

Vesting of forfeited goods in the Federal Government

119. (1) Where any goods is forfeited under this Act, the goods shall vest in the Federal Government free from any right, interest or encumbrance of any person except a right, interest or encumbrance which is held by a purchaser in good faith for valuable consideration and which is not otherwise null and void under any written law.

(2) Where any person who holds any encumbrance to which the goods is subject claims that he holds the encumbrance as a purchaser in good faith for valuable consideration and that the encumbrance is not otherwise null and void under any written law, and the Federal Government disputes such claim, the Public Prosecutor may apply to the Sessions Court to determine the question and the court shall determine the question after giving an opportunity to be heard to the person holding the encumbrance and hearing the reply of the Public Prosecutor to any representations which may be made before that court by the person holding the encumbrance.

(3) Where any goods is vested in the Federal Government under subsection (1), the vesting shall take effect without any transfer, conveyance, deed or other instrument and where any registration or such vesting is required under any law, the authority empowered to effect the registration shall do so in the name of such public officer, authority, person or body as the Public Prosecutor may specify.

(4) Where the goods vested in the Federal Government under subsection (1) is an immovable goods, the vesting shall, upon production to the Registrar of Titles or the Land Administrator, as the case may be, in Peninsular Malaysia, or to the Registrar of Titles or the Collector of Land Revenue, as the case may be, in Sabah or the Registrar of Titles or the Director of Lands and Surveys, as the case may be, in Sarawak, of the order of the court forfeiting the immovable property, or in the case of property forfeited under section 117, a certificate of the Public Prosecutor certifying that the goods has been forfeited, be registered in the name of the Federal Lands Commissioner.