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**Circular No 327/2020
Dated 2 Oct 2020**

To Members of the Malaysian Bar

Meeting between PEMUDAH TWGRP and PTG Selangor

We refer to [Circular No 270/2020](#), entitled “Request for Feedback on Smartbox System at PTG Selangor”, dated 21 Aug 2020.

On 23 Sept 2020, the PEMUDAH Technical Working Group on Registering Property (“TWGRP”) and Pejabat Tanah dan Galian Selangor (“PTG Selangor”) held a meeting. The Bar Council Conveyancing Practice Committee (“CPC”) was represented by its members who are part of the PEMUDAH TWGRP. The Selangor Bar’s Subcommittee on Conveyancing, SRE and Non-Contentious Matters were also present at the meeting.

The following issues were raised and discussed, including those based on feedback by Members, as requested in [Circular No 270/2020](#):

(1) National Land Code 1965

- (1.1) CPC raised the issue of whether the Smartbox system complied with section 292 of the National Land Code 1965 (“NLC”)
- (1.2) PTG Selangor acknowledged CPC’s concerns and said that the state legal advisor would have to relook at the matter to ensure that the Smartbox system complies with the NLC.

(2) Delays in Obtaining Presentation Statement and Search Results

- (2.1) CPC raised its concerns at the delays involving transactions with PTG Selangor, in general.
- (2.2) PTG Selangor informed that they are working to speed up the processes involved, including the following:
 - (a) issuance of presentation receipts within 24 hours of dropping documents into the Smartbox; and
 - (b) collection of documents (please refer to [Circular No 314/2020](#))

(3) Issue of Competing Interests

- (3.1) Since presentation statements are issued only after the documents are put into the Smartbox, CPC enquired about the order in which these documents are registered. This is particularly important where transaction documents, such as private caveat, against the same title claiming competing interests, are submitted.

- (3.2) PTG Selangor replied that envelopes will be opened according to the time these are deposited into the Smartbox.

(4) General Issues

- (4.1) CPC and other members of the TWGRP raised the following general issues:

- (a) technical issues with the Smartbox platform, with regard to checking the status of presentation;
- (b) calls and emails not being attended to;
- (c) sufficient number of Smartboxes;
- (d) contingency plan if there is a problem with the Smartbox; and
- (e) number of documents scanned do not tally with the documents received by PTG Selangor on opening the envelopes.

- (4.2) PTG Selangor replied that they are working on continuously improving the system. They will look into the issues raised and make adjustments and improvements as needed.

(5) Other Matters

- (5.1) PTG Selangor informed us that given the standard operating procedures recommended by the Ministry of Health, the Smartbox system will stay in use for the foreseeable future. This is particularly since the building where PTG Selangor is located is shared with other Government agencies.
- (5.2) With the increase in numbers of visitors to PTG Selangor's collection counter, PTG Selangor is working on a self-collection system, which might be in the form of a locker / box that can only be opened by a particular firm with a PIN number.

Thank you.

Nitin Kumar Gordhan and Chiah Kim Chai
Co-Chairpersons
Conveyancing Practice Committee