



SUB-COMMITTEE REPORT 2023/2024 CONVEYANCING PRACTICE



Chairperson	: Nurul Muhaniza Binti Hanafi
Deputy Chairperson	: Kasmani Binti Baharuddin
Sub-Committees	: 1. Adlina Hasni Dato' Seri Zainal Abidin 2. Sarah Kambali 3. Nor Albina Alleseana Mohd Jaib
Ex-Officio	: Yu Ai Ting

A. OVERVIEW

For the 2025 term, the Conveyancing Practice Committee ("CPC") of the Selangor Bar adopted a proactive approach in strengthening engagement and sustaining collaboration with key agencies and stakeholders integral to conveyancing practice. This includes the Land Offices, Lembaga Hasil Dalam Negeri ("LHDN"), Lembaga Pembiayaan Perumahan Sektor Awam ("LPPSA"), Suruhanjaya Syarikat Malaysia ("SSM"), Jabatan Pendaftaran Negara ("JPN"), Lembaga Perumahan dan Hartanah Negeri Selangor ("LPHS") and the Insolvency Department.

Throughout the term, the CPC continued to act as a conduit between Members and the relevant authorities in addressing practical issues faced by Members and working towards more consistent conveyancing practices across Selangor. The CPC noted that many of the operational and procedural issues previously raised by Members had been addressed through continued engagement with the relevant authorities.

The CPC's focus throughout the term was to encourage clearer and more consistent practices across land offices, to safeguard the integrity of land transactions and to assist Members in carrying out their professional duties with greater efficiency.

B. ENGAGEMENTS WITH LAND OFFICES AND GOVERNMENT AGENCIES

Throughout the term, the CPC conducted several courtesy visits and working meetings with land offices and government agencies. The CPC is pleased to share the following updates with Members on conveyancing practice during the term.



(a) **Meeting with Pejabat Tanah Daerah Hulu Langat**

On 10.04.2025, the CPC paid a courtesy visit to Pejabat Tanah Daerah Hulu Langat, Bangi, Selangor (“PTD HL”) chaired by YBhg. Dato’ Mohd Jusni Bin Hashim, Pegawai Daerah PTD HL. The meeting provided an opportunity to strengthen professional relations and discuss current land-related issues. CPC team was pleased to note that PTD HL had not received any complaints against Members.

(b) **Meeting with Jabatan Pendaftaran Negara, Putrajaya**

On 12.06.2025, the CPC visited JPN Putrajaya, chaired by YBrs. Puan Sarinah Binti Apisah, Timbalan Ketua Pengarah Jabatan Pendaftaran Negara (Operasi). This courtesy meeting was held to further strengthen working relationship with JPN headquarters. Key matters raised included:

(i) **Identity Card (IC) issues**

- Certain Land Officers had rejected photocopies of ICs submitted by Members, requesting “clearer” copies. This issue often arose due to unclear photos or old IC formats, which are beyond Members’ control.
- Some land officers rejected the presentations and instructed Members to apply for a letter of confirmation or verification from JPN when the Land Officers already have access to JPN for IC verification. JPN replied that by right it should not be an issue anymore and it is beyond JPN’s control too if the Land Officers create unnecessary obstacles.
- JPN confirmed that all ICs issued are valid including old formats (hibiscus print or two-fingerprint ICs). JPN is fully aware that there are many Malaysians abroad who have yet to return to Malaysia and update themselves with the latest format of their *MyKad* IC. Some might have dual citizenships and did not bother to apply for *MyKad* IC. However, whether the hibiscus print IC can still be used for transactions is not confirmed as some officers may still insist on the latest format.
- For *carian Alamat terkini*- JPN.KP.13 will be issued. For *carian Cabutan Kad Pengenalan*, JPN.KP.12 will be issued.

**(ii) Family Tree Records & Syariah Matters**

- The meeting also covered obtaining family tree records for syariah purposes, particularly for identifying Muslim beneficiaries entitled to a faraid share of a deceased Muslim's estate. This is relevant where there is no immediate Muslim male heir, and beneficiaries must identify the male heir(s). Failing which, Baitulmal is entitled to a portion of the estate.
- There have been cases where surviving beneficiaries refuse to provide the necessary details, especially in polygamous marriages. Members may write to JPN and the Ketua Pengarah JPN has discretion to approve or consider applications, subject to supporting documents.
- JPN cautions Members not to rely solely on its family tree records for determining faraid shares, as some family members may not hold the standard 12-digit IC (e.g. army or police personnel). There have also been cases where births were not reported to JPN or children were adopted into another family and took on a new surname or identity.
- Generally, family tree records are not accessible to the public. They are only available to enforcement agencies and, in some cases, by court order strictly to Judges. These records are strictly confidential.

(iii) Ex-parte applications for recognition of foreign marriages

Members must exercise caution in ex-parte applications to court for recognition of marriages solemnised abroad. There have been cases where a Malaysian, whose previous marriage has not been dissolved in Malaysia, married a foreigner and obtained an ex-parte order directing JPN to register the foreign marriage. This may constitute bigamy under Malaysian law, which does not recognize such marriages.

(c) Meeting with Lembaga Hasil Dalam Negeri, Cawangan Negeri Selangor

On 21.07.2025, the CPC paid a courtesy visit to YBr. Puan Hamisah Binti Ismail, Pengarah LHDN Cawangan Negeri Selangor, and her officers. The meeting sought to reinforce the professional ties between the Selangor Bar Committee and LHDN. During the meeting, the CPC team was briefed on the following matters:

- (i) The requirement to stamp employment contracts.



- (ii) Implementation of self-assessment e-CKHT, effective 01.01.2025.
- (iii) My e-Invoice and self-assessment e-Stamps, to be implemented on 01.01.2026 for general stamping, security documents, and tenancy/lease (1st Phase).
- (iv) Transfers under the 2nd Phase will be implemented on 01.01.2027, which will no longer require the involvement of Jabatan Penilaian Hartanah (JPPH).
- (v) The 3rd Phase covers matters outside the 1st and 2nd Phase categories.

(d) Meeting with Lembaga Pembiayaan Perumahan Sektor Awam (“LPPSA”)

On 24.07.2025, the CPC team paid a courtesy visit to YBrs. Encik Mohd Farid Bin Dato’ Hj Nawawi, CEO of LPPSA, and his officers. The meeting aimed to maintain a strong professional relationship between Members of the Selangor Bar and LPPSA. During the meeting, the CPC team was informed that:

- (i) LPPSA was pleased to note improvements in the performance of many LPPSA panel lawyers.
- (ii) LPPSA will continue to send e-mail surveys to panel lawyers and expects timely responses.
- (iii) For those who do not respond, the system will automatically send follow-up reminders.

(e) Meeting with Pejabat Tanah & Galian Negeri Selangor

On 29.07.2025, the CPC held a courtesy meeting with YBhg. Dato’ Dr Yusri bin Zakariah, Pengarah, Pejabat Tanah & Galian Negeri Selangor (“PTG Selangor”), and his officers at PTG Selangor, Shah Alam.

During the meeting, the CPC raised several issues faced by Members, including operational challenges and procedural inconsistencies across land offices including:-

Issue #1 : Delays in land transactions

Delay in the issuance of presentation statements and extractions due to prolonged delivery processes faced by lawyers and actions to be taken to resolve the problem. Pengarah PTG Selangor explained the root causes of



delays related to the backlog of document submissions experienced by PTG Selangor. Further, Pengarah PTG Selangor acknowledged a shortage of manpower to handle the volume of work and pending submissions, especially given the high number of daily submissions despite a fixed number of registrars. CPC team was informed that the average presentations to be processed by each registrar is 100-200 presentations in a day. Some of the experienced staff has been transferred out to other departments. CPC team was further informed that PTG Selangor has about 1.5 million titles (for landed) and 800,000 titles (for strata) which is considered high in volume. CPC team was informed that this issue has been escalated to the Director of Land and Mines Department (JKPTG).

Pengarah PTG also informed that with the implementation of e-Tanah system, his officers have to check and verify with the respective Bar Council, Suruhanjaya Syarikat Malaysia (SSM), Lembaga Hasil Dalam Negeri (LHDN).

Issue # 2 : Inconsistency across districts

CPC team informed Pengarah PTG Selangor that despite the implementation of e-Tanah system, there are still inconsistencies across Selangor land districts. For example, Pejabat Tanah Daerah Petaling (PTD Petaling) requires a JPN search. Regarding IC copies, even when lawyers comply by conducting a JPN search as requested, documents are still rejected in Pejabat Tanah Daerah Klang (PTD Klang), citing the need for a statutory declaration from the lawyer confirming they have conducted the JPN search. PTD Petaling also requires a copy of sale and purchase agreement be attached with the statutory declaration in the presentation of the entry of bank's caveat when it is not required and unnecessary.

Issue # 3 : Bank's caveat rejection

CPC team informed Pengarah PTG Selangor that PTD Petaling requires a copy of sale and purchase agreement be attached with the statutory declaration in the presentation of the entry of bank's caveat when it is not required. For entry of bank's caveat, it is sufficient to enclose a copy of bank's letter of offer as supporting document.

Issues # 4 : Rejection of documents signed by Bank's Attorney in Public Auction Cases

CPC team raises issues about rejection of presentations involving bank's attorney in public auction cases, particularly at PTD Petaling which remains unresolved. The previous registered Power of Attorney documents involving master titles at the time of purchase do not include strata unit numbers. Also, in a situation involving auction matter where the Developer does not allow for



a direct transfer, there is a need to perfect the first purchaser's transfer and charge. The Bank's power of attorney would not have stated the strata title particulars as the strata title number was not in existence at that point of time. CPC team seeks special attention from Pengarah PTG Selangor, as this affects numerous perfection of transfer files in PTD Petaling, involving both strata and individual case and still remains unresolved. PTG Selangor will also consult with legal advisors.

Issues # 5 : Pejabat Tanah Daerah Klang

CPC team raises issues that after obtaining a court order for sale, PTD Klang rejected the presentation and requested a writ of summons with affidavit. CPC team of the view that that such requirements are no longer appropriate and should be reviewed.

CPC team also raises issues that a firm presented a transfer and charge at PTD Klang about 10 years ago. The presentation was suspended due to some incomplete documents. The transferee/purchaser now wanted to sell the property and found out that the transfer in his favour and charge in his financier's favour has yet to be registered. Upon investigation, PTD Klang confirmed that the whole document including the original title was lost/misplaced in its custody. It was impossible to obtain a fresh executed Form 14A between the previous transferor /vendor and the transferee/purchaser/chargor. A court order has been obtained, and an amendment to include Form 14A is being sought. This issue would not have arisen had the title not been misplaced. The case remains unresolved, and CPC team seeks Pengarah PTG Selangor serious attention to this matter.

Issue # 6 : Late collection and penalty

CPC team raises issues that Members are being penalized for "late collection" at Petaling District. For example, submission was made on 3.7.2025, but an email for collection and penalty was received later. A late penalty was imposed for not collecting documents on 1.7.2025 when the document was presented on 03.07.2025. Pengarah PTG Selangor replied if the delay was indeed due the land office, the penalty should be waived and verification can be made on where the title was delivered (Petaling District).

Issue # 7 : Emails not received

CPC team raises issues that Members still did not receive emails for collection and being penalized when they received email later than the collection date. Pengarah PTG Selangor replied that details are available in the SmartBox system. Users who do not receive emails can always check their collector settings within the SmartBox system to ensure correct configuration.



Issues facing by PTG Selangor with Members

PTG Selangor also highlighted challenges from Members:

1) Ethical issues

- Unprofessional conduct particularly by runners of legal firms.
- Some Members / runners request land searches without proper details and become aggressive toward PTG Selangor officers
- Young lawyers visiting asking basic questions, or bringing documents for PTG Selangor to review especially for straightforward matters advice. They should have consulted senior lawyers instead of asking the land officers.

2) Fraud Risk

- There is still a high risk of fraud in registration of documents.
- PTG Selangor seeking Members cooperation to curb fraudulent activities as there are cases where identity card photos are not identical to the actual holder of the identity card or in JPN system or the photo in the IC forwarded for presentation is not the latest IC as in JPN system.
- Members are advised to advise their clients to furnish latest IC for presentation purposes.
- CPC team has advised PTG Selangor to insist the lawyers/partners of legal firms to be present at PTG Selangor instead of merely clarifying with runners when there is any form of suspicion by PTG Selangor of fraudulent act;

3) Covering Letters

- PTG Selangor still receives presentations with covering letters from legal firms signed without the authorized names, Bar Council registration number of the lawyers. Usually, these documents are signed by the clerks.
- Members are to ensure that the respective lawyers sign the covering letter and the name of the said lawyers are available in the firm's letterhead for verification purposes.

4) Witnessing Instruments

- Problems arise when the instruments are witnessed by different lawyers whose names did not appear in the presenter firm's covering letterhead. Usually this case happens when outstation legal firm or firm which is not registered with the respective land



office requests a certain legal firm in Selangor to present the documents on their behalf.

- In such situations, Members are advised to enclose a copy of request letter from the said outstation firm requesting the firm to present their documents on their behalf. This would indirectly protect the interest of the said firm in the event there is allegation of fraud.

5) **Typographical Errors and Amendments**

- Whenever there are typo errors in the instruments or any correction or addition to a form/instrument, it must be endorsed with the lawyer's round stamp or firm's round stamp.
- Members are to ensure and affix the round rubber stamp on the said amendments and initial at the respective amendments even though Members have placed their initial and round rubber stamp at the margin of the forms of instrument.
- For Form 14A/Transfer signed by the Directors of a company, Members are not supposed to affix their round rubber stamp since the execution does not require any authentication or witness from lawyers.

In the event there is any amendments, the respective directors of the company are to initial same and it is best to affix the company's round stamp at the said amendments.

(f) **Meeting with Pejabat Tanah Daerah Gombak**

On 01.08.2025, the CPC team held a courtesy meeting with YBr. Pn Khairul Aizawati binti Khalid, Ketua Penolong Pengawai Daerah, Bahagian Pengurusan Tanah, Pejabat Tanah Daerah Gombak ("PTD Gombak"), and her officers. During the meeting:

- (i) The CPC team commended the Consent Department of PTD Gombak for efficiently processing letters of consent within 8 days of receipt, provided that supporting documents are complete.
- (ii) PTD Gombak informed that, in cases involving the presentation of transfers, Presentation Statements are typically processed within 24 hours and Members can collect the documents within 7–10 working days from the date of presentation.



- (iii) PTD Gombak also highlighted that there are still certain fraud cases involving specific properties that require vigilance.

(g) Meeting with Pejabat Tanah Daerah Sepang

On 14.08.2025, the CPC team paid a courtesy visit to YBrs. Yusaimi Bin Mohd Yusof, Ketua Penolong Pengawai Daerah, Pejabat Tanah Daerah Sepang (“PTD Sepang”), and his officers. Key points discussed:

- (i) No significant issues were reported with Members, except in certain consent applications. Some Members submitted statutory declarations for the transfer of property involving a deceased person **prior to the affirmation date**. PTD Sepang would suspend or reject such applications. The CPC team requested that PTD Sepang alert CPC on such cases, as they constitute a serious offence tantamount to fraud.
- (ii) PTD Sepang also informed that its counter for attestation of instruments relating to Malay reserved land operates Monday to Friday until 3:00 pm.

(h) The Selangor Conveyancing Practitioners Forum & Hi-Tea

For the first time, the CPC organized “The Selangor Conveyancing Practitioners’ Forum and Hi-Tea” at Geno Hotel, Taman Subang Mas, Subang Jaya, Selangor on 24.11.2025. The one-day forum, held from 8:00 am to 6:30 pm, was officiated by YABhg. Tun Tengku Maimun Tuan Mat, former Chief Justice of Malaya, who delivered the keynote address.

Officers from all relevant parties, including Land Offices, LHDN, LPPSA, SSM, the Insolvency Department, Jabatan Pendaftaran Negara, and LPHS, were invited to attend the forum.

Topics covered by distinguished speakers included:

- *"Common Errors in Presentations - Handling Rejections and Queries" by Land Officers from PTG Selangor*
- *"Enforcement of Syariah Orders Under the National Land Code" by Yang Amat Arif Puan Nenny Shuhaidah Binti Shamsuddin, Ketua Hakim Syarie Negeri Selangor*
- *"How HIMS and e-SPA Will Be a Game Changer in Addressing Housing Delivery in Malaysia" by YBhg. Dato' N. Jayaseelan, Ketua Pengarah, Jabatan Perumahan Negara*
- *"Standardisation of Land Office Practices and Procedures" by Tn Jaiya*



Bin Abu, Pengarah Bahagian Pengurusan Perundangan, Jabatan Ketua Pengarah Tanah dan Galian Persekutuan (JKPTG)

- *"STS CKHT and e-CKHT" and "Pelaksanaan e-Invois di Malaysia - Mekanisme dan Manfaat kepada Rakyat" by LHDN Officers, Cyberjaya*
- *"Recent Developments of Ad Valorem Stamp Duty for Novation, Sale and Purchase Agreements, and Real Property Gains Tax vs Income Tax for Conveyancing" by Mr Nicholas Chang Chen & Seng, Partner, Messrs Amir, Lim & Partners*

The annual Hi-Tea event was incorporated into the forum, providing Members and officers with an opportunity to mingle, exchange ideas, and strengthen professional relationships.

The forum was very well attended and generated strong engagement between the Members and speakers throughout the sessions, reflecting the relevance and practical value of the topics discussed. The positive feedback received from Members and participating agencies underscored the effectiveness of the forum. Overall, the event was a resounding success and set a strong benchmark for future initiatives by the CPC.

C. CONCLUSION

I wish to place on record that the CPC team had successfully secured appointment dates for meetings with Pejabat Tanah & Galian Wilayah Persekutuan Kuala Lumpur and Pejabat Tanah & Daerah Klang in 2025. Regrettably, these meetings had to be postponed at the last minute due to unforeseen circumstances on the part of the respective authorities.

The CPC team remains fully committed to identifying and resolving issues faced by Members in conveyancing practice, working closely with the relevant agencies to promote consistency, efficiency, and fairness. Our aim has always been to strengthen communication and relationships across all stakeholders so that Members can carry out their professional duties with confidence and clarity.

As Chairperson of the CPC, I would like to sincerely thank all Members of the Conveyancing Practice Committee for their dedication, hard work, and unwavering support throughout the year. My heartfelt appreciation also goes to the officers of the Selangor land offices and all other key agencies, whose cooperation, patience, and professionalism have been invaluable.

Finally, I wish to convey my deepest gratitude to the Selangor Bar Secretariat. Their unwavering support, guidance, and readiness to assist at every stage have been



invaluable in enabling the Committee to function smoothly and effectively. It is through their dedication and collaborative spirit that the CPC is able to carry out its responsibilities, serve its Members diligently, and contribute meaningfully to the wider legal community.

Sincerely,

NURUL MUHANIZA BINTI HANAFI

Chairperson

Conveyancing Practice Sub-Committee