# Federal, state and local PLRs that are relevant to the rights of the indigenous people and local communities and documentation of legal status and established forest use rights of the land or forest resources

## (1) Tenure and Use Rights and Responsibilities

(a) Peninsular Malaysia (Perlis, Kedah, Pulau Pinang, Perak, Selangor, Negeri Sembilan, Melaka, Johor, Terengganu, Kelantan and Federal Territories of Kuala Lumpur, Labuan and Putrajaya)

- Concessionaire and/or lease agreements
- Decisions of the Civil Courts
- Entry permits
- Forest harvesting licence
- Land title
- National Land Code 1965
- Records / maps of aboriginal reserves / areas
- Records and maps of recognised customary land area and aboriginal inhabited place
- Records of alienation and use rights
- Records of gazettement of permanent reserved forest (PRF)
- Road permits
- State Forest Enactments
- Use permits

(b) Sabah

- All customary laws / adat recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
- Forest Enactment 1968
- Interpretation (Definition of Native) Ordinance, 1952
- Land Ordinance, 1930 (Sabah Cap. 68)
- Land title

- Long Term Timber Licence Agreement (LTTLA)
- Native Courts Enactment 1992
- Occupation Permit
- Sustainable Forest Management Licence Agreement (SFMLA)

(c) Sarawak

- All customary laws / adat recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
- Forest Timber Licence
- Forests Ordinance, 2015 (Cap. 71)
  - The Forests (Planted Forests) Rules, 1997 (FP)
- Interpretation Ordinance, 2005 (Cap 61)
- Land Code [Cap. 81 (1958 Ed.)]
- Licence for Planted Forests
- Native Courts Ordinance, 1992
  - Native Courts Rules, 1993
- Native Customs (Declaration) Ordinance, 1996 (Cap. 22)

**(2) Indigenous People's Rights**

(a) Peninsular Malaysia (Perlis, Kedah, Pulau Pinang, Perak, Selangor, Negeri Sembilan, Melaka, Johor, Terengganu, Kelantan and Federal Territories of Kuala Lumpur, Labuan and Putrajaya)

- Decisions of the Civil Courts pertaining to legal or customary tenure or use rights
- Maps of Aboriginal Reserve
- Records of aboriginal lands under the Aboriginal Peoples Act 1954
- Records of consultations with the aborigines
- Records/maps of aboriginal areas and aboriginal inhabited places within PRF
- United Nations Declaration on Rights of Indigenous Peoples, 2007

(b) Sabah

- All customary laws / adat recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
- Cultural Heritage (Conservation) Enactment, 1997
- Established Native Customary Rights
- Land Ordinance, 1930 (Sabah Cap. 68)
- Native Courts Enactment 1992
  - Natives Courts (Native Customary Laws) Rules 1995
- Records of consultations with the natives
- Tagal and Sogit systems
- United Nations Declaration on Rights of Indigenous Peoples, 2007

(c) Sarawak

- All customary laws / adat recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
- Forest Timber Licence
- Forests Ordinance, 2015 (Cap. 71)
- Interpretation Ordinance (Cap. 61)
- Land Code [Cap. 81 (1958 Ed.)]
- Native Courts Ordinance, 1992
  - Native Courts Rules, 1993
- Native Customs (Declaration) Ordinance, 1996 (Cap. 22)
- Permanent forest gazette notification
- Records of consultations with the natives
- Sarawak Biodiversity Centre Ordinance, 1997 (Cap. 24) and its regulations
- United Nations Declaration on Rights of Indigenous Peoples, 2007

**(3) Resources or Tenure Rights Indigenous People**

(a) Peninsular Malaysia (Perlis, Kedah, Pulau Pinang, Perak, Selangor, Negeri Sembilan, Melaka, Johor, Terengganu, Kelantan and Federal Territories of Kuala Lumpur, Labuan and Putrajaya)

- List of species / resources used by local / indigenous peoples within the FMU such as identified through the Environmental Impact Assessment (EIA), Social Impact Assessment (SIA) and High Conservation Value (HCV) assessment process
- Preventive and mitigation measures incorporated into forest management plan
- Recognition of resources or tenure rights of aborigines as provided for under the Aboriginal Peoples Act 1954

(b) Sabah

- All customary laws / adat recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
- Land Ordinance, 1930 (Sabah Cap. 68)
- List of species / resources used by indigenous peoples within the FMU such as identified through the Environmental Impact Assessment (EIA), Social Impact Assessment (SIA) and High Conservation Value (HCV) assessment process
- Preventive and mitigation measures incorporated into forest management plan
- *Tagal* and *Sogit* systems

(c) Sarawak

- All customary laws / adat recognised and enforceable by the Native Courts, including relevant decisions of the Civil Courts
- Land Code [Cap. 81 (1958 Ed.)]
- List of species / resources used by indigenous peoples within the FMU such as identified through the Environmental Impact Assessment (EIA), Social Impact Assessment (SIA) and High Conservation Value (HCV) assessment process
- Native Courts Ordinance, 1992

  - Native Courts Rules, 1993
- Native Customs (Declaration) Ordinance, 1996 (Cap. 22)
- Preventive and mitigation measures incorporated into forest management plan
- Recognition of tenure and resource-based rights under established laws