

**Khairol Yazimannuddin Bin Haji Borhanuddin  
(trading as Boza Remittance)**

**... Applicant**

AND

**Brunei Darussalam Central Bank**

**... Respondent**

---

**(High Court of Brunei Darussalam)  
(Originating Motion No 8 of 2024)**

---

Muhammed Faisal Bin PDJLD DSP Kol (B) Haji Kefli

**Date of Ruling: 12<sup>th</sup> August 2025.**

Headnote: *Remittance Licensing – Sections 9 and 10 of the Money-Changing and Remittance Business Act Cap. 174 – Whether letter issued by BDCB constituted revocation of licence – Applicant relied on verbal assurance of renewal – BDCB issued retrospective, time-limited licence under section 9 – Whether right of appeal under section 10(4) arose – Absence of revocation – Jurisdiction of Court – Application dismissed for want of jurisdiction.*

Ms Evelyn Lee of Messrs Y C Lee & Lee for the Applicant.

Mr Mohd Shazale Bin Salleh of Mohd Shazale Salleh for the Respondent,

**Statutes:**

Section 10 of the Money-Changing and Remittance Businesses Act (Cap. 174)

Section 10(2) of the Money-Changing and Remittance Businesses Act (Cap. 174)

Section 10(4) of the Money-Changing and Remittance Businesses Act (Cap. 174)

Section 9 of the Money-Changing and Remittance Businesses Act (Cap. 174)

**RULING**

**Muhammed Faisal. J.C.:**

**Introduction and Background**

1. This is an application by the Applicant, Mr. Khairol Yazimannuddin bin Haji Borhanuddin, trading as Boza Remittance, filed pursuant to section 10(4) of the *Money-Changing and Remittance Businesses Act (Cap. 174)* ("the Act") against the *Brunei Darussalam Central Bank* ("BDCB"), seeking to challenge the purported revocation of his remittance licence.
2. The Applicant had been operating a licensed remittance business for a number of years. The previous licence was due to expire on 31 December 2023. On 9 October

2023, the Applicant submitted a renewal application, and inspections were conducted in October 2023 and January 2024. The Applicant continued to operate the business into 2024 without receiving any formal written confirmation of renewal.

3. On 28 June 2024, BDCB issued a letter to the Applicant which stated, among other things:

*"Based on inspections and monitoring conducted by BDCB, it is found that Boza Remittance has not complied with several terms of the Remittance Business Licence (SSLP). Therefore, pursuant to Section 9 of the Act, BDCB hereby informs you that the remittance licence for the year 2024 is only valid until the date of this letter, i.e., 28 June 2024. You are directed to immediately cease accepting remittance transactions from the public and to take down your signboard."*

4. On the same day, enforcement officers from the Royal Brunei Police Force, accompanied by BDCB officers, conducted a search and seizure at the Applicant's business premises. This included the seizure of cash and documents.

### **The Application**

5. The Applicant contends that the letter dated 28 June 2024 constitutes a revocation of his remittance licence within the meaning of section 10 of the Act, and that such revocation was effected in breach of section 10(2) which requires a 30-day show cause notice.

6. Accordingly, he invokes section 10(4) which provides:

*"A licensee may, within 30 days of the receipt of the notice of revocation, appeal to the High Court against the revocation, and the Court may make such order thereon as it thinks proper."*

7. The relief sought by the Applicant is not for reinstatement of the expired 2024 licence, but rather for a fresh 12-month licence from the date of this Court's order.

### **Issues for Determination**

8. The issues to be determined are:

(a) Whether the letter dated 28 June 2024 constituted a revocation of an existing licence;

(b) If so, whether the revocation was lawfully effected under section 10(2) of the Act;

(c) Whether the Court has jurisdiction under section 10(4) to entertain the appeal;

(d) Whether the Court is empowered to order the issuance of a new 12-month licence under section 10(4);

(e) Whether the matter is now academic.

### **Applicant's Position**

9. The Applicant contends that the reference to a "licence for the year 2024" in the letter of 28 June 2024 necessarily implies that a licence had in fact been granted or renewed for that year. He asserts that verbal confirmation to this effect was provided by BDCB officers in January 2024, and that he relied on that assurance in continuing to operate the business.
10. He argues that the 28 June 2024 letter, which required him to cease operations immediately, and which was followed by a search and seizure, amounted to a revocation in substance.
11. As no notice to show cause was issued under section 10(2), the Applicant submits that the revocation was unlawful, and that he is entitled to relief under section 10(4).
12. He further submits that the Court has broad powers under section 10(4) to make "*such order as it thinks proper*", including the granting of a new 12-month licence.

### **Respondent's Position**

13. The Respondent argues that no licence was granted or renewed for the year 2024 prior to 28 June 2024. Rather, the Applicant had continued operations without any formal approval.
14. The letter of 28 June 2024 was, in the Respondent's submission, a retrospective grant of a time-limited licence covering the period 1 January to 28 June 2024, intended to regularise the Applicant's prior operations and avoid exposing him to penal consequences.
15. The Respondent maintains that the letter did not revoke any licence, and that therefore the conditions precedent to invoking section 10(4) were not satisfied. Consequently, the Court lacks jurisdiction to entertain the application.
16. The Respondent further submits that the power to grant or renew a licence is vested exclusively in BDCB under section 9 of the Act, and that the Court has no power under section 10(4) to issue a fresh licence.
17. It also argues that the matter is now academic, as the 2024 licence period has lapsed and the Applicant has not filed any new application for 2025.

### **The Court's Findings**

18. First, we consider the question of whether a licence for 2024 had in fact been granted. It is clear from the evidence that the Applicant continued operations from January to

June 2024 in the absence of any written confirmation from BDCB. While he relies on an alleged verbal assurance from BDCB officers, he took no steps to obtain written confirmation and chose instead to proceed at his own risk. That was, in the Court's view, imprudent.

19. The Applicant's reliance on the phrase "licence for the year 2024" in the 28 June letter is insufficient to conclude that a formal licence had been granted. The Respondent's explanation that the letter was intended to retrospectively cover the period of unlicensed operation is, in my view, both plausible and consistent with section 9 of the Act.

20. Section 9 of the Act provides:

*"The Authority may grant or renew a licence under this Act subject to such conditions as it may impose and for such period as it thinks fit."*

21. This provision clearly empowers BDCB to issue a licence retrospectively or for a limited period, as it deems appropriate. The 28 June letter, viewed in that context, does not effect a revocation of an existing licence, but rather constitutes a retrospective and time-limited issuance under section 9.

22. On this basis, I find that there was no licence in place prior to 28 June 2024, and that the letter did not revoke any existing licence. It follows that the provisions of section 10, including the requirement for a 30-day show cause notice under section 10(2), were not engaged.

23. Accordingly, the right of appeal under section 10(4) does not arise, and this Court lacks jurisdiction to hear the application.

24. In light of this conclusion, it is unnecessary to decide whether the Court could have ordered the issuance of a fresh licence or whether the matter is academic. However, I note in passing that section 10(4) empowers the Court to make such order as it thinks proper in relation to a revocation, not to issue a fresh licence de novo. That power remains with BDCB.

## **Conclusion**

25. For the reasons above, I find that the Applicant has not established that his licence was revoked under section 10 of the Act. The application is therefore dismissed for want of jurisdiction.

26. No order as to costs.

**MUHAMMED FAISAL BIN PDJLD DSP KOL(B) HAJI KEFLI**  
Judicial Commissioner