

SECRETARIAT CIRCULAR No. 2/1962

Renting of Property by Government

The Director of Land & Surveys is responsible for negotiating the rent and conditions of sub-leases of property rented by government. He is the controlling officer of the appropriate sub-head under "Miscellaneous Services" for the payment of rents. Where rents are paid from department funds a Department Warrant should be issued to him.

2. Any Head of Department finding it necessary to rent accommodation *other than living accomodation* should first request approval in principal form the Chief Secretary. The memorandum requesting approval should be copied to the Director of Land & Surveys and the Superintendent of Land & Surveys of the division in which it is proposed to rent premises and should include the following particulars:

- i. Name and address of proprietor;
- ii. Description of land (i.e. Location, Title/Lot Number, Block/Section Number, District and area of land);
- iii. Proposed rent and mode of payment;
- iv. Proposed period of sub-lease, date of commencement and what period of notice of termination is to be given;
- v. Who is to be responsible for upkeep and whether this includes such items as painting and any particular maintenance of grounds;
- vi. What furniture and fittings are to be included (attach list if necessary);
- vii. Whether sub-lessor reserves any rights;
- viii. Who is to be responsible for insurance against loss or damage by fire;
- ix. Who is to be responsible for the payment of rates payable to the Local Authority.

3. It is more important that any officer who engages on discussions with an owner of property with a view to a possible sub-lease should not give the impression (whether orally or in writing) that he has agreed, on behalf of Government, to any particular figure for rent or to any other condition.

4. Where living accommodation is required for Government officers or for persons for whose housing the Government is responsible request for accommodation should in all cases be made to the appropriate Housing Board. If no accomodation is available, the Board will notify the Chief Secretary. Should it then be decided that there is need to rent accomodation further action will be taken by the Director of Land and Surveys on the Chief Secretary's instructions.

5. Upon approval in principal to rent any property either for office accomodation or living purposes being given, the Superintendent of Land and Surveys will request the Divisional Engineer to report on the structure and condition of the building. If this report is satisfactory the Superintendent of Land and Surveys will negotiate with the owner the rent and other terms upon which is sub-lease will be granted to Government. Reports and recommendations will then be submitted to the Director of Land and Surveys for transmission to the Chief Secretary for approval. After approval has been received, the Superintendent of Land and Surveys will draw up a suitable sub-lease. After it has been executed and registered, the Registrar of Land and Surveys will retain the original in the Land Registry Office and copies will be distributed as follows:

One to the owner of the property

One to the Accountant-General (through D.L.S.)

One to the Financial Secretary (through D.L.S.)

Two to the Divisional Engineer (one copy to be forwarded to him to the D.P.W.)

One of the Director of Land and Surveys

One to the Head of Department (through D.L.S.) in cases where accommodation other than living accommodation is rented

One to the Housing Board in cases where living accommodation is rented

In all cases stamp duty and fees in connection with the stamping and registration of the sub-lease should be borne by Government.

6. The occupying Department or (in the case of living accommodation) the Housing Board will arrange with the Divisional Engineer and the sub-lessor for the inventory to be checked, the property to be inspected and particulars of its condition recorded and agreed by the sub-lessor before it is actually occupied by the Government tenant. The Divisional Engineer should estimate the cost of and if necessary request funds for maintaining the house in accordance with Government's Commitments under the sub-lease.

7. For such time as the building is rented to Government the Department or Housing Board on whose behalf the building is rented should ensure that normal precautions are taken to see that the building and its contents come to no harm. This may, for example, entail arranging for a watchman while the building is unoccupied for a period. Similarly the occupying Department or Housing Board is responsible that the premises are in proper condition when handed over on termination of the lease. Arrangements should be made with the Divisional Engineer for inventories to be checked, an inspection made and particulars of the condition of the premises recorded and agreed if possible with the sub-lessor.

8. Government Departments or Housing Boards, on whose behalf any property is rented, should note carefully the expiry date of any sub-lease and also the period of notice required to terminate or to renew it. Four months before the expiry date (or, if notice is required by the sub-lease, four months before notice should be given) Head of Departments or Housing Boards should inform the Director of Land and Surveys whether they wish the sub-lease to be renewed or terminated. The Director will then request the Chief Secretary for instructions and when he receives them will be responsible for all further action required including the negotiation of any claim consequent upon the termination of the lease.

9. Secretariat Circulars No. 16/60 and 4/1961 are hereby cancelled.

D.C. WALKER
For Chief Secretary

Kuching.
13th January, 1962.
(6019.)

Translation: SECRETARIAT CIRCULAR No. 2/1962

Penyewaan Aset oleh Kerajaan Negeri

Pengarah Jabatan Tanah dan Survei adalah bertanggungjawab untuk membuat rundingan ke atas kadar sewa dan kandungan perjanjian penyewaan aset yang disewa oleh Kerajaan Negeri. Beliau juga bertindak sebagai pegawai yang diberi kuasa untuk menggunakan peruntukan berpandukan kod yang sesuai di bawah tajuk "Perkhidmatan Lain-Lain" bagi tujuan pembayaran sewa ini. Pembayaran akan dibuat menggunakan "Warrant Jabatan" melalui Jabatan Perbendaharaan berkaitan.

The Director of Land & Surveys is responsible for negotiating the rent and conditions of sub-leases of property rented by government. He is the controlling officer of the appropriate sub-head under "Miscellaneous Services" for the payment of rents. Where rents are paid from department funds a Department Warrant should be issued to him.

2. Mana-mana Ketua Jabatan yang mendapati perlunya untuk menyewa rumah kediaman Kerajaan Negeri, maka mereka hendaklah mendapatkan kelulusan daripada Setiausaha Kerajaan Negeri terlebih dahulu. Salinan memorandum yang dikemukakan untuk mendapatkan kelulusan tersebut hendaklah diajukan juga kepada Penguasa Tanah dan Survei Bahagian di mana ia mengketengahkan cadangan untuk penyewaan premis dan mengandungi beberapa perkara seperti berikut:

- i. Nama dan alamat pemilik premis;
- ii. Keterangan tanah (cth Lokasi, No. Tajuk/Lot, No. Blok/Seksyen, Daerah dan kawasan tanah);
- iii. Cadangan kadar sewa dan mod pembayaran;
- iv. Cadangan tempoh penyewaan, tarikh menghuni dan tarikh penamatan penyewaan;
- v. Pihak bertanggungjawab untuk upkeep dan sama ada ia termasuk kerja-kerja seperti mengecat dan mana-mana kerja penyelenggaraan halaman;
- vi. Perabot dan kelengkapan lain yang disediakan (lampirkan senarai sekiranya perlu)
- vii. Sama ada pemilik premis mengemukakan sebarang hak;
- viii. Pihak yang bertanggungjawab ke atas insurans sekiranya berlaku kerugian dan kerosakan akibat kebakaran;
- ix. Pihak yang bertanggungjawab ke atas "rates Payable" yang dibayar kepada Pihak Berkuasa Tempatan.

2. Any Head of Department finding it necessary to rent accommodation *other than living accomodation* should first request approval in principal from the Chief Secretary. The memorandum requesting approval should be copied to the Director of Land & Surveys and the Superintendent of Land & Surveys of the division in which it is proposed to rent premises and should include the following particulars:

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- vii. Whether sub-lessor reserves any rights;
- viii. Who is to be responsible for insurance against loss or damage by fire;
- ix. Who is to be responsible for the payment of rates payable to the Local Authority.

3. Adalah penting bagi mana-mana pegawai yang terlibat dalam perbincangan dengan pemilik premis di mana kemungkinan perjanjian penyewaan dibuat, hendaklah berhati-hati supaya tidak sebarangan menyatakan kelulusan bagi pihak Kerajaan Negeri (sama ada secara lisan atau bertulis) berkaitan apa jua

3. It is important that any officer who engages on discussions with an owner of property with a view to a possible sub-lease should not give the impression (whether orally or in writing) that he has agreed, on behalf of Government, to any particular figure for rent or to any other condition.

4. Where living accommodation is required for Government officers or for persons for whose housing the Government is responsible request for accommodation should in all cases be made to the appropriate Housing Board. If no accommodation is available, the Board will notify the Chief Secretary. Should it then be decided that there is need to rent accommodation further action will be taken by the Director of Land and Surveys on the Chief Secretary's instructions.

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