



Tel : 04-2615669
Fax/Tel : 04-2628664
E-mail : secretariat@penangbar.org
Website : www.penangbar.org

No. 4. Green Hall,
1st Floor,
10200 Penang,
Malaysia.

JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE

CPC 11/20

9 Jun 2020

To Members of the Penang Bar,

Conveyancing Practice Issues related to Penang Land Registry and District Land Offices during Conditional Movement Control Order period

Further to our previous Circular CPC 10/20 where we requested for Members' feedback on issues related to the Penang Land Registry and District Land Offices during the Movement Control Order (MCO) and Conditional Movement Control Order (CMCO) period, the collated issues based on members' feedback were forwarded to the Bar Council Conveyancing Practice Committee for their discussions with the relevant authorities and agencies.

At the same time, in anticipation of the impacts of MCO, the Subcommittee began engaging with the Office of the Director of Lands and Mines Penang (PTG Penang) since 17 Mar 2020 and on a regular basis thereafter, especially when we anticipated new issues or when issues arose from the changes imposed throughout the MCO and CMCO period. Our constant engagement with PTG Penang in providing constructive feedback enabled us to solve and improve some issues (e.g. reversing the restrictive modes of payment and widening of appointment slots (in terms of type of transactions and overall numbers) but regrettably, most issues have not been met with a favourable outcome or remain a work in progress.

Nevertheless, the Subcommittee is committed to overcoming the existing challenges by using all the available channels and resources available to us in order to find workable solutions for the various common issues and hardships faced by members and legal firms.

For members' information, our request for a meeting with PTG Penang, made since early May, was finally agreed to on 1 Jun 2020 but the meeting fixed on 4 Jun 2020 was postponed indefinitely by PTG Penang on 3 Jun 2020 with no specific reason given.

Under the auspices of the Bar Council Conveyancing Practice Committee, we have participated in the Technical Working Group on Registering Property (TWGRP) Online Progress Meeting called by *the Pasukan Petugas Khas Pemudahcara Perniagaan* (PEMUDAH) on 19 May 2020 to discuss, among others, the issues of appointments, transactions and payments at Land Registries and we raised the issues faced in Penang. The second meeting will take place on 9 Jun 2020 and we will follow-up on those issues as well as raise other new issues.

Appointment slots

The main issue faced by legal firms is the inability to obtain any or sufficient appointment slots through the PTG Penang official portal due to the limited slots available during the booking process. The available appointments slots were always filled-up within 10 to 15 minutes after opening for booking and furthermore, we were informed that the portal crashed due to heavy traffic.

Ever since this appointment system was introduced by PTG Penang on 7 May 2020, the Subcommittee had promptly and regularly given its feedback (i.e. on increasing the overall number and having a separate booking channel for title searches) and constructive alternative proposals (i.e. allowing a fixed maximum number of slots per firm per day and allowing title searches by e-mail) to PTG Penang. Some improvements have been seen but the process is still far from satisfactory.

On a separate note, we have been informed that the appointment slots booking form can also be accessed through PTG Penang's Facebook page, as an alternative to the PTG Penang portal when it crashes. Until a new appointment system (if still needed in the near future) is put in place, we seek members' co-operation to not open multiple booking forms (for more slots than actually required) or make multiple bookings for the same transaction in order to increase the chances of success.

Title Searches after Registration

For title searches post-presentation, members are advised that there is a feature in the relevant online booking form that allows immediate title searches for the same title without the need to apply for a separate appointment. This feature is stated as "*Lain-Lain Urusniaga & Bukan Urusniaga*" which must be checked/ticked and filled up with "carian Hakmilik". Members are therefore advised to take note of the availability of this feature and utilise it as it would in turn reduce unnecessary booking of the appointment slots for title searches and reduce the waiting time.

We continue to welcome constructive feedback and we will update members upon receipt of any notifications or information from PTG Penang and other relevant authorities.

Zemilah Mohd Noor
Chairperson
Conveyancing Practice Subcommittee