



The Opening of **LEGAL YEAR** **2013**

14TH MARCH 2013
2 JAMADILAWAL 1434H



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2 Jamadilawal 1434H | 14 March 2013



Kebawah Duli Yang Maha Mulia Paduka Seri Baginda
Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum
Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien,
Sultan and Yang Di-Pertuan of Brunei Darussalam

**EXCERPTS FROM HIS
MAJESTY'S TITAH**

“Sesungguhnya adalah harapan Beta supaya pada suatu ketika nanti semua pegawai-pegawai dan kakitangan kehakiman kita akan kesemuanya terdiri dari rakyat Beta iaitu sepertimana juga kedudukan Jabatan Undang-Undang sekarang. Tetapi yang penting sekali ialah memelihara kedudukan Kehakiman yang adil dan saksama. Ke arah itu Beta menggesa rakyat Beta khususnya mereka yang masih berada di bangku sekolah dan institusi-institusi pengajian tinggi untuk juga memilih mata pelajaran-mata pelajaran undang-undang supaya pada satu ketika nanti mereka dapat memainkan peranan yang penting di dalam pentadbiran kehakiman dan kepeguaman baik di sektor Kerajaan mahu pun di sektor swasta.”

Petikan Titah Kebawah Duli Yang Maha Mulia Paduka Seri Baginda Sultan Hassanal Bolkiah Mu'izzaddin Waddaulah, Sultan dan Yang Di-Pertuan Negara Brunei Darussalam sempena Istiadat Pembukaan Rasmi Bangunan Baru Mahkamah Besar Negara Brunei Darussalam pada 15hb Mac 1984.

“Although it is my hope that one day all our judicial officers and staff would be from my subjects as can be found in the Legal Department now, but the most important factor is the maintenance of the status of a just and impartial judiciary. Towards this end I call upon my subjects especially those who are still in schools and institutes of higher learning to choose law as a subject which they should pursue so that in future they would be able to play an important role in the administration of justice and laws either in the public sector or the private sector.”

Titah of His Majesty Sultan Hassanal Bolkiah Mu'izzaddin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam at the Official Opening of the New Supreme Court Building of Brunei Darussalam on 15th March, 1984.



MISSION STATEMENT



Mission

“Administration of Justice”

Objective

“Upholding the Rule of Law”

Goals

“Securing Justice”

“Enhancing Access to Justice”

“Preserving Public Trust and Confidence”

Values

“Taqwa”

“Independence”

“Accountability”

“Timeliness”

“Accessibility”

“Equality and Fairness”

“Integrity”

Principles

“To faithfully discharge judicial duties”

“To do right to all manner of people after the Laws and Usage of Brunei Darussalam without fear or favour, affection or ill will to the best of their ability”

“To be faithful and bear true allegiance to Brunei Darussalam”



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Foreword

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
اسلام علیکم ورحمة الله وبرکاته

Once again, I welcome you all to the Opening Ceremony marking the start of a new Legal Year 2013. As we have done in the past, this occasion provides us with an opportunity to reflect on the past year's achievements and renew our commitment to continuously strive to improve the quality of services in every aspect of the court system towards judicial excellence.

As more and more new legislations come into force, the judiciary remains committed to meeting the challenges brought about by such legislations through continuous training and career development programmes for our officers and court personnel.

Last year a significant review was made to the Bankruptcy Act. This review of the 1960s legislation led to amendments being passed with the view of promoting balance and safeguards to the rights of both the creditors and debtors amongst others. I trust that by now all practitioners are aware of these amendments especially in respect of filing new bankruptcy actions.

One of our proudest accomplishments from the start of 2013 is the set up of the Small Claims Tribunal which effectively began its operation in January 2013. With the set up of the Small Claims Tribunal, an alternative dispute resolution is now made available to the public without having to resort to formal court proceedings.

2013 will be an exciting year for the Brunei Judiciary. Work has begun towards the setting up of the long awaited Judicial Case Management System as well as the Technology Court. Both these projects are part of the Judiciary's ongoing effort in improving our judicial services to the public, legal practitioners and government bodies. We hope and it is our goal that these services would be made available within the next 24 months.

Finally, with our deepest feeling of sorrow, we acknowledge the passing of our former Chief Justice, the late Honourable Dato Seri Paduka Mohammed Saied on the 1st day of February 2013. He will be remembered for his leadership and invaluable contribution to the Judiciary. He will be greatly missed.

My appreciation goes to the officers and staff of the Judiciary who continue to provide their valuable support and dedication. The success of this year's Legal Year ceremony is a tribute to the tireless effort of our judicial officers and staff.

I would also like to express my sincere appreciation and gratitude to the members of the organizing committees as well as to the officers and personnel of the various government departments that helped to make today's event a success.

I thank you all for your presence today and wish you all a successful and prosperous year ahead.

PENGIRAN ROSTAINA BINTI PENGIRAN HAJI DURAMAN
Chief Registrar Supreme Court
(Chairperson of the Organising Committee)



**THE HON. CHIEF JUSTICE'S
SPEECH DURING THE OPENING OF
THE LEGAL YEAR 2012**



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
اسلام علیکم ورحمة الله وبرکاته

Your Royal Highness Paduka Seri Pengiran Anak Puteri Hajah Muta-Wakkilah Hayatul Bolkia, The Honourable Attorney General, The Honourable Chief Syarie Judge, President of Brunei Darussalam's Law Society, Members of the Bar, Distinguished Guests, Ladies and Gentlemen. We are honoured also to have amongst us the presence of Mr Foo Chee Hock, Registrar of the Singapore Supreme Court during today's Opening of our Legal Year, good morning and welcome.

Welcome to the Year of the Dragon 2012. With Allah's Blessing, I hope this New Year 2012 will be a more happy, peaceful, prosperous and exciting New Year.

1. STATISTICS

High Court and Intermediate Court Statistics

The criminal cases heard in the High Court, the Court dealt with 12 cases in 2011 as against 28 in 2010, and 127 civil cases were filed in the High Court in 2011 as against 68 in the previous year.

Civil appeals from the High Court and Intermediate Court to the Court of Appeal in 2011 numbered 20, that being 4 MORE than in 2010; and criminal appeals to the Court of Appeal in 2011 were 8 in number, this being 15 LESS than in 2010.

With regards to Bankruptcy matters, 629 Notices were received during 2011, that being 122 LESS than in 2010; 489 Receiving Orders were made in 2011, that is 291 MORE than in 2010; and 48 Adjudication Orders were made in 2011, that being 12 MORE than the previous year.

Chamber hearings before the Senior Registrars and Registrars decreased by 46 from 278 in 2010 to 232 in 2011.

There are 3 capital cases before the High Court awaiting trial, which are of drug trafficking cases. Trial dates have been given for the 3 cases.

Lastly, the total revenue collected during 2011 amounted to B\$6,301,156.26 as compared to B\$6,063,344.31 during 2010.

The Intermediate Court had 190 civil matters registered in 2011, this being 76 MORE than in 2010; and 38 criminal matters were registered in 2011, that being 21 MORE than in 2010.

The Subordinate Court's Statistics

- Criminal Cases

In the Magistrate's Court for 2011 for criminal cases, 2608 cases were registered in Bandar Seri Begawan, 800 cases LESS than that in 2010, 341 cases were registered in Kuala Belait, 299 cases LESS than in 2010, 432 cases were registered in Tutong, 286 MORE than in 2010 and 13 cases were registered in Temburong, 3 cases LESS than in 2010.

- Civil Cases

The figures for civil cases registered in the Magistracies were as follows: in Bandar Seri Begawan, 1400 suits were registered in 2011 as against 1641 filed in 2010, in Kuala Belait, 287 suits were registered as against 327 filed in 2010, in Tutong, 284 suits were registered as against 250 filed in 2010 and in Temburong, no civil matters were registered.

- Appeals

There were 39 criminal appeals from the Magistrate's Court and 6 civil appeals from the Magistrate's Court in 2011.

- Juvenile court

The statistics of the newly established Juvenile Court are as follows. In 2011, 20 cases were registered in Bandar Seri Begawan, as against 11 registered in 2010, 1 case was registered in Kuala Belait, as against 0 in 2010, 0 cases were registered in Tutong for both 2011 and 2010 and 0 cases were registered in Temburong for both 2011 and 2010.

- Inquests

Figures for Inquests heard in Bandar Seri Begawan were 23 in 2011 as against 35 in 2010, in Tutong Court, 12 were heard in 2011 as against 0 in 2010, 0 heard in Kuala Belait court for both 2010 and 2011 and 0 heard in Temburong Court for both 2010 and 2011.

- Applications made under the Lunacy Act 1992

Figures for applications made under the Lunacy Act 1992 in Bandar Seri Begawan court were 58 in 2011 and 32 in 2010, in Kuala Belait court, 13 in 2011 and 9 in 2010, 0 in Tutong Court for both 2010 and 2011 and 0 in Temburong Court for both 2010 and 2011.

- Statutory Declarations

The number of Statutory Declarations filed in Bandar Seri Begawan Court were 16,996 in 2011 as against 16,966 in 2010, in Kuala Belait Court, 3497 in 2011 as against 2575 in 2010, in Tutong Court for both 1156 were filed in 2011 as against 1058 in 2010 and in Temburong Court, 218 were filed in 2011 as against 208 in 2010.

2. OVERVIEW OF THE SUBORDINATE COURT

The Subordinate Courts as constituted by the Subordinate Courts Act Cap 6, is made up of the Magistrate's Court and the Juvenile Court. I prefer to focus on the Subordinate Courts, in particular, the Magistrates' Courts because the courts deal with majority of members of the public who have matters before the court.

The Chief Magistrate leads the Subordinate Courts in the administration of justice.

There are currently 6 Magistrates serving the whole country with 2 designated Magistrates holding concurrent appointments as resident Kuala Belait and Tutong Court Magistrates. A Magistrate on rotation travels to Temburong once a month to deal with administration matters and preside over cases.

Apart from dealing with criminal cases and civil cases in court, the Magistrates' duties include dealing with probate matters as Deputy Probate Officers (in Kuala Belait and Tutong Court only), marriage matters as Registrar of Marriages (in Kuala Belait Court only), witnessing signing of documents as Notary Public, dealing with cases of the Juvenile Court, hearing of inquests and an appointment as Coroner.

The Bandar Seri Begawan Magistrates are supported by an administration team of 41 in total which include 4 Civil clerks, 3 Criminal clerks and 4 Registrars of the Subordinate Courts. The Juvenile Court is supported by the services of 1 designated Civil clerk.

The duty of the Registrars of the Subordinate Courts include signing of Statutory Declarations, signing of Certified True Copies, signing of affidavits and witnessing of Employment Contracts.

A Registrar and Deputy Registrar are permanently based in Kuala Belait court whilst a Deputy Registrar is permanently based in Tutong court. A Registrar of the Bandar Seri Begawan court travels to Temburong court once a week to deal with signing of documents.

The Kuala Belait court is manned by an administration team of 20, Tutong court by an administration team of 5 and Temburong court, by an administration team of 2.

Last but not least, the Magistrates are assisted in the courtrooms by a team of 17 Interpreters at Bandar Seri Begawan court and 2 Interpreters who assist in both Kuala Belait and Tutong court. Of the 17 Interpreters, 11 hold permanent positions whilst 6 are On-Call Interpreters. These Interpreters are also mandated to service the Intermediate Court, High Court and Court of Appeal proceedings, in court as well as in Chamber Hearings.

Besides interpreting in trials and mentions which is usually a very difficult job, the Interpreters also provide much needed support to all administrative functions of the Subordinate Court in order to ensure smooth running of day to day operations.

On 28th January 2012, the Tutong District Fire Department presented a briefing on Fire Prevention and conducted a Fire Extinguishing Demonstration upon the invitation of the Tutong Magistrates' Court.

Following the briefing, an action plan has been put in place by the Tutong Court administration to request an inspection of the very old Tutong courthouse by both the Tutong Fire Department and Department of Electrical Services, in order to ensure compliance with international standard fire safety precautions as well as ensure proper wiring of the building is maintained. I have been informed that a new court building will be built in the near future to replace this old building.

3. SMALL CLAIMS TRIBUNAL

In the Opening of the Legal Year Speech of 2005, the Honourable Chief Justice then, Dato Seri Paduka Mohammed Saied, had mentioned his hopes of seeing the setting up of the Small Claims Court with the move of the Magistrates' Court to its current location. With the recent passing of the Consumer Protection (Fair Trading) Order 2011 which refers parties in a dispute to the jurisdiction of the Small Claims Tribunal, it is believed that we are not far off from witnessing the realization of this long awaited legal advancement. Indeed, the judicial officers are actively preparing for the enforcement of the Small Claims Tribunal Order 2006, having undergone training in mediation as well as conducting extensive study and research into the framework and set up of the Small Claims Tribunal of our neighbour, Singapore.

The Small Claims Tribunal can hear and determine, in general, claims relating to disputes arising from any contract for sale of goods or the provision of services and any claim in tort in respect of damage caused to any property. The jurisdiction of the tribunal does not extend to a claim which exceeds \$10,000.

There is much cause for excitement and anticipation in this regard as the establishment of the Small Claims Tribunal will mean that claimants will have the option of filing their claims in a less expensive and time-efficient forum compared to that of the civil litigation process in the Magistrates' Court.

4. JUDGE ADVOCATES AT COURTS-MARTIAL

I feel that it is also worth mentioning the little known fact of the role of judicial officers in the Royal Brunei Armed Forces Court Martial. In 2006, a number of judicial officers were appointed as Judge Advocates by the Judge Advocate General of the Royal Brunei Armed Forces Court Martial by virtue of s.124(3)(b) of the Royal Brunei Armed Forces Act, Cap.149, which provides for the appointment of persons having judicial or legal experience as may from time to time, be required to act as Judge Advocates at Courts-Martial.

Since the appointments in 2006, 1 case has been heard and concluded in 2007. I can confirm that our judicial officers are ready and prepared to report for duty as Judge Advocates whenever required and look forward to building up their expertise in this field.

5. MANAGEMENT OF THE COURTS/CASE MANAGEMENT

I have mentioned last year that manpower resources within the Judiciary are limited. Despite this fact, however, Judicial Officers as well as administration staff work tirelessly and unconditionally to ensure efficient provision of services to the public.

As one of the Judiciary goals is to ensure accessibility to justice, the appointment of more Judicial Officers and recruitment of more administration staff would significantly contribute to this process.

With the imminent establishment of the Small Claims Tribunal, recruitment of more administration staff and judicial officers has become all the more vital.

To this end, the urgent assistance and cooperation of the relevant authorities is required in the efforts to secure the mentioned appointments and recruitment.

I think one of the basic requirements for good and effective management of the courts and/or management of the cases is to have adequate, well-trained and dedicated manpower.

We should continue to work hard and smart to run the courts so that we could dispense justice properly. There must be a continuous training of judicial officers and staff. We should also continue to make sure we have modern court building with proper facilities. Currently, there is still no refreshment area provided for court users. I have already mentioned this before. It is proposed that such an area be created as to allow court users who may have to spend long hours in the building waiting to give evidence and accompany friends and family a venue of which they can purchase food and drinks throughout the day.

We shall continue to improve our Court and Case Management System. In this regard, we have realized the shortcomings with our current Case Management System. The way forward is to invest into technology as has been done in other jurisdictions among our ASEAN counterparts.

The Chief Registrar, in her paper on 'Case Management in Brunei Darussalam' which she delivered in the ASEAN Law Association General Assembly Meeting in Bali last February this year, mentioned that we would be embarking on our Electronic Case Management System (ECMS) that, hopefully, will streamline procedures, searches, improve services and efficiency by switching from conventional paper process to electronic workflow format. The project is being coordinated by the State Judiciary Department in collaboration with the E-Government National Centre (EGNC) and Information Technology Centre.

This system will facilitate the management of cases by the usage of emerging technologies to enhance the efficiency of the workflow processes and the administration of justice in its various aspects, namely timeliness of justice and the quality of justice. Besides other abilities, the system will be able to do matter such as:

- Identify inactive cases and prompt the user regarding appropriate action.
- Generate documents (e.g. Summons – triggered by specific events).
- Distribute documents electronically.
- Track document served, returned or serviced.
- Create and maintain Judges' notes for Judges viewing only.

As part of our continuing evolutionary process, we would also be embarking on setting up our Technology Courts with the ability for video conferencing. The benefits are:

- Defendants in remand can appear for their mentions remotely from the prisons when their cases are mentioned.
- Hearing testimonies from witnesses who are unable to attend court, e.g. witnesses from outside the country.
- Processing bail applications from chambers for defendants who are offered bail and are remanded in the prison within court premises.
- Vulnerable witnesses can opt to give evidence remotely so as to lessen the trauma of having to physically face the offender in court.
- Conducting interactive dialogues with foreign judiciaries to exchange views and knowledge and keep abreast with the developments of other jurisdictions.

The Chief Registrar took note of the challenges that we would be facing such as:

- Budget/Limited Resources
- Know how/Lack of qualified human resources
- Slow recruitment
- Changing of mindsets of users such as judicial officers, staff, practitioners and others.

CONCLUSION

I am grateful to the Chief Registrar and the officers and staff of the Judiciary for the preparations they have made for this ceremony.

My thanks also go to the Commissioner of Police and the Royal Brunei Police Force for the guard of honour which I was privileged to inspect this morning.

I should not forget the Prisons Department for their assistance in holding the prisoners awaiting plea and trial, in safe custody.

I should also not forget the State Judiciary Department and the Prime Minister's Office for their continuous support and cooperation in making sure the courts are managed properly.

Finally, on behalf of the Judiciary I must express my appreciation to all of you who have found time to attend this annual occasion. I think it signifies that there remains a deep interest in our judicial system which I believe has served Brunei Darussalam well and will continue to do so in the future.

I shall now call upon the Honourable Attorney General to address this gathering, and she will be followed by the President of the Law Society.

At the conclusion of all the speeches and thanksgiving prayers, would you please proceed to the ground floor for refreshments.

DATO SERI PADUKA HAJI KIFRAWI BIN DATO PADUKA HAJI KIFLI
Chief Justice of Brunei Darussalam



**THE HON. ATTORNEY GENERAL'S
SPEECH DURING THE OPENING OF
THE LEGAL YEAR 2012**



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
اسلام علیکم ورحمة الله وبرکاته

Good Morning

Your Royal Highness Princess Hajah Muta-Wakkilah Hayatul Bolkihah binti Kebawah Duli Yang Maha Mulia Paduka Seri Baginda Sultan Haji Hassanal Bolkihah Mu'izzaddin Waddaulah, My Lord Honourable Chief Justice, Yang Amat Arif Chief Syarie Judge, Honourable Judges, President of the Brunei Darussalam Law Society, Members of the Bar, Distinguished Guests, Ladies and Gentlemen.

Introduction

My Lord

2. Alhamdulillah, with the blessings of Allah Subhanahu Wata'ala we are able to be present here this morning. I am grateful to my Lord for according me another privilege to address this ceremonial Opening of the Legal Year 2012, in my capacity as the Attorney General.
3. Indeed, the year 2011 proved to be another eventful and at times, challenging year for Chambers. I am grateful and proud of my officers and staff for their commitment, integrity, perseverance and unity towards our combined efforts to provide the services entrusted upon us and not deterred by the many challenges that confronted them. We are most encouraged by those Ministries/Departments who never fails to extend their appreciation to Chambers when a task is completed especially those requested on very short notice. As most management Gurus would gladly tell us, recognition is a true motivation! On the other hand, we also appreciate feedbacks on our shortcomings and will do our best to improve.

Congratulation and Acknowledgment

4. The year 2011 also saw the retirement of two of our very senior officers,

Assistant Solicitor General, Yang Mulia Pengiran Hajah Zabaidah binti Pengiran Haji Kamaludin, on 19 Jun 2011 and the Solicitor General, Datin Paduka Magdalene Chong, on 27 December 2011. Both officers had served in the AGC for more than 30 years. We wish to record our appreciation to both for their long and invaluable contribution and

wish them both a Happy Retirement from Chambers. However, we are confident that they will continue to serve the country in one capacity or another and we wish them well in their future endeavours. On the other hand, we also appreciate feedbacks on our shortcomings and will do our best to improve.

5. Further, 2011 saw the promotion and transfer of another very senior officer, Puan Naimah binti Mohd Ali, Assistant Solicitor General as Deputy Permanent Secretary (Law and Welfare), Prime Minister's Office. We wish her all the best and hope that her appointment will enhance the existing good understanding and co-operation between Chambers and the Prime Minister's Office.
6. Alas – like other organisation, 2011 also witnessed a few more transfers/resignations of our officers. With measured pride, Chambers is indeed proud to produce a marketable and highly demanded pool of officers although it inevitably poses a continuous challenge to Chambers Succession Planning and our effort to meet the ever increasing demand and expectation on us. Nevertheless, we have to move on, undergo necessary organisational changes when we have to and continue to strive to deliver the legal services expected of us, be it, for drafting, revising and reform of legislation, litigation, criminal prosecution and providing legal advice, as the core business. The increase of demand and complexity is not matched with corresponding increase in manpower. On a positive note, however, we are fortunate in the last year to have been able to recruit two excellent young graduates and one promising officer from MINDEF. We will enhance our recruitment efforts. In fact, we have been offering law students short attachments in our Chambers in the hope that some (if not all) will join us to serve our beloved Country after obtaining their Bar qualifications.
7. On this annual August gathering, we in Chambers wish to renew our pledge, as an important arm in the administration of justice to assure the Bench our fullest support and co-operation in your tasks of administering justice and upholding the Rule of Law, to assist the Bench to apply the law impartially and to conduct a fair and impartial hearing, which means allowing both sides the right to speak and be heard. Justice is in the process as much as in the decision of the judge. To borrow the words of the Honourable Chief Justice Chan Sek Keong of Singapore during the opening of the Legal Year 2009 “everytime a judge steps into the courtroom, he is reminded by its aura and presence of counsel in their robes that he is there to render justice and for no other reason”. The Honourable C.J further remarked “The road to justice is paved with mutual respect and courtesy, not only between members of the Bar, but also between the bench and the Bar”. We are confident that under My Lord's wise leadership as Chief Justice, such strong foundation will remain present in the courts of Brunei Darussalam.

Initiatives by Chambers

8. This year I would like to highlight two important initiatives. They are Information Communication Technology (ICT) and human Intellectual Capital. My Lord has also mentioned these two crucial matters in relation to the Judiciary. I fully concur that use of ICT can improve work processes and operation efficiency. An innovative information management system will definitely improve the pace of work processes of each Division.

9. My recent visit to AGC Singapore to observe the Legislation Editing and Authentic Publishing System (LEAPS) and the Electronic Legal Management System (ELMS) was very inspiring.
10. LEAPS is an electronic tool to draft and publish legislation on their new versioned Legislation Database. Typesetting errors are minimised and the database will be updated quickly and accurately. The system also enables the publication of updates in real time thereby ensuring that users have access to the most current version of the law at all times.
11. ELMS is a legal management system enabling the creation, assignment and tracking of work sent to the Chambers in an integrated online system. Heads of Divisions can check, receive, assign and track all legal advises electronically. It also allows for direct work assignments to legal officers by circulating draft advice for views and comments within the division or selected officer(s). The turnaround time for responding to request for advice is astounding.
12. My Chambers is in the process of procuring similar systems. Improving the capabilities of the drafting of legislation, providing legal advice and the conduct of prosecution are within the strategic objectives of the Attorney General's Chambers.
13. We have submitted our project proposals, the RKN project Request Forms and the EGNC Executive Reports which are necessary parts of the process to secure budget funding to the Prime Minister's Office. Both JPKE and EGNC have also looked into these submissions and I am informed that we are waiting for project endorsements and that the availability of the budget will be made known in the Financial Year 2012/2013. I remain hopeful that these projects will receive the funding and the support that we need.
14. Humans are however still vital. In this respect, building up of expertise in all areas of law is a long term project and we are committed to it fully and a training 'road map' which includes attachment stints with our counterparts in Singapore, UK and Hongkong and leading law firms or Chambers, commercial companies such as BSP here and abroad, and in regional and international organization such as ASEAN, WTO, etc. has been planned by the Human Resource Committee. We will also continue our in-house training by inviting local and foreign experts in various areas including advocacy training in addition to participating in key conferences, seminars and workshops. The Human Resource Committee will continue to plan a structured program to meet the aspiration of the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam to develop its human capital and to create a highly professional public sector in line with Brunei Vision 2035.
15. In this regard, Chambers is pleased to report that in 2011, 4 officers graduated in Masters of Law, and 8 officers are currently doing in-service training abroad in various areas of law.
16. At this juncture, I wish to convey our deep appreciation to the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam for allocating a more

generous budget. We also fully support Your Lordship's efforts in improving case-management and mediation and hope that we all can co-ordinate our joint efforts towards a more efficient administration of justice. Such concerted effort is crucial to enhance the public confidence in the administration of justice. I have spoken last year that Chambers is looking into possibility of enacting legislations towards more effective management of criminal cases. On closer evaluation of the challenges faced in other jurisdiction and the different requirements and implementation capability of our system, I have found it necessary to form a working committee in the near future to be led by a senior officer from Chambers. I will be asking for representation from the courts, enforcement agencies, the Law Society and private lawyers in criminal practice. The Working Committee will be tasked to discuss and recommend framework for legislation and implementation measures towards early case resolution and minimizing wastage of judicial time including criminal case disclosure procedures and plea-bargaining protocol and to hold consultations with relevant stakeholders to refine the recommendations for approval. I seek my Lordship's support and the others in this important initiative.

The future

17. Before I conclude, allow me to briefly share some of our main tasks and plans for the future.

Syariah Penal Code Order and Syariah CPC

18. In support of His Majesty the Sultan and Yang Di-Pertuan's aspiration to see the Syariah Penal Code Order (Kanun Hukuman Jenayah Syariah) and the Syariah Court Criminal Procedure Code Order (Kanun Peraturan Jenayah Syariah) to be passed, my officers have been attending regular meetings of the Islamic Religious Council and the Jawatankuasa Mensesuaikan Undang-Undang Menurut Kehendak Uagama Islam to provide the necessary legal assistance and on legislative drafting. Our support is of course, subject to guidance provided by the Islamic Religious Council and the experts in Syariah laws.

Strategic Plan

19. Chambers is pleased to report that the Strategic Plan 2012-2017 was launched on 11 October 2011 by the Minister of Finance II, The Honourable Pehin Orang Kaya Laila Setia Dato Seri Setia Awang Haji Abdul Rahman bin Haji Ibrahim.
20. We are encouraged by the speech of The Honourable Minister in acknowledging the challenges and heavy responsibilities of Chambers. We fully appreciate The Honourable Minister's reminder that development of expertise and experience alone is not sufficient but has to be coupled with humility, discipline, integrity, professionalism, commitment and teamwork.
21. I would also take this opportunity to echo the advice of The Honourable Minister to Ministries and Departments to assist Chambers by "first analysing and affirming the policies before asking Chambers to draft the law".

22. The other aspect, if I may add is the need for Ministries/Departments to address implementation and operational issues and capabilities for enforcement because laws are only as good as its implementation. To this end, the Legislative Drafting Division has conducted and will continue to conduct briefings for Permanent Secretaries from Ministries and other Government Departments to help them understand the process of legislative drafting and problems faced by the Draftsmen. Briefings are also conducted by other Divisions in Chambers and I am grateful to my officers for doing it in addition to their already demanding responsibilities.

Devolution of the Registry

23. In my address in 2010, I suggested that in line with the practice in other countries, there should be a lead agency for the development of Intellectual Property (IP). Alhamdulillah, 2012 will see what we refer as the 'Devolution of the Registry'. This will happen in stages in line with our Strategic Plan. On 1st January 2012, with the consent of His Majesty The Sultan and Yang Di-Pertuan of Brunei Darussalam, the Registry of Patents, was established under the Brunei Economic Development Board. With effect from 17 February 2012, Brunei Darussalam is a state party to the Paris Convention for the Protection of Industrial Property. We are also now preparing to be parties to the Patent Co-operation Treaty (PCT) and the Budapest Treaty.

24. We are in consultation with World Intellectual Property Organisation (WIPO) towards the set up of an independent IP Office which will administer, manage and promote IP and to enhance the infrastructure of the IP Registry. Advice and prosecution will however remain with Chambers. On another development, the Registry of Companies and Business Names will move to the Ministry of Finance from April 2012. The ROC has been an integral part of Chambers and has been acknowledged as playing a major role in the improvement of "Doing Business in Brunei" assessment. Those of us here who are parents would know the sad feeling when our children leave the nest (so to speak). However, this 'devolution' is necessary for the good of the country and consistent with the practice in other countries. We wish them all the best and hope that they will continue to provide their much needed service in their new 'home'.

New Division (Research and Law Review Division)

25. 2011 also saw the establishment of the new Research and Law Review Division. The mission is to provide the sturdiest legal backbone within the AGC and the Government by providing the highest quality and infallible value-added services in legal research law review and reform effectively, professionally and expeditiously. The Division will work closely with The Law Review Committee (Jawatankuasa Penilaian Semula Undang-Undang) at Prime Minister's Office. The Legislative Draftsman will closely monitor the development of this new Division.

Conclusion

26. My Lord, although we do not know what the future will bring, we remain optimistic and await in hope for favourable outcome of our initiatives and proposals from the relevant

authorities. With hard work and 'tawakal' to Allah Subhanahu Wata'ala we will continue to strive to accomplish our vision to be the "highest quality legal services provider", Insha-Allah.

Finally, we wish our Lordship, Honourable Judges, all members of the legal community and all present a happy, healthy and successful 2012.

Wassalamualaikum Warahmatullahi Wabarakatuh.

Thank you.

DATIN SERI PADUKA HAJAH HAYATI BINTI POKS DSP
HAJI MOHD. SALLEH
Attorney General



**THE PRESIDENT OF
THE LAW SOCIETY'S SPEECH
DURING THE OPENING OF
THE LEGAL YEAR 2012**



Bismillahir Rahmannir Rahim

Assalamualaikum Warahmatullahi Wabarakatuh

Your Royal Highness Paduka Seri Pengiran Anak Puteri Hajah Muta-Wakkilah Hayatul Bolkiaah, My Lord Chief Justice, Yang Amat Arif Ketua Hakim Mahkamah Syariah, The Honourable Justices of the Supreme Court, The Honourable Attorney General, fellow counsels and colleagues of the legal profession, distinguished guests, ladies and gentlemen, good morning.

We are thankful to Allah Subhanahu Wata'ala for His many blessings upon us and for making it possible for us to come together on this occasion to mark the opening of the Legal Year 2012.

I am also thankful for the privilege and honour given to me to be back on this podium to make this speech on behalf of the Law Society after a 2-year absence. I hope that I will be able to reciprocate in accordance with the confidence given to me by my peers who have again elected me to this position.

We are also thankful for the wise leadership and benevolence of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam for being able to live and work in a peaceful, safe, secure and stable environment.

It is important for us to remind ourselves of and maintain our pledge in upholding of the rule of law. The rule of law includes support for the independence of the judiciary, respect for the principles of equality before the law, adherence and protection of rights under all branches of the law, principles of accountability and transparency, the presumption of innocence and due legal process. These principles will also contribute to the peace, prosperity, safety and security of our future and generations to come.

THE LAW SOCIETY AND ITS ACTIVITIES

The number of members of the start of this year increased to 107 members. In early 2011, we had 101 members. We welcomed 6 new members last year.

With the transfer and promotion of Dayang Naimah binti Haji Mohd. Ali to the Prime Minister's Office, the Council of the Law Society have also lost its long serving statutory member from the Attorney General's Chambers who have served our Council well. We wish Dayang Naimah well and thank her for her services to us. Her place has been filled by Dayang Hajah Nor Hashimah binti Haji Mohd. Taib who we welcome and we thank The Honourable Attorney General for her nomination to our Council.

Most of you may have seen the pictures in the commemorative booklet. You will have noted the excellent photographs of last years legal year dinner and games.

It has become a tradition for the Law Society to organise the usual annual program of social activities, including the annual legal year dinner and the annual games. This year will be the same and hopefully be better with more participation from all concerned and with more games. The Law Society is appreciative of the time spent by those who help in the organisation of these activities including those from the Attorney General's Chambers and the Judiciary and also for their keen participation in them.

In the course of last year The Continuing Legal Education Committee of the Law Society organised 2 talks. The talk was held in June on points to note on Cross Border Transactions given by a senior lawyer from Australia. The second was held in September on the obligations and duties of lawyers in relation to the Anti Money Laundering Order given by a lawyer from a recognised international law firm from Singapore. This talk was attended by our members and also by individuals from outside the Profession.

Members of our Council as representatives of the Profession also made contributions to give talks to students at the Law faculty of UNISSA on a career in law in February and in June to the incubates of the I-Centre run by the Brunei Economic Development Board, on the subject of a road map to starting a business.

On the international front, we are also actively making progress in establishing relationships with Bar Associations and Law Societies of the ASEAN countries and China through the ASEAN Law Association. In September last year our then President, attended and participated in the 5th China-ASEAN Forum in Kuala Lumpur on Legal Cooperation and Development at the invitation of the organisers where the establishment of the "China-ASEAN Legal Cooperation Center" was declared, thereby initiating an important platform for China-ASEAN legal cooperation. We have also received an invitation from China Law Society to attend the launching of the China-ASEAN Legal Cooperation Center in Hainan Province later this month.

In March last year we had the privilege of being invited to a high tea event by the Ambassador of France, acting as a representative of the President of the EU, to meet Judge Sang-Hyun Song who is the President of the International Criminal Court. We received a briefing on the founding and workings of the International Criminal Court.

At your Lordship's and the Honourable Attorney General's investigation and with welcomed government assistance our representatives have also been privileged to regularly attend the various conferences of THE ASEAN LAW ASSOCIATION as representatives of the legal

profession. We are very grateful for this invaluable assistance, which among others also further enhanced our profile internationally.

We are also grateful for the invitation to participate in the ASEAN Law Forum on Progressive Liberalisation of Trade in Legal Services that was so ably organized by the Attorney General's Chambers in April last year.

On the matter of liberalization of trade in legal services our last follow up discussion on this with the Attorney General's Chambers and the Ministry of Foreign Affairs and Trade was in March last year. I would submit that it is high time for another follow up meeting to be held between us.

REGULAR CONSULTATIONS AND MEETINGS

In the past, I am glad to note that we have had meetings and consultations with the Judiciary and The Attorney General's Chambers either jointly or separately to discuss various issues for the sake of constructive progress. We hope to have more of these meetings in the near future and going forward. There is much that we can talk about. Not least on aspects of practice and procedure that may be reviewed regularly in order to improve the services we all provide to the community in the administration of justice.

COURTS MANAGEMENT SYSTEM/SMALL CLAIMS TRIBUNAL/PATENT REGISTRY OFFICE

On the matter of administration of justice, we wholeheartedly support the efforts by the Judiciary to modernise the courts by embarking on the Electronic Case Management System and the setting up of the Technology Courts. The Honourable Chief Registrar and her officers deserve the accolade for being able to function well in the face of a challenging environment.

We also share your Lordship's excitement and anticipation with regard to the impending establishment of the Small Claims Tribunal. Apart from relieving some pressure from the Magistrates' Courts it will also advance the reach and availability of justice to all in the community. The Law Society is ready to be of any kind of assistance possible in this respect.

The Law Society would also like to congratulate the Honourable Attorney General for the successful devolution and advancement of the Patent Registry Office late last year. We are sure that with such an achievement and further continuing efforts in the field, the protection of Intellectual Property Rights will be enhanced in Brunei Darussalam and thus aid in the economy and development of this country.

LEGAL ADVICE CLINIC

The legal advice clinic that we started in 2010 will be continued. As with previous years, we thank the Judiciary for the continuing support in providing premises for this purpose. We still hope to be able to extend the scope and reach of the clinic perhaps to other districts depending on the availability of personnel and logistics.

We are currently trying to get more lawyers involved in this scheme. This year we are starting a new format whereby particular law firms will be given the task of conducting the monthly clinics rather than trying to get individual lawyers to volunteer. It is hoped that managing partners will support this scheme by attending themselves or assigning lawyers from their firms to attend the clinics on the slots suggested to them by the Legal Advice Clinic Committee of the Law Society. So far, the responses from firms' leadership have been largely positive. It is welcomed that the commitment to this joint effort will come from the firm's leadership and the entire firm will be engaged in the scheme as a whole instead of at an individual level as was previously the case.

COURT FACILITIES

We currently have excellent court facilities. However, we have for a long time been deprived of our robbing room when it was taken over to make room for the expanding Judiciary when the newest court building next door was not ready yet. With the addition to the court buildings, if there is space still available, we would very much like to reclaim our robbing room. Your Lordship gave us a glimpse of hope in you Lordship's inaugural speech as Chief Justice back in 2010 when talking about 'the right tools' by repeating the call for the need for robbing room for lawyers.

We also align ourselves with your Lordship's call for a refreshment area to be provided for court users. Court cases sometimes does require lawyers and others involved to be in the building for a long time if not the whole day. The provision of a place for having food and drinks within the court buildings is welcomed. We used to have one in this building sometime ago and it was very convenient then. I would add that the court buildings in other districts should also be similarly equipped with a refreshment area for the same reasons.

Talking about refreshments, I am reminded that I am detaining my Lord and guests from the sumptuous refreshments in the ground floor lobby. I do, however, have two more matters that are related to discuss and these are important matters, so please bear with me a little while longer.

THE FULL IMPLEMENTATION OF SHARIAH PRINCIPLES INTO BRUNEI LAW

His Majesty The Sultan and Yang Di-Pertuan of Brunei Darussalam have called for Brunei to fully implement Islamic principles in its laws. In principle, we do support the noble aspirations of His Majesty The Sultan and Yang Di-Pertuan of Brunei Darussalam.

The Law Society would be more than happy to provide views and participate in any discussions in this matter and would like to be called upon to do the same. We do wish to be able to assist and contribute in the implementation of this matter for the benefit of the community and society as a whole.

The importance of this matter cannot be understated for all sections of the community. From the Law Society's perspective, it will have a bearing on our members and their respective legal practice. A high proportion of Syariah counsels admitted to practice in the Syariah courts are also member of our Law Society. However, only a small proportion of

our members are admitted to practice in the Syariah Courts. Currently, non-muslim lawyers cannot qualify as Syariah counsels even if they have the requisite knowledge of 'hukum syarak' or pass the relevant course.

It is proposed to be reconsidered at this time whether a non-muslim lawyer can be admitted to practice in the Syariah Courts as a Syariah Counsel in some permitted areas of Syariah practice, if they have the relevant knowledge and qualifications. If they can be admitted as such, the relevant authorities could consider a suitable amendment to the current provisions on this matter. I stand corrected, but my understanding is that with some exceptions this may be possible. It is of course a subject for further research and I concede that there may be some divergence in opinions but it is still something that should be seriously considered at this time.

CONSULTATIONS ON CHANGES TO THE LAW

Among the purposes of the establishment of the Law Society are to assist the Government and the Courts in all matters affecting legislation submitted to it; to promote the interest of the legal profession in Brunei Darussalam; and to protect and assist the public in Brunei Darussalam in all matters touching or ancillary or incidental to law. In light of the recent announcements which were reported in the press in respect to some changes or maybe proposed changes to the Land Code, the Law Society feels that it can better carry out these legislated purposes if the relevant authorities can seek our views and invite us to participate in any major changes proposed to any laws that will affect us and the public. We hope that we will be given more opportunity to assist as such and to provide some constructive advice for the good of all concerned.

CONCLUSION

To conclude my speech, we join your Lordship in thanking the Honourable Chief Registrar and the officers and staff of the Judiciary for the preparations they have made to this ceremony.

The thanksgiving prayer comes next, so let us also pray for peace, blessings and success for the future ahead of us.

Wasalamualaikum Warahmatullahi Wabarakatuh.

Thank you.

HAJI MUHAMMAD ZAINIDI BIN HAJI ABDUL HAMID
President of the Law Society of Brunei Darussalam



**IN MEMORIAM OF THE LATE
FORMER CHIEF JUSTICE**

AL-FATIHAH



**FORMER CHIEF JUSTICE
DATO SERI PADUKA MOHAMMED SAIED
8th December 1930 - 1st February 2013**

It is with great sadness to announce the passing of the former Chief Justice, the Honourable Dato Seri Paduka Mohammed Saied. His Lordship passed away in Surrey, United Kingdom on 1st February 2013.

His Lordship was born on 8th December 1930 in Nairobi, Kenya where His Lordship had received his primary and high school education.

His Lordship was called to the Honourable Society of Lincoln's Inn, London on 23rd November 1954 and a member of the Law Society of Kenya from 1955 to 1961.

His Lordship has had an impeccable yet interesting journey throughout His Lordship's career which began as a Primary School Teacher for a number of years before joining the private practice as an advocate of the High Court in Kenya.

His Lordship's career progressed further when His Lordship joined the Ugandan Judiciary from 1961 as Resident Magistrate and elevated throughout the years and withstood the political turmoil that Uganda was facing. His Lordship became the Honourable Chief Justice of Uganda from 1976 to 1977 and subsequently, the Honourable Chief Justice of the Court Appeal of Uganda from 1977 to 1979.

Having left Uganda thereafter, His Lordship served with the Hongkong Judiciary from 1980 to 1999 with a secondment to the Brunei Supreme Court as Chief Registrar in 1987.

From 2000, His Lordship returned to the Brunei Supreme Court, initially as a Commissioner of the Supreme Court, and was elevated to the position of the Honourable Chief Justice in 2001.

On 15th July 2003, His Lordship was bestowed the Most Honourable Order of Seri Paduka Mahkota Brunei First Class (SPMB) by His Majesty The Sultan and Yang Di-Pertuan of Brunei Darussalam.

His Lordship retired in 2009 and returned to the United Kingdom. His Lordship is survived by his loving wife, Datin Akhtar Saied.







THE SUPREME COURT



The Honourable
Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli
The Chief Justice of Brunei Darussalam

The Court of Appeal

The Court of Appeal has continued its ongoing efforts to dispose of appeal cases listed during each session. In 2012, adjournments of cases were much discouraged by the Court of Appeal as concern was shown that cases adjourned would only be listed after a period of six months had lapsed.

In 2013, the Court of Appeal will hold two sessions in the months of May and November. The Supreme Court Registry will strive to list cases filed in 2013 to also be heard in 2013 so as to ensure cases are heard in a timely manner.

Over the next 24 months, the Court of Appeal will also be involved in the Electronic Cases Management System (E-CMS) and the digitization of its files.

Court of Appeal Judges



Justice John Barry Mortimer
President of the Court of Appeal

Judicial Commissioners of the Supreme Court and members of the COA



Justice Geoffrey Lance Davies



Justice David John Leonard

The High Court

In 2012, the High Court saw a significant rise in Criminal cases. Some cases have been disposed of. However, a number of Criminal cases that were brought to the Court in 2012 are still ongoing in 2013. Therefore to avoid any back log of cases, the Judicial Commissioners will hold three sessions in 2013 in the months of January, June and November.

There has been a slight decrease in the number of Civil cases registered in 2012. However, Chamber hearings before the Registrars have increased in 2012. The steady increase in cases means that the court must continue to enhance its services. In order to improve the Court's services, the High Court will also undergo the digitization of its files in 2013 and will embark on electronically managing its cases through E-CMS.

Similarly, the Bankruptcy Office, Probate Office and Registry of Civil Marriages will also be involved in the E-CMS and digitization of its files.

The High Court also recognises the need and importance of training for its Judicial Officers. In 2012, a number of courses and conferences were attended by members of the Judiciary including the Coroner's Conference, Alternative Dispute Resolution Conference, Judicial cooperation and training with the Royal Institute of Public Administration.

A fellow Registrar is currently abroad and pursuing her Masters in Law (LLM) under the Brunei Government's in-service training scheme. The Judiciary wishes her well and looks forward to her return in late 2013.

The Court also hosted the 2nd Judicial Borneo Games in 2012. The event was aimed at promoting the sharing of knowledge, experience as well as enhancing and strengthening the relationship of the judiciaries between Brunei, Sabah and Sarawak.

We look ahead to 2013 to improve our services, continue judicial training and continue on in our efforts to administer Justice.

Supreme Court Judges

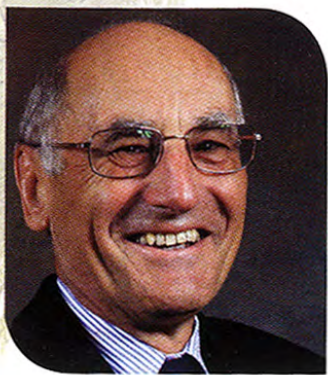


Justice Dato Paduka
Steven Chong Wan Oon
High Court Judge



Justice Dato Paduka Haji
Hairol Arni bin Haji Abdul Majid
High Court Judge

High Court Visiting Judges (Judicial Commissioners of the Supreme Court)



Justice Nicholas John Barnett



Justice James Kerr Findlay



Justice Gareth John Lugar-Mawson

Registrars of the Supreme Court



From left:

Harnita Zelda Skinner, Senior Registrar
Pengiran Hajah Rostaina binti Pengiran Haji Duraman, Chief Registrar
Dayangku Hajah Norismayanti binti Pengiran Haji Ismail, Senior Registrar
Azrimah binti Haji Abdul Rahman, Registrar
Radin Safiee bin Radin Mas Basiuni, Deputy Chief Registrar
Hajah Hazarena binti POKSJDP Haji Abu Hurairah, Senior Registrar
Ramzidah binti PDKD Haji Abdul Rahman, Senior Registrar



High Court Administrative Staff



High Court Registry Staff



Probate Registry Staff



Bankruptcy Registry Staff



Secretarial Staff



Court Translators Staff



Court Library Staff



Finance Staff



THE INTERMEDIATE COURT

The Intermediate Court

There are currently two Intermediate Court Judges. The increase in the Intermediate Court's Jurisdiction in Civil cases has shown a slight rise in the number of registered Civil cases, whilst there has been a decrease in the number of Criminal cases brought before the Court.

In order to improve its services the Intermediate Court will also digitize its files and manage its files through E-CMS. The project commenced in January 2013 and is expected to be completed in 24 months.

Judges of the Intermediate Court



Judge Lim Siew Yen



Judge Pengiran Hajah Hanani binti Pengiran Haji Metusain



THE SUBORDINATE COURT

The Subordinate Courts

2012 saw the addition of the Small Claims Tribunal under the Subordinate Court's Jurisdiction. The Small Claims Tribunal is located on the Ground Floor of the Law and Court's Building and is hoped to be fully operational in 2013.

In addition, to the Small Claims Tribunal, the Juvenile Court has been fully functioning since 2010. With the assistance of the Panel of Advisers, the Juvenile Court is able to hand down sentences that are aimed and rehabilitating and reforming the youthful offender.

A number of Subordinate Court Officers attended several conferences, workshops and training programs overseas and in Brunei as part on their continual judicial training.

As the number of divisions under the Subordinate Court increases, there is a need to improve the Court's services. The E-CMS was launched in early 2013 in an effort to improve the Subordinate Court's services.

The Subordinates Court will also commence the digitization of its files in 2013.

2013 will prove to be a busy year for the Subordinate Court.

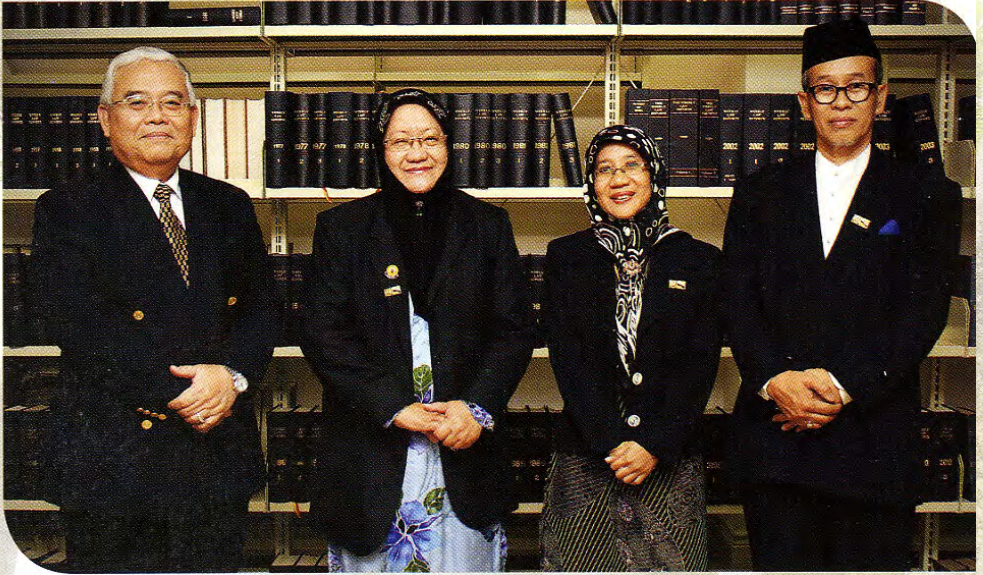
Magistrates of Subordinate Court



From left:

Lailatul Zubaidah binti Haji Mohd Hussain, Senior Magistrate,
Muhammed Faisal bin PDJLD DSP Haji Kefli, Senior Magistrate,
Pengiran Masni binti Pengiran Haji Bahar, Senior Magistrate,
Harnita Zelda Skinner, Senior Registrar/Magistrate,
Haji Abdullah Soefri bin POKSM DSP Haji Abidin, Chief Magistrate,
Haji Nabil Daraina bin PUKDPSSU Haji Badaruddin, Senior Magistrate

Panel of Advisers to the Juvenile Court



From left
Haji Awang Abd. Alim bin Haji Awang Othman
Hajah Mordiah binti Haji Jackia
Alinah binti Haji Tamin
Ustaz Haji Md. Lazim bin Haji Matal

Registrars of Subordinate Court



Haji Badaruddin bin Haji Abdul Karim
Senior Registrar

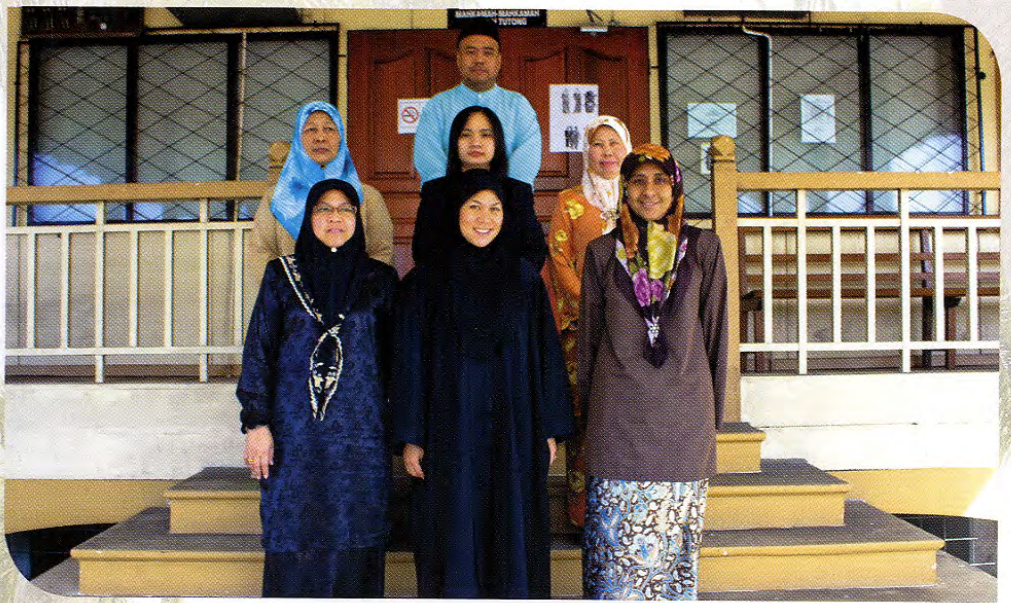




Bandar Seri Begawan Officers and Staff



Kuala Belait Magistrate and Court Staff



Tutong Magistrate and Court Staff



Temburong Magistrate and Court Staff

Court Interpreters



Pengiran Norfarzat Irwani binti Pengiran Haji Mohd. Jaafar
Chief Interpreter



Court Interpreters



**THE
STATE JUDICIARY
DEPARTMENT**

The State Judiciary Department

The State Judiciary Department is responsible for the administration and management of support services, provision and financial affairs of the Civil Courts. With the establishment of the State Judiciary Department, the Civil Courts will maintain procedural and judicial principles as written in the Acts and Regulations, except for matters relating to finance and administration.

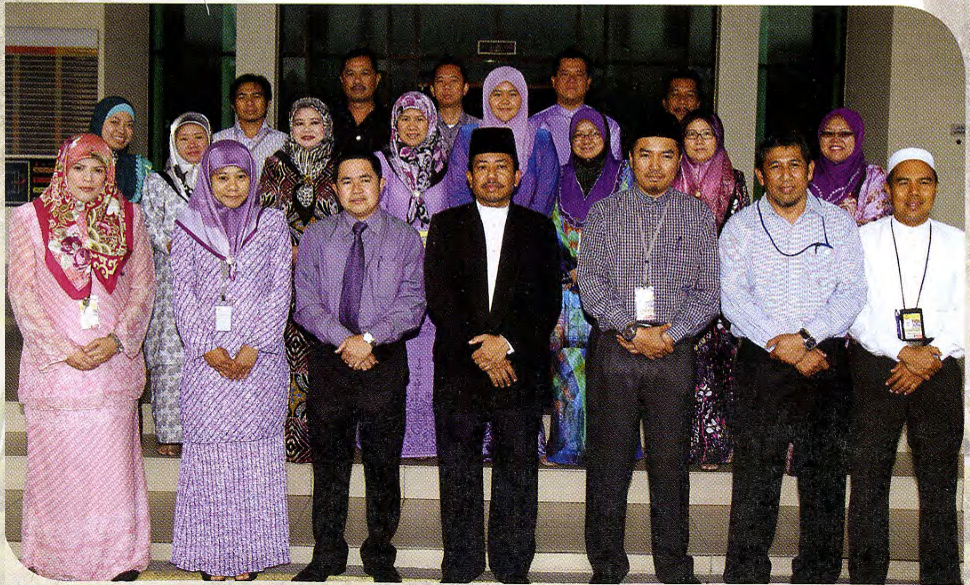
Since its establishment in May 2002, the State Judiciary Department has been providing its invaluable support to the Civil Courts. This is further enhanced with the transition of the administrative and financial functions of the Civil Courts to the State Judiciary Department on July 1, 2002.

In 2012, the State Judiciary Department assisted the Court in procuring two major contracts namely the establishment of the Technology Courts and the implementation of the Electronic Case Management System.

The State Judiciary Department will continue to provide management and financial services to ensure that the administration of the court will continue to run smoothly.



Haji Mohd. Serudin bin Haji Timbang
Director of the State of Judiciary Department



Officers and Staff of the State Judiciary Department



EVENTS

Legal Year 2012 13th March 2012



Her Royal Highness Princess Hajah Muta-Wakkilah Hayatul Bolkiah binti
His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah











Law Society Annual Dinner 2012



E-CMS Project & Technology Court Project







Dialogue with Singapore Registrar, 13th March 2012



Visit from The United Nations Convention Against Corruption (UNCAC) Delegation,
14th March 2012



Visit from Royal Customs and Excise Department



The Borneo Judiciary Game 2012
25th to 28th May 2012



Chief Justice Dato Seri Paduka Haji Kifrawi with Justice Tan Sri Datuk Seri Panglima Richard Malanjum, Chief Judge of the High Court of Sabah and Sarawak, Malaysia













From left: Sarawak, Brunei Darussalam and Sabah
27th May 2012



ACTIVITIES



Tahlil, August 2012



Ramadhan Charity Event 2012 (BSB)



Ramadhan Charity Event 2012 (KB)



Tadarus and Khatam Al-Quran Ceremony 2012



Tadarus and Khatam Al-Quran Ceremony 2012



Aidilfitri Celebration, August 2012 (BSB)



Aidilfitri Celebration, August 2012 (KB)





STATISTICS

SUPREME COURT

COURT OF APPEAL

Civil & Criminal Appeal Cases (From High Court and Intermediate Court to Court of Appeal)			
Year	2010	2011	2012
Civil	16	20	12
Criminal	23	8	19

HIGH COURT

Year	2010	2011	2012
Civil	195	127	12
Criminal	28	12	19

Civil & Criminal Appeal Cases (From Magistrates Court to High Court)

Year	2010	2011	2012
Civil	5	6	3
Criminal	55	39	28

Chamber Hearing before Registrars in High Court

Year	2010	2011	2012
Civil	278	232	284

Other Matters

Legal Aid

Year	2010	2011	2012
Granted	1	3	3

Bankruptcy

Year	2010	2011	2012
Bankruptcy Notice	751	629	661
Receiving Order	498	489	282
Adjudication Order	36	48	51
Recission	18	36	36
Discharge of Adjudication Order	1	6	NIL
Winding-Up Orders	4	2	1
Creditors Meetings	1605	1717	2433

Letters of Administration

Year	2010	2011	2012
Received	380	361	394
Issued	303	320	315

Probate

Year	2010	2011	2012
Received	5	4	12
Issued	4	4	10

Marriage and Divorces

Year	2010	2011	2012
Marriage	147	189	184
Divorce	21	32	32

INTERMEDIATE COURT

Year	2010	2011	2012
Civil	114	190	197
Criminal	17	38	28



SUBORDINATE COURT

Magistrate's Court

Bandar Seri Begawan			
Year	2010	2011	2012
Civil	1641	1400	1182
Criminal	3418	2608	1989
Lunacy Complaints	32	58	79
Married Women Order	NIL	1	Nil

Kuala Belait			
Year	2010	2011	2012
Civil	327	287	236
Criminal	640	341	296
Lunacy Complaints	9	13	10
Married Women Order	NIL	NIL	NIL

Tutong			
Year	2010	2011	2012
Civil	250	284	207
Criminal	146	432	151
Lunacy Complaints	NIL	NIL	NIL
Married Women Order	NIL	NIL	NIL

Temburong

Year	2010	2011	2012
Civil	NIL	NIL	NIL
Criminal	26	13	4
Lunacy Complaints	NIL	NIL	NIL
Married Women Order	NIL	NIL	NIL

Juvenile Court

Year	2011	2012
Juvenile Arrest	11	2
Juvenile Traffic	5	1
Care Protection Order	3	4
Beyond Parental Control	2	14

Inquest Hearing

Year	2011	2012
Bandar Seri Begawan	23	27
Kuala Belait	NIL	NIL
Tutong	12	4
Temburong	NIL	NIL

Statutory Declarations

Year	2011	2012
Bandar Seri Begawan	16996	16,370
Kuala Belait	3497	2,511
Tutong	1156	2,033
Temburong	218	150

The Revenue of the Judiciary of Brunei Darussalam

Year	2010	2011	2012
Estate Duty	\$254,041.30	\$304,669.33	\$301,258.36
Stamp Duty	\$5,766,172.70	\$5,661,417.91	\$3,087,904.60
Search and Registration	\$36,660.00	\$42,060.00	\$40,760.00
Miscellaneous	\$6,470.31	\$293,009.02	\$3,380,445.77
Total Revenue	\$6,063,344.31	\$6,301,156.26	\$6,810,368.73

Committee Members of the Opening of the Legal Year 2013

1. **PROTOCOL COMMITTEE**

Adat Istiadat Department Officers
State Judiciary Department Officers and Staff
Radin Safiee bin Radin Mas Basiuni
Lailatul Zubaidah binti Haji Mohd. Hussain
Hajah Maimun binti Haji Taja'ah
Rozliani binti Haji A Timbang
Pengiran Norfarzat Irwani binti Pengiran Haji Ja'afar
Hajah Siti Noraini binti Matusin
Suhana binti Haji Mohd. Jaini
Mohd. Fadzillah bin Haji Abu Bakar
Hajah Noorina binti Haji Norkaseh
Noorhayati binti Haji Ismail
Norhayati binti Haji Idris
Haji Sahari bin Haji Abd. Rahman
Mariam binti Haji Abu Bakar
Aini binti Haji Abdul Mohhin
Shahrin bin Haji Ibrahim/Sharbini
Hajah Norsiah binti Haji Jamil
Nooreizah binti Haji Md. Jaya
Setiawati binti Haji Tamit
Rabiqah binti Ahmad
Khoo Sau Yen/Catherine
Sumarni binti Haji Sairan
Hajah Asmawati binti Haji Jaafar/Ismail
Foo Lee Chin
Rasiah/Zaiton binti Salim
Salmiah binti Awang Kadir
Anisah binti Lani
Hasih Abdullah/Fong Yuk
Rohani binti Haji Zakaria
Dayangku Siti Saerah binti Pengiran Haji Abdul Rahman
Hajah Hardayana binti Haji Matassim
Noralinah binti Zakaria
Aziemah binti Zakaria
Salina binti Ali
Ummi Kalsum binti Haji Bujang
Rosnah binti Mohd. Jayah
Siti Hadizah binti Yahya
Haji Matnoor bin Haji Tamit
Pengiran Sani bin Pengiran Tengah
Puasa bin Haji Tuah
Rodglan bin Haji Abd Rahman
Hajah Fatimah binti Haji Tahir
Nurul Nazihan binti Awang Jati Kasuma

Nurhidayah binti Haji Mohd. Noor
Nurfattyima binti Mohammad
Hilman bin Ramli
Hassanuddin bin Haji Kula
Amalul bin Arif

2. FINANCE COMMITTEE

Haji Mohd. Serudin bin Haji Timbang
Haji Tamin bin Haji Lamat

3. INVITATION AND SECRETARY COMMITTEE

Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Hajah Mariah binti Awang Ali
Suzanah binti Basman
Pengiran Hajah Rahaiyah binti Pengiran Haji Mohd. Yassin
Norhayati binti Haji Idris
Norhayati binti Masri
Hajah Nurul Azimah binti Haji Tengah
Rabiqah binti Ahmad
Noraidah binti Haji Mohd. Yussof
Masita binti Haji Zohari @ Johari
Rohani binti Haji Jaafar
Nani Hamizah binti Haji Omar Ali

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Hajah Fauzihana binti Haji Mohamad
Hajah Asmah binti Haji Yahya
Norhamizah binti Mohamad
Nur Kamilah binti Haji Metussin
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Hajah Norazizah binti Haji Ering
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Haji Omar bin Haji Mohd. Daud
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Haji Morshidi bin Haji Mokhtar

Khamis bin Haji Tamit
Haji Rakawih bin Haji Dollah
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Mohammad Hassim bin Othman
Mohd. Daud bin Haji Metussin
Pengiran Suhaili bin Pengiran Ahmad
Puasa bin Tuah
Awangku Hairulardi bin Pengiran Ahmad
Mohd Ghazali bin Haji Tassim
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Pengiran Metali bin Pengiran Metamin
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Hassannudin bin Haji Kula
Pengiran Sani bin Pengiran Tengah
Rodglan bin Haji Abdul Rahman
Mohamad Shamri bin Alias
Pengiran Abu Nurhairah bin Pengiran Hashim
Mohd Fauzi bin Haji Durain
Haji Jasni bin Haji Misir
Mohammed Hashim bin Othman
Hilman bin Ramli
Amalul bin Arif

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Shuzalina binti Jainoh @ Sabariah
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Shahrezawati binti Ahmad
Mohd. Amin Lim Ching

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Haji Nabil Daraina bin PUKDPSSU Haji Badaruddin
Ag DSP Haji Irham bin Haji Muhd Arshad, Adjutan Pusat Latihan Polis
ASP Hamydon bin Haji Ibrahim, Ketua Perbarisan Kawalan Kehormatan
ASP Pengiran Farid Mahadir bin Pengiran Haji Matzin, Pelapis Ketua Perbarisan
Kawalan Kehormatan
ASP Pengiran Saiful Rezal Malek Faisal bin Pengiran Haji Marali, Pengarah Pancaragam
ASP Mohd. Fathdillah bin Haji Abd Hamid, JSKLL
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Snr Insp Mohd. Ismail bin Abdullah, Pelapis Ketua Perbarisan Kawalan Kehormatan 2
Insp Asmah binti Haji Bakar, Pmk Ketua Unit Pendakwaan Polis
Insp Awang Ismail bin Awg Ibrahim, Pegawai Pendakwa Polis
Insp Mohd. Hazizul bin Haji Abd. Halim, Pegawai Pengiring Panji-Panji
Insp Khairul Anuar bin Haji Ahmad, Pelapis Pegawai Pengiring Panji-Panji
Mohd. Amin Lim Ching

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