

JUDICIAL DEPARTMENT, FEDERATION OF MALAYA

REGISTRAR'S CIRCULAR NO: 3 OF 1959

Registration of Powers of Attorney

It has been noticed that there are cases in which Powers of Attorney have not been registered as promptly as they should have been. From a perusal of the Powers of Attorney Ordinance No.64 of 1949 it should be clear that failure to register promptly a Power of Attorney or any subsequent revocation or other determination thereof may affect the interests of the parties to the document. It is therefore imperative that you should warn yourself in this regard and ensure that every Power of Attorney or subsequent revocation or other determination thereof is registered expeditiously.

2. Your attention is also drawn to the provisions of section 13(1) of the Powers of Attorney Ordinance No.64 of 1949 which require the verified copies of the entries made in your Register to be transmitted to this Registry forthwith; it should be noted that "forthwith" in this context must normally be understood to mean "by the next post". Therefore, every Notification on form Courts 78 of the deposit of a Power of Attorney and every Notification of the deposit of a revocation or other determination of a Power of Attorney should be forwarded in strict compliance with the aforesaid statutory provisions. Any tendency to register in batches Powers of Attorney or revocations received over a certain period and to forward to this Registry the required Notifications similarly in batches should be checked forthwith.

3. There are likely to be cases in which Powers of Attorney or revocations received for registration are not in the first instance accompanied by sufficient fees. In such cases the documents and the fees forwarded therewith should be immediately handed to the Chief Clerk or other officer having custody of the keys of the safe who will then keep the documents and the fees in the safe till the officer in charge of registration of Powers of Attorney has collected the correct fees. There should, of course, be no delay in calling for the correct fees.

*S.S. Gill*  
(S.S. GILL)  
Registrar

The Federal Registry,  
Supreme Court,  
Federation of Malaya,  
Kuala Lumpur.

17th December, 1959.  
Ref: RSC 39/54 (38) & RSC.44/50-Pt.2(97).

To  
All Senior Assistant Registrars, Supreme Court.