SUPREME COURT OF BRUNEI DARUSSALAM

CHIEF REGISTRAR'S CIRCULAR NO. 5 OF 2026

MODEL FRAMEWORK FOR COMMUNICATION AND COOPERATION BETWEEN ASEAN COURTS IN CROSS-BORDER INSOLVENCY PROCEEDINGS

1. The Judiciary of Brunei Darussalam has adopted the **Model Framework for Communication and Cooperation between ASEAN Courts in Cross-Border Insolvency Proceedings** ("Model Framework"), a copy of which is enclosed with this Circular for information and reference. Or may be obtained on through the Council of ASEAN Chief Justices website (https://cacj-ajp.org/web/wp-content/uploads/2025/11/ModelFrameworkINS.pdf)

2. The Model Framework seeks to facilitate communication and cooperation between courts of ASEAN Member States in cross-border corporate insolvency proceedings, particularly in relation to the coordination and administration of proceedings and the exchange of information, with a view to promoting efficiency, saving time and reducing costs.

3. The Model Framework does not override or derogate from existing domestic laws and procedures. Its application remains subject to the laws of the respective jurisdictions and does not impose any obligation on courts to communicate or cooperate.

4. In accordance with paragraph 6 of the Model Framework, the following officers have been designated as the Point of Liaison (POL) and Alternative Points of Liaison (APOLs) for the Judiciary of Brunei Darussalam:

   Point of Liaison (POL)

   (i) Hajah Ervy Sufitriana binti Haji Abdul Rahman**,** Senior Magistrate/Registrar of the Supreme Court

   (ii) Pengiran Siti Nursu'aidah binti Pengiran Jufrizar @ Pengiran Tajuddin, Registrar of the Supreme Court

   Alternative Points of Liaison (APOLs)

   (i) Dayang Nuuror Raheebah binti Hj Abd Wahab, Registrar of the Supreme Court

   (ii) Mohammad Marzuqi bin Hj Sabtu, Registrar of the Supreme Court

5. The POL and APOLs will serve as the designated contact persons for facilitating court-to-court communication under the Model Framework. Any proposed communication with a court of another ASEAN Member State concerning cross-border insolvency proceedings should be coordinated through the designated POL or APOLs.

6. Judges, Judicial Officers and other court users dealing with matters involving cross-border insolvency proceedings are requested to familiarise themselves with the Model Framework, particularly the provisions concerning requests for court-to-court communication, the information to be provided and the applicable safeguards.

7. This Circular is issued for the information and guidance of all concerned.

ACTING CHIEF REGISTRAR
Supreme Court of Brunei Darussalam

Date: 4th November 2026

Enclosure:
Model Framework for Communication and Cooperation between ASEAN Courts in Cross-Border Insolvency Proceedings



MODEL FRAMEWORK

FOR COMMUNICATION AND COOPERATION BETWEEN ASEAN COURTS IN CROSS-BORDER INSOLVENCY PROCEEDINGS

INTRODUCTION

1. This document provides a **model framework** (hereinafter the "**Model Framework**") for courts in ASEAN Member States to facilitate communication and cooperation in proceedings relating to insolvency, or adjustment of debt for the purpose of reorganisation or liquidation, of corporations opened in more than one ASEAN Member State (the "**Cross-Border Insolvency Proceedings**"), for the purpose of:

   (i) the coordination and administration of the Cross -Border Insolvency Proceedings; and

   (ii) the mutual sharing of information in the Cross -Border Insolvency Proceedings,

   with a view to promoting efficiency, saving time and reducing costs.

SCOPE AND INTERPRETATION

2. The Model Framework applies to the relevant court in an ASEAN Member State (the "**Relevant Court**") that has adopted the Model Framework.

   (i) For the avoidance of doubt, adoption of the Model Framework is subject to Paragraph 3 and does not create an obligation to communicate, cooperate or coordinate as set out in Paragraph 5.

   (ii) The Model Framework may be implemented in each ASEAN Member State in such manner as that State deems fit.

3. The Model Framework is not intended to interfere with or derogate from the existing laws in force in the jurisdiction of each Relevant Court. The Model Framework supplements, to the extent that it does not contradict, any protocol for court-to-court communication and cooperation in Cross- Border Insolvency Proceedings that the Relevant Courts might already have with one another.

4. In the interpretation of the Model Framework, due regard will be given to the need to promote comity as well as good faith and uniformity in its application.

COMMUNICATION BETWEEN COURTS

PURPOSES

5. Subject to Paragraph 3, a Relevant Court may communicate and coordinate directly with another Relevant Court for any of the following non-exhaustive purposes:

   (i) to encourage and if permissible direct the administrators (including and without limitation, liquidators, trustees, judicial managers, administrators, scheme managers, debtors, Official Receiver or plan administrators) to cooperate in all aspects of the Cross-Border Insolvency Proceedings, to the extent permitted by law; and

   (ii) to share or request for information for the purpose of achieving the efficient and fair management of Cross-Border Insolvency Proceedings.

POINTS OF LIAISON

6. Each Relevant Court will appoint a point of liaison ("**POL**") and alternative point(s) of liaison ("**APOL**"), who may be a Judge or court official appointed by the Relevant Court, for court-to-court communication. The POL or APOL of a Relevant Court should contact the POL or APOL of the R /ant Court involved in a specific Cross- Border Insolvency Proceeding using the contact information as per the ASEAN Judiciaries Portal members- only section for the Standing Meeting of ASEAN Insolvency Judges. Each Relevant Court will ensure that the contact information provided on the aforesaid portal is accurate.

REQUESTS FOR COURT-TO-COURT COMMUNICATION

7. A Relevant Court may initiate a request for court-to-court communication (the "**Requesting Court**") with the other Relevant Court (the "**Requested Court**") in relation to specific Cross-Border Insolvency Proceedings.

   (i) The POL or APOL of the Requesting Court should communicate in writing to the POL or APOL of the Requested Court to provide information about the specific Cross-Border Insolvency Proceedings, including information such as the following, where applicable:

      (a) the reference number and title of the Cross-Border Insolvency Proceeding filed in the Requesting Court;

      (b) brief overview of the Cross-Border Insolvency Proceeding (with due regard to confidentiality concerns);

(c) the specific issue(s) on which communication is sought;

(d) the name and title of the Judge of the Requesting Court assigned to the Cross -Border Insolvency Proceeding; and

(e) any other information necessary to achieve the purposes in Paragraph 5.

(ii) The Judge of the Requested Court may respond directly or through the POL or APOL to the request for court-to -court communication and engage in court-to-court communication to the extent permissible by law.

LANGUAGE

8. The default language for court-to-court communication will be the English language, unless the Requesting Court and the Requested Court agree otherwise.

9. Where translation or interpretation is required, appropriate arrangements should be made, as agreed by the Requesting Court and the Requested Court.

10. Where written communication is provided through translation, the communication in its original form should also be provided.



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