

Opening of the Legal Year 2025

Brunei Darussalam

Speech by Hj Muhammad Zainidi bin Abdul Hamid

President of the Law Society

Bismillahirrahmaanirrahiim

Assalamualaikum Warahmatullahi Wabarakatuh and Good Morning

Your Lordship, the Honourable Justices of the Supreme Court, Yang Berhormat Attorney General, Yang Amat Arif Ketua Hakim Mahkamah Syariah, the Honourable Deputy Minister at the Prime Minister's Office, distinguished members of the Diplomatic Corps, my esteemed colleagues in the legal profession, distinguished guests, ladies, and gentlemen, and to our distinguished guests from foreign Bar associations who have joined us today:

It is with deep respect and gratitude that I stand before you all on this significant occasion to commemorate the Opening of the Legal Year 2025. I am truly honored to be in the presence of all of you, and I extend a warm welcome to our esteemed international guests today:

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| Ms. Lisa Sam Hui Min | - | President,
The Law Society of Singapore |
| Mr. Muhd Ezri b Abdul Wahab | - | President,
Malaysia Bar Association |
| Mr. Gurvir Singh Sandhu | - | President,
Advocates Association of Sarawak |
| Mr. Ryan Soo | - | Vice President,
Sabah Law Association |
| Mr. Amirali Nasir | - | Vice President,
The Law Society of Hong Kong |
| Mr. Steven Thiru | - | Vice President and President Elect,
Commonwealth Law Association |

Thank you for being with us today. This event provides an opportunity not only to reflect on our journey and achievements over the past year but also to renew our collective commitment

to upholding the rule of law and advancing the standards of legal practice in Brunei Darussalam.

I wish to thank your Lordship and Yang Berhormat Datin AG on your kind words on my new appointment and I would also like to congratulate Yang Berhormat Datin on your appointment last year and also to the new addition to the Judiciary of last year.

In my speech today, I will be looking back at the work done by the Law society since the Opening of the last Legal year to date as well as the initiative that we intend to take in 2025.

The Law Society's Work from 2024 to date.

In 2024, the Law Society of Brunei Darussalam had an eventful and productive year. Our efforts were focused on three core priorities: i.e. fostering professional development, addressing the concerns of our members, and strengthening relationships both locally and internationally.

Our work in 2024 has been marked by significant engagement with stakeholders. The Council members held meaningful dialogues with the **Registry of Companies and Business Names (ROCBN)** to discuss the possibility of the coming into force of the Limited Liability Partnership Order and the evolving requirements for law firms under the Legal Profession Act and the Law Society Order. In April 2024 new guidelines were issued stipulating that prior to any new business name registration or changes to law firms' business name particulars, the Law Society's approval is required. This is to ensure that the firms are properly registered with properly consisted lawyers to ensure public protection.

We also engaged with the **Brunei Intellectual Property Office** to address the concerns of IP practitioners, particularly regarding trade mark examination processes and patent application delays. Additionally, members of the Law Society participated in regular discussions with the **Ministry of Development** to review proposed amendments to the Land Code. We put forward constructive views on behalf of the stakeholders that we represent. Final discussions have been concluded and we are waiting for the enactment of the amendments.

A significant highlight in 2024 was the Law Society's involvement in the United Nations Convention against Corruption country review. Our immediate past president attended and contributed valuable insights to the country's anti-corruption efforts.

Legislative and Regulatory Developments

We also made substantial progress in updating our regulatory framework. One notable achievement was the gazetting of the **Legal Profession (Professional Indemnity Insurance) Rules, 2023**, which mandates that all law firms must maintain insurance coverage with a minimum indemnity of B\$1 million. This is a vital step in ensuring that our profession and the public remains protected and professional standards are upheld.

Professional Development

In June 2024, in the area of professional development, the Law Society of Brunei Darussalam conducted the most comprehensive advocacy training to date. The four-day **Basic Advocacy Training Course**, in collaboration with the Law Society of Singapore, included a ‘Train the Trainers’ component and advocacy sessions for junior lawyers. This initiative attracted participation from both private practice and colleagues from the Attorney General’s Chambers, demonstrating our commitment to nurturing talent across all sectors of the legal profession.

International Engagement

On the international front, the Law Society strengthened its connections through active participation in the **ASEAN Law Association** and meaningful dialogues with the **Hong Kong Secretary of Justice**. Our council members attended the regional **Opening of Legal Year** ceremonies and participated in the Presidents’ Round Table Discussion to discuss best practices and current issues in the legal profession. We made further progress with our already strong relationship with the Law Society of Singapore by signing a **Memorandum of Understanding (MOU)** with them on 13th January this year.

As part of our international engagement, a member of the Law Society attended the International Conference on Legal Aid in Cambodia, where we shared insights and collaborated with global counterparts on improving access to justice. Additionally, our younger members have participated in the International Mooting Competition in Singapore in January 2024 and January 2025, furthering our commitment to fostering legal skills and global collaboration and networking.

Regulatory Responsibilities and Access to Justice

The Law Society remains committed to its regulatory duties, handling complaints and disciplinary matters with utmost transparency and according to strict statutory procedures. In 2024, we received **26 petitions for admission** to the Brunei Bar and about **6 complaints** lodged against practitioners. All complaints are being addressed in accordance with our regulatory framework to uphold professional standards.

Furthermore, our commitment to **access to justice** continues through monthly legal aid clinics and the new **online legal aid application system**. Through constructive liaison with the Ministry of Home Affairs and the Prison Department, we achieved positive changes that have enabled our members to better fulfill their professional responsibilities in accessing their incarcerated clients.

We look forward to more improvements in this area of our practice.

Looking Ahead: Initiatives for 2025

As we step into 2025, the Law Society's priorities will focus on the following key issues:

1. **Professional Development**, as follows:

- Ongoing advocacy training programs,
- Alternative Dispute Resolution particularly mediation,
- A more robust continuing education framework including the introduction of continuing professional development (CPD) programs, and
- Specialized workshops tailored to emerging practice areas including upskilling in the digitalization of legal practice.

2. **Regulatory Framework**, namely:

- Implementation of new insurance requirements
- Updates to practice guidelines
- Streamlined administrative processes

- Review of the disciplinary process

Joint Legal Affairs Committee (JLAC)

The collaborative efforts between the Judiciary, Attorney General's Chambers, and the Law Society have been instrumental this year which is exemplified by the work of the **Joint Legal Affairs Committee (JLAC)**. As Your Lordship has said there are currently 6 working groups that are focused on critical aspects of legal practice. Your Lordship has kindly listed out the work that we are currently doing, so I would not go through that part in my speech.

Conclusion

In conclusion, my lord, as we look back at the work done to date, it is clear that there is still much more work to be done. However, we must acknowledge that due to our relatively small membership, there are many limitations to our capabilities logistically, financially and in manpower. Our own housekeeping can be a challenge with the balancing of the interests of our members, the public and the administration of justice at hand. However, I believe that our members are strong, able, and will prevail. The Council remains dedicated to **transparent operations, regular membership communication, and continuous improvement** in all areas of our profession. I wish to thank Council members past and present for all your hard work in 2024 and to thank our past president, Ms. Nur Ahmad and we look forward to striving forward in 2025 with the same dedication and zeal. On behalf of the Council, we would also like to extend our sincere gratitude to our members and the Judiciary and the Attorney General's Chambers, all the agencies and members of the public involved in the administration of justice and all our international colleagues for their unwavering support.

Looking ahead, as we move ever closer to the Wawasan Brunei 2035, let us approach the new legal year with a renewed spirit of service, collaboration, mutual respect, cooperation, and excellence. Together, we will continue to strengthen the administration of justice and the rule of law in Brunei Darussalam and contribute to the advancement of our legal profession on the global stage.

Thank you, and I wish everyone a successful and fulfilling year ahead.

Wabillahitaufig walhidayah, Wassalamualaikum Warahmatullahi Wabarakatuh.