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JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE

CPC 20/23

4 Aug 2023

To Members of the Penang Bar,

Revocation of the Power of Attorney ("PA")

The Penang Bar's Conveyancing Practice Subcommittee (CPC Subcommittee) Chairman, Ong May Joyce, CPC Subcommittee Members, Trish Ho Tsui Hsia and Yeap Siew Chieng, met with the Deputy Registrar (Administration) of the Penang High Court, Puan Ku Muniyatussaniah binti Ku Yahaya and Senior Assistant Registrar ("SAR") of the Penang High Court, Puan Che Rohana binti Ismail for a discussion on Revocation of the Power of Attorney ("PA") on 17 Jul 2023.

Members are requested to take note of the following matters that were discussed during the said meeting and to the directions given by the Court to facilitate the filing of PA and Receipt and Reassignment ("R&R") for cases where the Original PA is lost and cannot be found:

1. Members are required to furnish a duly affirmed and executed Statutory Declaration ("SD") by the Bank Officer or their clients depending on the case, together with the following points:
 - a) That the Power of Attorney dated (dd/mm/yy) made between (a) and (b) with PA No. has been lost and cannot be found.
 - b) That the loan/facility has been fully settled (to enclose letter from the respective Bank).
 - c) That the Bank has released the Borrower/Customer of their obligation and responsibility.
 - d) That the Bank relinquished their rights and interests over the subject property.
2. Members are required to attach the said SD together with the R&R when filing at the Penang High Court.
3. Court will revoke the PA by affixing "BATALL" stamp on the Court's record book. A photocopy of the same will be attached with the Original Receipt and Reassignment and returned to Members.

The Court further reminded Members of the preferred and correct ways of Filing the PA and R&R:

- a) Members should scan the documents in correct order and sequence
- b) The cover page should always be the first page of the document followed by Stamp, Certificate and contents, this is to ensure that there is an adequate space on the cover page to enable the Court to affix its seal.
- c) Members are not able to make amendments to the PA / R&R once they are filed in E-Filing System ("EFS").
- d) In the event there is any mistake or discrepancies to the PA / R&R, Members are required to revoke the said PA / R&R and to file afresh with the duly amended/rectified PA / R&R.

Members are advised to take note on the information stated above and to e-mail to ecourts.helpdesk@omesti.com or call the Hotline at 03-27331313 for matters related to filing of documents via the EFS. Members are also reminded not to send e-mails to SARs as the system used by SARs is different from Members.

Ong May Joyce
Chairman
Conveyancing Practice Subcommittee