provided by Mr. Christopher Chin)

PROPERTY DEVELOPMENT ON NATIVE TITLES

- ✓ Why develop on native titles?
- ✓ The relevant restrictions . Sections 17 and 64.
- ✓ Discussion of 2 critical case laws being the OCBC vs Master Arc Sdn. Bhd. and Maybank vs Neway Development Sdn. Bhd. and others.
- ✓ Possible solutions.
- ✓ Banking issues . loans to purchase the land as well as to cover bridging finance and bank guarantees for the Controller.
- ✓ Land conversion.
- ✓ Suggested flow chat.

Owing to the shortage of country leases land in urban and suburban areas property development in Sabah is shifting heavily to native titles.

Owing to the strict restrictions affecting native titles developers will encounter problems developing such lands.

This talk seeks to identify these problems and highlight the approach taken by the High Court in similar cases.

Suggested approach is discussed as to how to overcome the various issues in such development particularly to address issues of illegality from the perspective of the purchaser, bridging financier and end-financier.

Speaker's Biography (provided by Mr. Christopher Chin)

CHRISTOPHER CHIN SOO YIN was born in Kota Kinabalu and grew up in Kota Kinabalu, Sandakan and Labuan. He graduated with the Bachelor of Laws degree in 1980 and was conferred the degree of Utter Barrister in 1981.

He was called to the Sabah Bar in 1982 and has been in continuous and active practice since. Christopher's legal practice concentrates on general conveyancing with a special emphasis on land law and banking within the context of Sabah. He has contributed to the drafting of recent amendments to the land and housing Law. He chairs the Conveyancing Committee of the Sabah Law Association since 2002. He has also contributed articles on land matters in the *Writ* which is a legal publication of the Sabah Law Association. He is responsible for changing and streamlining aspects of conveyancing practice in Sabah. His work for the Association and in his professional capacity has particular emphasis in interfacing conflicting and common interests amongst the consumer, licensed banks and developers.



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Synopsis of Presentation (provided by Sr. Robert M New)

Title: The Architecture of Short Term Gain Long Term Pain

Abstract: This session will explore architecture, design detailing and development planning through the eyes of a property manager and valuer. It will range sweepingly from the big picture to matters of detail, seeking to provoke a more incisive and mutually beneficial dialogue between allied professions that could give added value to developers, property owners, building occupiers and the professions themselves. The impact of architecture on building management and investment value is undoubtedly more significant than is generally admitted and a significant factor in the rise and fall of professional reputations.

So where should the line be drawn between pandering to the demands of uninformed and misguided clients on the one hand and the pursuit of excellence in architecture and design on the other? This potpourri of musings will hopefully spark some lively discussion whilst also looking at some down to earth issues

Speaker's Biography (provided by Sr. Robert M New)

Mr. New has practiced as a valuer and property consultant for over 40 years, more than 30 of which have been in Sabah with the other 10 years in Uganda and the United Kingdom.

He is a Fellow of the Institution of Surveyors Malaysia, The Royal Institution of Chartered Surveyors and the Chartered Institute of Arbitrators. Mr. New is the proprietor of Smiths Gore Sabah and is the British Honorary Consul for Sabah.

As Chairman of the Subsidiary Title Sub-committee of the Institution of Surveyors Malaysia Sabah Branch, Mr. New has special experience and interest in subsidiary title and management corporation issues. In consequence, he is a frequent speaker on such topics and is actively engaged in pushing for reform in present law and practice in relation to such issues.