

# CONVEYANCING SUB-COMMITTEE REPORT

**Shahareen Begum Binti Abdul Subhan**  
Chairperson



With the escalation of the Covid-19 virus to a pandemic level and the imposition of movement control orders of varying degrees of stringency, the landscape of the meetings of the Conveyancing Sub-Committee [CSC] metamorphosed from physical to virtual. Our meetings were held once every 2 months, on Saturdays. In addition to these meetings, special meetings were conducted, on one occasion at 8 pm mid-week, to discuss issues that arose between the scheduled meetings.

In the course of this term, the following matters were addressed by CSC:-

1) **The Minutes of Meeting with PTG Johor on 29/12/2019 pending from PTG**

CSC of the previous term met with PTG Johor on 29/12/2019. The minutes of said meeting had been pending from the PTG Johor since then. After much follow up, PTG Johor submitted the draft minutes to CSC. The minutes were handed over to Mr. Lim Eng Siang, as past Chairperson of CSC, for perusal and vetting.

CSC records its appreciation to Mr. Lim as well as the past CSC for their time and effort in finalising the same.

2) **MBJB's Briefing on Registration of Form I Online**

The Johore Bar Committee had been invited to participate in this briefing which involved a demonstration of the online registration process. JBC decided that it was best for CSC to attend said briefing.

Deputy  
Lee Mei Yeng

Members  
Tho Kam Chew  
Norhayati Binti Mohamed  
Evelyn Eng Hui Xian  
Lee Chong Hong  
Zaharah binti Othman  
Jeremy Koh Kok Tong  
Tian Sin Ling

Following the briefing on 07/06/2020, CSC reverted, on 11/06/2020, with its feedback and requested clarification on the following matters:-

- i. current purchaser is required to settle change in ownership registration fees outstanding due to failure to registrar previous ownership changes, not attributable to current purchaser. Non-settlement of the outstanding fees would result in rejection of the current purchaser's registration.

*CSC's suggestion:-*

*MBJB to either verify the particulars of the previous owners and recover the fee in arrears from them or settlement of the fee in arrears be restricted to 1 prior to the current transaction. In the latter proposal, the current vendor would be the defaulting previous purchaser and rightly, ought to be imposed with the liability of its payment.*

- ii. arrears of assessment  
Clarification was sought on the time required for MBBJ to ascertain the arrears involved and to revert with requisite information to the purchaser.
- iii. documents to be uploaded online  
Clarification was sought whether these documents were to be certified true copies, following the current practice for counter registration.
- iv. value of property to be inserted in the space "Harga Pembelian" under the heading "Maklumat Lain" in transactions which did not involve monetary consideration.
- v. whether a corporate bank account could be used to transact.
- vi. the time taken for MBBJ to complete an online registration.
- vii. whether this system will be implemented throughout the State.
- viii. whether the other authorities involved in land matters, were in agreement with the implementation of this system; for all concerned to be on board was important to ensure a standard practice for a smooth and expeditious process involving conveyancing matters.

### 3) **e-Khidmat**

MBJB has launched and implemented e-Khidmat for filing of Form I. However multiple filings are currently not allowed. Manual filing is still possible via the counter where payment can be made by cash, bank draft or credit card with receipts issued instantly. Please note that this service may not be made available yet at other local authorities.

### 4) **Continuing Education**

On 07/08/2020 CSC, jointly with Continuing Professional Development Sub Committee successfully organized the Webinar entitled "PEACE OF MIND THROUGH PLANNING". The speaker was Ms. Carolyn Oh from the Penang Bar.

Another Seminar, dealing with the Strata Management Act, was planned for 27/11/2020 but has been postponed to a date to be confirmed following the implementation of CMCO.

5) **PTG Johor Issues**

By letter dated 16/06/2020, the following issues were raised with and requests made to PTG Johor:-

- i. increasing the number of presentations transacted from 50 to 100 or more daily subject to observance of the standard operating procedures.

***PTG's Reply:-***

***Transaction numbers to be retained at 50 per day to control the number of visitors to PTG.***

- ii. searches together with cheque payments enclosed in self addressed envelopes be submitted to a staff duty at a designated counter or desk. After the search is done, PTG/D returns the search results together with receipt of payment to the legal firm in the self addressed envelope. This would reduce the waiting time and avoid crowding of firms' representatives at PTG/D.

***PTG's Reply:-***

***Drop off searches involving more than 5 titles for transactions not connected to presentation business could be conducted at the counter with effect from 18/06/2020. Depending on the volume of search applications, results will be issued within 7 working days.***

- iii. a process similar to (ii) above be employed for applications for approval of transfer of *tanah kurnia* and foreign citizens shares. PTG/D thereafter to inform legal firms, by email, of the approval and for collection of the same. All notifications from PTG/D can be sent via email.

***PTG's Reply:-***

***Although such applications via drop off had been implemented since 04/05/2020, it could not be continued as a result of problems with incomplete documentation and cash payments.***

- iv. to increase the number of staff on duty at PTG/D after 09/06/2020 since Johor was no longer listed as a red zone.

***PTG's Reply:-***

***All personnel and staff had reported for duty with effect from 31/05/2020.***

- v. PTG/D to open for business on Fridays and Saturdays to clear pending cases.

***PTG's Reply:-***

PTG had opened counters for business on 5<sup>th</sup> and 6<sup>th</sup> June 2020 [Friday & Saturday] and as an alternative to accommodate requests, the PTG presentation counter business hours had been extended to 5.30pm from 17/06/2020 to 23/06/2020. It was stopped thereafter as, from PTG's observation, the number of customers after 4.30 pm was fewer and therefore there was no justification for extension of business hours.

6) **“FAST Track Nil”**

PTG Johor had implemented a “FAST Track Nil” exercise. The objective of this exercise was to enable registered proprietors whose land titles with a category of use and/or express condition respectively endorsed as “TIADA” or “NIL”, to submit the conversion applications to PTG JB by 30/06/2020. Applications submitted before this deadline did not require the services of a licensed surveyor.

As a result of complaints received from members, CSC wrote to PTG Johor, on 22/07/2020, for extension of the deadline to 30/09/2020. I highlighted this issue to fellow panelist, Deputy Director (Management & Development) PTG Johor, Puan Suhailizan Suliman during the *PEMUDAH Webinar Series #9 Movement Control Order (MCO): Measures Taken to Improve Land Registration Service (Series 2)* held on 29/07/2020.

PTG Johor reverted with an extension until 30/08/2020.

7) **Webinar by PEMUDAH**

*PEMUDAH Webinar Series #9 Movement Control Order (MCO): Measures Taken to Improve Land Registration Service (Series 2)* was held on 29/07/2020 to discuss issues related to this service encountered during the MCO, how said issues were addressed and remedied and ways to enhance services of the land authorities moving forward. Deputy Director (Management & Development) PTG Johor, Puan Suhailizan Suliman and I, as Chairman of the Johore Bar, were among the panelists for this webinar. PTG Johor received much praise and acknowledgment for their pro-activeness and efficiency during this period.

8) **Meeting with PTG Johor on 22/02/2021**

Following the issuance of Circular No. 91/20 for members’ feedback on issues faced with the State divisions of land authorities, *Lembaga Hasil Dalam Negeri (Bahagian Duti Setem / CKHT)* and Companies Commission Malaysia, a virtual meeting is scheduled for 22/02/2021 with PTG Johor to discuss the issues received from members. In addition to the feedback, concerns brought to CSC’s or JBC’s attention via email, text messages and verbal communication will be raised at the upcoming meeting.

An earlier year-end meeting scheduled for the 27/12/2020 was rescheduled for 17/02/2021 as the former date was a replacement holiday for Christmas. Unfortunately, as a result of Covid-19 cases at the PTG Johor causing its closure from 11/02/2021 to 18/02/2021, the meeting of 17/02/2021 had to be rescheduled for 22/02/2021.

9) **Meeting with LHDN**

A meeting will be arranged with the Stamp Duty Department, LHDN. In addition to the issues raised by the feedback referred earlier, the matter of the cessation of stamping over the counter with effect from 01/06/2021 requires clarification. All stamping is to be conducted online. This creates problems concerning older documentation without adjudication numbers as these cannot be stamped online.

## Conclusion

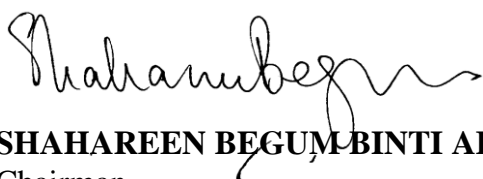
Navigating ourselves during these novel times has been challenging for all. Without the support of my fellow members of this sub-committee, overcoming these challenges and striving towards maintaining normalcy in the business of CSC would have been an impossibility. CSC members answered calls for special meetings, putting aside personal and work commitments, all in the name of getting the job done.

I thank them all, for this support, for the education, the enlightenment, the experience. Their commitment to ensuring the efficiency and productivity of CSC cannot be overstated.

Issues arising during the MCO and thereafter, were addressed and resolved as speedily as the circumstances permitted, thanks to the PTG Johor's corporation and their willingness to engage with the Johore Bar, through CSC, via less formal channels, such as WhatsApp video calls and messages. Video conferences were conducted during the MCO, at times in the late evenings, to address issues which arose.

As always, CSC records its deep gratitude to the staff of the Johore Bar Secretariat, ably led by Pn. Siti Norhafizah binti Mohd Umar for efforts to ensure the smooth running of CSC during the year.

Dated this 21st February 2021.



**SHAHAREEN BEGUM BINTI ABDUL SUBHAN**

Chairman

Conveyancing Sub-Committee 2020/21