

CIRCULAR NO. 7 OF 1997

TO ALL MEMBERS OF THE LEGAL PROFESSION

PROCESS SERVERS

There still seems to be some confusion, among legal practitioners, as to the need to obtain authorization from the High Court Registry.

Order 62 r. 2 (1) of the Brunei Rules of the High Court, 1990, reads –

‘2(1) Personal service must be effected by a process server of the Supreme Court;

Provided that the Registrar may either generally or in a particular cause or matter, allow personal service to be effected by any other named person’.

The object of the amendments to this Order in 1992 was to enable practitioners to obtain a general authority from the Registrar.

This authority would entitle all those named in it to serve process in any case, without further reference to the Registry.

For example, a firm might seek the Registrar’s authority for personal service in any case to be effected by –

Mr A.B.C. (a solicitor partner)

Mr C.D.E. (a salaried solicitor)

Mr F. (a clerk)

Mr G. (a messenger)

If any firm has sought the Registrar’s authority, it is urged to do so.

Only if the firm intends to employ a process server who has not been authorized, is it necessary to seek the Registrar’s authority.

This circular does not affect service by the Supreme Court process server, who can serve when so requested.

19th May, 1997.

(ORIGINAL SIGNED)

DATO SIR DENYS ROBERTS

Chief Justice

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