

CHIEF REGISTRAR'S CIRCULAR NO. 2 OF 2025

RENEWAL OF ANNUAL PRACTISING CERTIFICATES FOR THE YEAR 2026

1. Purpose

- This Circular sets out the mandatory requirements for the renewal of annual Practising Certificates ("PCs") for the year 2026. No person may practice as an advocate and solicitor unless they hold a valid PC pursuant to sections 13 and 14 of the Legal Profession Act ("LPA") (Cap. 132).

2. General Requirements for All Applicants

Every application must be made in Form 4 the Legal Profession (Practising Certificate) Rules and accompanied by a Form 5 declaration under Section 13(2) of the LPA. Every applicant must submit:

- a) Form 4 – Application for Practising Certificate
- b) Form 5 – Statutory Declaration under section 13(2)
- c) Proof of payment of the annual Law Society subscription fee under Section 12 of the Legal Profession (Law Society) Order
- d) Professional Indemnity Insurance (PII) confirmation (See section 3 below)
- e) Payment of the prescribed Practising Certificate fee (Rule 7 of the the Legal Profession (Practising Certificate) Rules)
- f) Copy of Identity Card or Passport for verification

Incomplete applications will not be processed.

3. Professional Indemnity Insurance (PII)

(Legal Profession (Professional Indemnity Insurance) Rules, 2024 — effective 1 January 2025)

3.1 Mandatory Requirement

Under Rules 2(1) – (3):

- Every firm must maintain PII.
- Every advocate and solicitor must have valid PII before applying for a PC.
- Insurance must be taken with an authorised insurer.

3.2 Minimum Coverage

Rule 3 and the Schedule require:

- BND 1,000,000 per claim, inclusive of legal costs.

Applies to all:

- Advocates and solicitors
- Persons admitted under sections 7 and 8

3.3 Period of Insurance

Coverage must be valid for the entire PC period.

3.4 Premium Payments

Rule 6 provides:

- Failure to pay premiums within 2 months of due date will result in automatic breach of Rule 2.
- s.7/s.8 practitioners must pay premiums on the due date.

3.5 Exemptions

Rule 7 exempts:

- Government officers;
- Lawyers in approved legal departments (sections 14(2) – (3)).

4. Category-Specific Requirements

4.1 Local Lawyers Who Are Partners or Sole Proprietors

Must file:

- Accountant's Report, compliant with Rules 3, 4 and 6 of the Legal Profession (Accountant's Report) Rules;
- Declaration of trust-account compliance or exemption
- Compliance with Rules 3 – 14 the Advocates & Solicitors (Accounts) Rules;

No PC will be issued without a valid Accountant's Report (or an exemption under Rule 5 of the Legal Profession (Accountant's Report) Rules).

4.2 Local Lawyers Who Are Employees (Non-Partners)

Must file:

- Declaration that no Accountant's Report is required, confirming they do not control or operate any client account.

4.3 Foreign Lawyers (Section 14 Applicants)

Must file:

- Passport / IC
- Proof of days spent in Brunei (e.g. immigration logs, residency letters, CR-issued exemptions)
- PII compliance
- Proof of active practice:
 - 3 months for those renewing a first PC (post-31 March 1999)
 - 9 months for all other renewals

5. Verification by the Registry

The Registry will verify:

- Name on the Roll (section 10 of the LPA)
- Law Society membership
- Accountant's Report or declaration
- PII compliance under the 2024 Rules
- Residency and active practice status

- Disciplinary or suspension status
- Compliance with all statutory provisions

6. Filing Deadline

For issuance effective 1 January 2026, applicants are strongly advised to submit complete applications no later than **15 December 2025**.

Late applications may result in gaps in practicing status.

7. Method of Submission

Applications may be submitted:

- By hand to the Supreme Court Registry (originals must be produced if requested).

8. Validity of Practicing Certificates

Under section 13(4):

- PCs issued in January 2026 take effect from 1 January 2026;
- PCs issued on a later date take effect from the date of issue;
- All PCs expire on 31 December 2026, unless suspended or void.

Issued on: 24th January 2025

Hazarena binti POKSJ DP Haji Hurairah
Acting Chief Registrar
Supreme Court of Brunei Darussalam

