

AGC ANNUAL REPORT

2021





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Website: http://www.agc.gov.bn

Perpustakaan Dewan Bahasa dan Pustaka Brunei Pengkatalogan Data-dalam-Penerbitan (Cataloguing-in-Publication)

AGC annual report 2021. -- Bandar Seri Begawan : Attorney General's Chambers, 2024.

94 pages ; 17.6cm

ISBN 978-99917-32-95-4 (paperback)

1. Attorney General's Chambers -- Periodicals2. Government attorneys -- Brunei Darussalam -- Periodicals. 3. Agency (Law) -- Brunei Darussalam -- Periodicals I. Brunei Darussalam. Attorney General's Chambers

347.5955 AGC (DDC 23)



CONTENTS

SOLICITOR GENERAL'S FOREWORD	1
VISION, MISSION AND CORE VALUES	4
ORGANISATIONAL CHART	5
DIVISION HIGHLIGHTS	
CIVIL DIVISION	8
◆ CRIMINAL JUSTICE DIVISION	20
◆ LEGISLATIVE DRAFTING DIVISION	30
◆ INTERNATIONAL AFFAIRS DIVISION	36
♦ BRUIPO	48
◆ COMMUNICATIONS AND STRATEGY DIVISION	59
◆ ADMINISTRATION AND FINANCE DIVISION	64
◆ LAW LIBRARY UNIT	70
AGC HIGHLIGHTS	73
◆ AWARDS	75
◆ ENHANCING LEGAL SERVICES TO THE GOVERNMENT	76
 ENHANCING CRIMINAL ENFORCEMENT AND PROSECUTION 	77
 ENGAGEMENT WITH GOVERNMENT AND ENFORCEMENT AGENCIES 	77



CONTENTS

DEVELOPING OUR CAPABILITIES ◆ AGC-WIDE TRAINING	85
	85
♦ HUMAN RESOURCE MANAGEMENT	87
MATTERS	
GENERAL HIGHLIGHTS	87
◆ CORPORATE GOVERNANCE	88
◆ SOCIAL ACTIVITIES	88
◆ AGC-WIDE PROJECTS	90
PREPARING FOR THE FUTURE	93

SOLICITOR GENERAL'S FOREWORD

As the legal adviser to His Majesty the Sultan and Yang Di-Pertuan and the Government of Brunei Darussalam, the Attorney General's Chambers (AGC) play an important role to advance the interests of the Government. The AGC continuously face challenges to meet the everincreasing demand for legal services and deal with legal issues raised at the domestic and international level. As the Public Prosecutor, AGC also work in close collaboration with other enforcement



agencies in the administration of criminal justice in the country.

In 2021, AGC continued with its initiatives to create a more responsive system of governance. The year saw its first Townhall meeting with the sharing of AGC's new vision, mission and core values which included the introduction of new organisational structure to ensure the core responsibilities and portfolio of divisions align with its vision and mission. Thus began the implementation of its Strategic Plan 2021-2023, the blueprint for future development of AGC.

In line with its Strategic Plan to formulate AGC's Competency Framework., a series of workshops were held throughout the year to identify functional and leadership competencies for the AGC's personnel.

Division heads were also instrumental in drawing their respective divisional strategic plan by taking into account their manpower needs, business process and workflow reviews and identifying their divisional and personnel key performance indicators.

Other initiatives include the re-organisation of work spaces of the divisions which complements the on-going renovation of work spaces to provide better working environment and improve workplace communications. The Brunei Intellectual Property Office (BruIPO) was



also moved back from its then premises at KHub, which it occupied for about a year while still under the management of Ministry of Energy, Manpower and Industry (MEMI), to its current premises at the Law Building on 29th March 2021.

AGC was also not spared from the sudden disruption caused by the second wave of the COVID-19 pandemic which again hit Brunei's shores in early August of the year. A stricter business continuity plan was consequently put in place with only ten percent working from office while the rest had to perform work from home, resulting in an acute awareness of the importance of adoption of digital technologies for AGC's daily business operations. In November of the same year, when the pandemic eventually wanes in the country, the number of AGC's personnel working from office increased to seventy-five percent capacity.

Unfazed by the challenges posed by the disruptions, our people continued to work diligently and smartly throughout the year as captured in this report. However, I wish to highlight here several notable deliverables including the role played by AGC in introducing new and important legislations.

The Criminal Justice Division and the Legislative Drafting Division collaborated on the amendment to the Penal Code which expands the offences relating to theft and mischief to include a new offence of mischief under section 427B of causing or likely to cause disruption to key services such as gas, electricity, telecommunications, healthcare and emergency services. This new addition was sparked by the increase in theft activities relating to electric cables resulting in severe disruption of electrical service during the pandemic.

Comprehensive amendments were also made to the Old Age Pensions and Disability Allowances Act and the Persons with Disabilities Order, 2021 which

reflects the Government's concerted effort to strengthen the care of people with different abilities, and to improve management of provisions of allowances to those who are entitled to receive them under the Act.

In the International fora, this year AGC hosted a number of international events such as the 11th ASEAN Law Ministers Meeting (ALAWMM), the 22nd ASEAN Senior Law Officials Meeting in October as well as the ASEAN Law Association Governing Council in November, all of which were held via video conference.

AGC collaborated with the Prime Minister's Office in conducting a virtual Law Seminar in November this year. The seminar which aims to disseminate and enhance legal knowledge to public officers was well received with active participation from Ministries and government departments.

As part of AGC's manpower development and succession planning and as testament of AGC's appreciation of their commitment and contribution, fifteen deserving senior officers were promoted during the year. This promotion will enable AGC to further recruit new officers with the aim to reach optimum capacity for efficient delivery of services. AGC is committed and dedicated to enhancing knowledge and talent and upskilling our people while also preparing new and incumbent employees, all of which are key ingredient for a successful and productive AGC.

SOLICITOR GENERAL Hajah Zuraini binti Haji Sharbawi



VISION

MISSION

CORE VALUES

Excellence in Legal Service

To Provide Sound Legal Advice

To Conduct Fair and Independent Criminal Prosecution

To Draft Quality Legislation

To Provide Efficient Registry Service

PROFESSIONALISM

We conduct ourselves with professionalism

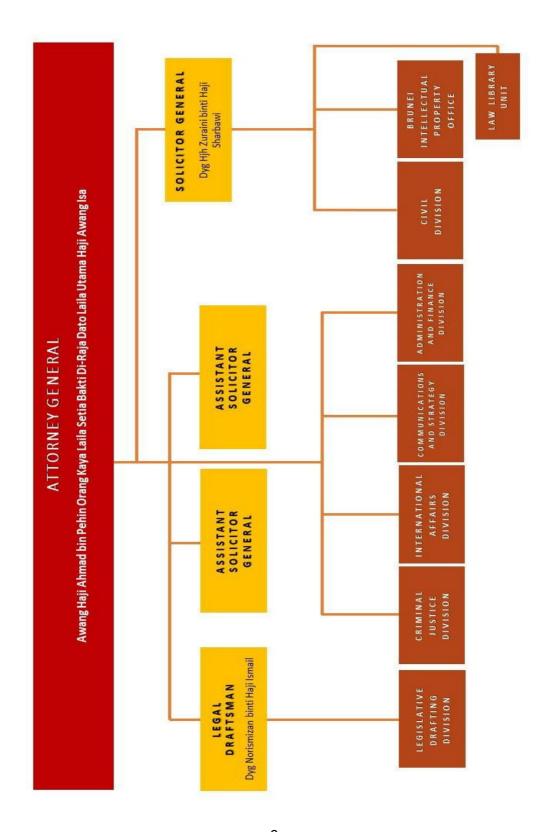
INTEGRITY

We act with integrity

TEAMWORK

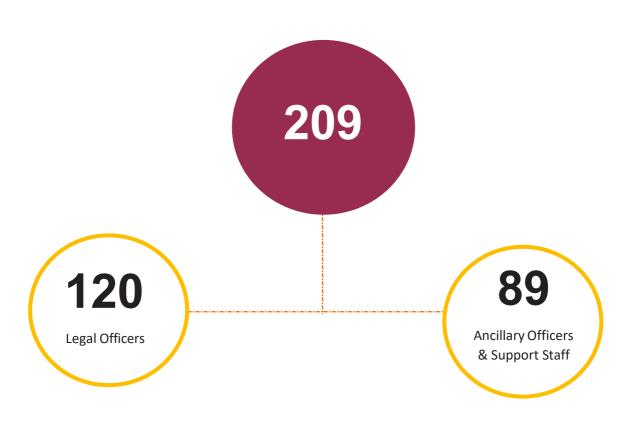
We work together to make AGC better

ORGANISATIONAL STRUCTURE





TOTAL NUMBER OF AGC OFFICERS AND SUPPORT STAFF



CIVIL DIVISION

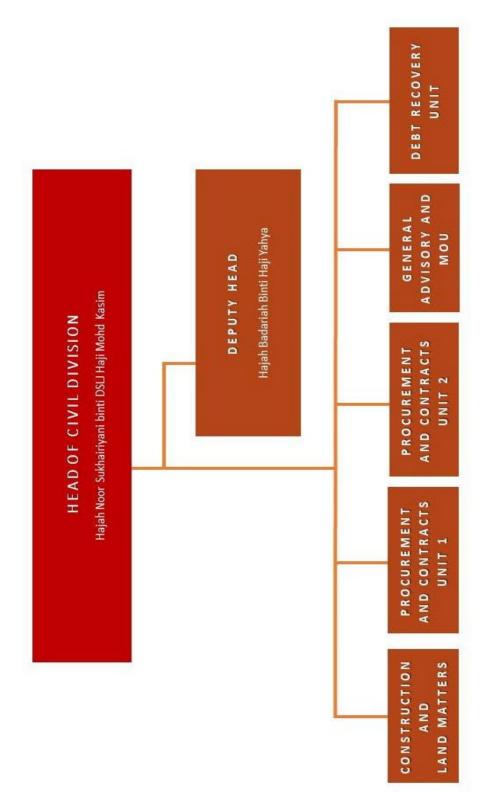


The Civil Division is led by the Head of Division, Dyg Hajah Noor Sukhairiyani binti DSLJ Hj Mohd Kassim. She is assisted by the Deputy Head of Division, Dyg Hajah Badariah binti Haji Yahya.

Organisational Changes

In its effort to manage the increasing demands for legal services from the Government ministries, departments and agencies, the year 2021 witnessed a significant change in the Division's organisational structure. As part of the Division's strategy, the Advisory Units of the Civil Division has been divided according to specific portfolios to ensure fast turnaround time and to provide comprehensive and practical legal solutions to the Government ministries, departments and agencies. The Division also recognises the importance of specialisation in a particular area of law and thus, the officers have been placed in the respective units based on their experiences and exposure.

In April 2021, the Division was joined by Dyg Karen Tan, who became head of the Debt Recovery Unit, and welcomed Dyg Marrina's and Dyg Siti Aisyah's return to the Division after completing their rotation programme. Two officers from the Division, Dyg Norazlina binti Abdul Jami and Awg Muhammad Abdul Raafe' bin Haji Ibrahim, continued their secondment to the Ministry of Development and Prime Minister's Office respectively throughout the year 2021 and subject to further direction, will tentatively end their secondment in March 2022.



DIVISION HIGHLIGHTS

The Advisory Units

Besides advising the Government on a broad spectrum of legal matters including drafting of contracts, MOUs, statutory interpretation, the Advisory Units are also responsible to represent the Government in legal proceedings and alternate dispute resolutions, if required.

As with the trend from the previous years, the Civil Division continued to receive more complex contracts, MOUs and advisory requests from the instructing ministries, departments and agencies. The nature of contracts, MOUs and advisory dealt by the Division is very diverse varying between straightforward sale and purchase agreements with local parties to high valued and complicated procurement and service agreements with foreign parties.

Along with the advisory works, the Advisory Units were also actively involved in Board and Committee meetings in support of numerous national projects and initiatives and underwent trainings and seminars to improve the officer's conduct and greatly develop their interpersonal skills throughout the department by improving competence, communications and confidence.

The Debt Recovery Unit

The Debt Recovery Unit focuses on debt recovery matters and represents the Government in civil claims as well as the Honourable Attorney General in matters and proceedings under the Legal Profession Act (Cap. 132). Up until 25th February 2021, the unit also carried out registry work in respect of Powers of Attorney and the Revocations of the Powers of Attorney under the Powers of Attorney Act (Cap.13) and Registration of Marriages (Cap. 124).

Work Highlights

The Civil Division played their role in combatting COVID-19 by advising the Ministry of Health in the vetting of agreements for the procurement of various of vaccines namely types Sinopharm, Pfizer, Moderna, AstraZeneca directly from the manufacturers and/or through bilateral arrangements with China, Singapore, Australia and Japan; and the procurement of anti-viral oral therapy from Pfizer and Merck. The Division supported discussions and negotiations on the binding sheet outlining substantive terms in relation to the supply agreements.



In 2021, Brunei Darussalam also carried out the e-Census Banci Penduduk dan Perumahan (BPP) 2021. It is the sixth census of its kind and

the first digital data collection for the country. The Civil Division provided legal advice to the Department of Economic Planning and Statistics which included the vetting of the agreement for the procurement of Computer Aided Web Interface (CAWI) System to carry out the population and housing survey digitally.

In relation to climate change, the Division advised the Department of Environment, Park and Recreation in the review of the Memorandum of Agreement on Small Scale Funding Agreement relating to Hydrochlorofluorocarbons the (HCFC) Phase-out Management Plan (Stage II, First Tranche).

AGC supported and advised the Ministry of Development particularly Land the Department in the Working Group Committee for Revision of the Land Code, 1909 An officer from the Division was also elected as a member of the working group provide legal committee to advice and participated in the discussions and meetings.

Some of the Civil Division's contribution towards matters of national infrastructure include. among others, advising the Department of Civil Aviation in the preparation of agreements airfield the pavement rehabilitation and other repair works at Brunei International Airport, the Brunei Darussalam Central Bank on legal and contractual aspects relating to its building project and the Ministry of Primary Resources and Tourism in vetting the agreement for the renovation, construction. operation maintenance οf the accommodation complex at the Ulu Temburong National Park.

In the area of safety and security, the Civil Division was also involved in discussions on various aspects with different governmental agencies such as legal advice in relation to the proposed novation agreement for the National Coastal Surveillance System Project for **National Maritime Coordination** Centre. Prime Minister's Office and in vetting a consultancy contract with services the Ministry of Defence for the **Forces** Royal Armed Command. Control. Communications. Computers, Intelligence, Surveillance and Reconnaissance Replacement System Project. A Civil Division officer was elected as a member in the Working Group Committee for Unmanned Aircraft/Drone with the Ministry of Transport and Infocommunications.

Additionally, an officer from the Civil Division was also elected as a member of the working group committee for the National Disaster Management Centre in reviewing the Financial Rules of the ADMER Fund which was established under the ASEAN Agreement on Disaster Management and Emergency Response.

In the oil and gas field, the Civil Division was given the honour to continue to represent the Attorney General's Chambers in the National Unitisation Secretariat (NUS) and provided legal advice on all NUS matters. The Civil Division also reviewed agreements in relation to the cross-border unitisation of offshore fields and implementation agreement for oil refinery plant petrochemical at Pulau Muara Besar, Furthermore, the Civil Division represented AGC in the Block A and Discovered Field Opportunities Taskforce,

and provided all necessary legal advice for its upcoming licensing round.

For civil aviation matters, the Civil Division advised the Department of Civil Aviation on the 'legal scrubbing' of draft letters of variation, concession and exemption from compliance with provisions of Civil Aviation Regulations, 2006. Brunei Aviation Requirements, International Civil Aviation Organisation standards. airworthiness directives of Federal Aviation Authority and European Aviation Safety Agency.

The Division Civil also represented the Government in Originating Summons No. 84 of 2020 M-Come Enterprise & MCDC Sdn. Bhd. (formerly known as M-Come Design & Construction Sdn Bhd) vs The and Probate Officer the Originating Summons between Abdul Radzak Damit vs Yang Berhormat Dato Seri Setia Haji Awang Abdul Mokti bin Haji Mohd Daud.

For debt recovery matters, the Civil Division gave consideration and reviewed the amount for minimum debt recovery to be pursued by the Attorney General's Chambers on behalf of Government ministries and departments.

Training



Civil Division Workshop

On the 3rd July 2021, the Civil Division held an internal workshop for all its officers at Dewan Jubli to officially announce the Division's new organisational structure and provide an insight on the work process; including the key performance indicators of the Division.

Youth Executive Programme

One of the officers from the Bazilah Division, Dyg Amirah binti Awg Haji Mohamad Yunus was nominated to participate in the fifth cohort of the Youth Executive Programme (YEP) 2021. The flagship programme under the Civil Service Leadership Pipeline (CSLP) aims to



Dyg Bazilah (as Community Work Project Leader) with her team during a learning exercise to create Short-Term and Long-Term Strategic Plans for their project using foresighting tools and techniques as part of the Strategic Foresight Module, 14 July 2021

equip officers in civil service competency areas encompassing personal effectiveness, interpersonal skills and strategic management knowledge to produce capable leaders towards achieving civil service excellence. Through various methods of learning, the programme provides opportunity to expand the officers' scope of knowledge and experience towards different governance concepts.

The formal learning part of the programme lasted for four months starting from the 26th May 2021 to the 25th September 2021 followed by an individual work-related project assignment titled Cadangan Penggunaan Perkhidmatan Pesanan Ringkas 'DST SMS Gateway' Dalam Prosedur Pengutipan Hutang Kepada Kerajaan.



With the Honourable Minister of Health and the Deputy Permanent Secretary of the Ministry of Health during her YEP Experiential Learning Module placement at the Ministry of Health, 22 July 2021



Group photo of the YEP5 participants with the Director General of the Public Service Commission, the Director of the Civil Service Institute and the programme coordinators, 17 July 2021



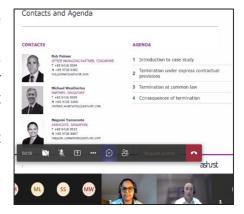
of MKM's Education Fund and School Breakfast Scheme, on behalf of YEPS, to Majlis Kesejahteraan Masyarakat (MKM) President Mohd Yusof Halim during a visit to the MKM Office as part of the YEP Community Work Module, 5 June 2021

Temasek Foundation – SMU Workshop 2021: Mediation and Dispute Resolution Programme in Asia

Dyg Karen Tan, Head of the Debt Recovery Unit, attended a virtual workshop on the 30th November 2021. Among other objectives, the workshop aimed to deepen the understanding of institutional frameworks for dispute resolution, mediation practice and policy as well steps for strengthening dispute resolution infrastructure in addition to increasing institutional awareness of the benefits of mediation and of strong dispute resolution legal frameworks.

Online Seminar on Termination of Contracts by Ashurst

On the 27th August 2021, an online seminar was presented by a team from Ashurst Singapore to officers from the Division and from other Government ministries, department and agencies. The team deliberated at length various circumstances that may trigger termination of contract, termination clauses as well as consequences following termination.



Production Sharing Contracts and International Petroleum Fiscal Systems

From 28th September 2021 to 30th September 2021, two officers of the Advisory Unit who are involved in oil and gas matters attended an online course on Production Sharing Contracts and International Petroleum Fiscal Systems. The course consisted of six modules delivered by the leading international petroleum advisory firm, Daniel Johnston & Co. with the objective to provide contract perspective on the full cycle of petroleum operations from exploration and appraisal through development, production and site restoration as well as cover concepts associated with petroleum fiscal system analysis and design, governing business relationships between oil companies and governments.

The learning outcomes included learning about different fiscal system designs and their key elements, learning to 'speak the language' of international deal-making and negotiations, analysing different fiscal mechanisms and their impact on cash flow and comparing PSC and Royalty Tax (Concession) designs. Furthermore, the course also aims for an understanding of drivers behind fiscal system designs and taxation policy choices as well as evaluating the key economic metrics for various system designs.



Centre for International Law (Cil), National University of Singapore: Commercial Applications of Public International Law



The online course held on the 26th November 2021 and 3rd December 2021 consisted of four modules encompassing the various aspects of public international law from a commercial

perspective which was presented by Dr Romesh Weeramantry, the Head of International Dispute Settlement at the Centre for International

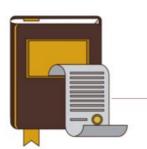
Law at the National University of Singapore and an Adjunct Professor at the National University of Singapore Faculty of Law.



Some of the key takeaways from the course include understanding the implementation of international law and instruments through national law

to become binding on business entities, state sovereignty, state responsibilities and state immunity and enforcement against a foreign state's assets. Other relevant topics covered in the course are stabilisation clauses, dispute resolution provisions and clauses that select international law as the governing law of the contract.





CD KEY FIGURES FOR 2021

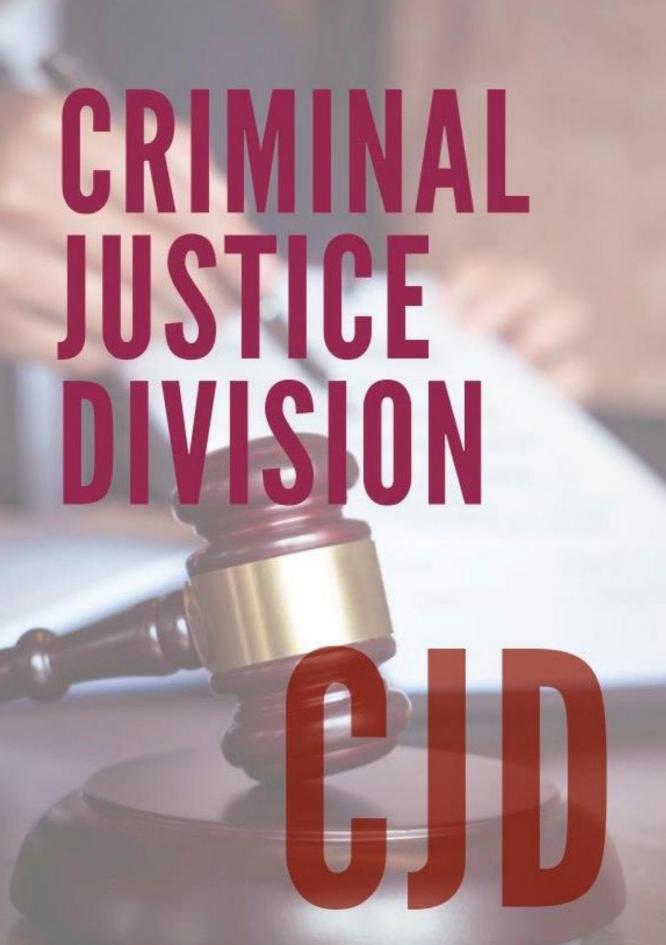


Understanding

Number of Legal







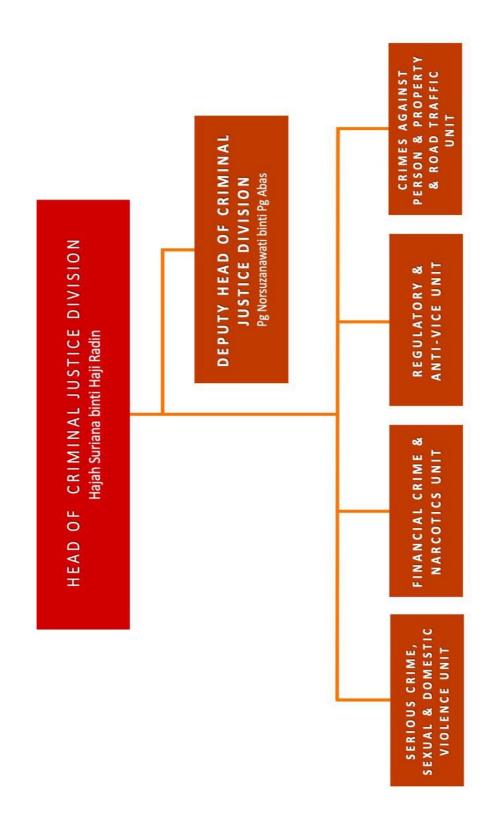
The Criminal Justice Division (CJD) carries out the function of the Honourable Attorney General in his capacity as the Public Prosecutor. Officers of the Division act as Deputy Public Prosecutors (DPPs) and Prosecuting Officers (PO) under the authority of the Public Prosecutor and conducts all criminal prosecution in Brunei Darussalam as well as criminal appeals and criminal revisions in the High Court and the Court of Appeal. DPPs also provide legal advice in relation to various prosecutorial, enforcement and other criminal related matters.

CJD is comprised of 24 prosecutors and is led by Head of Division Dyg Hajah Suriana binti Haji Radin and Deputy Head of Division Pg Norsuzanawati binti Pg Hj Abas. In carrying out their duties, the officers are guided by CJD's mission to safeguard a fair criminal justice system for the public, victims and defendants by maintaining a competent and impartial prosecution service.



The Criminal Justice Division works closely with the various law enforcement agencies in Brunei Darussalam and provides legal advice in relation to the Investigation Papers received from the law enforcement agencies.

The Criminal Justice Division also renders legal advice on criminal law matters to various Ministries and Government Departments. In addition conducting prosecution, Deputy also Public Prosecutors conduct training, seminars, lectures and dialogues to the relevant stakeholders including law enforcement agencies and other government agencies as well as outreach programmes to the public, educational institutions and other nongovernmental organisations in Brunei Darussalam.



The Criminal Justice Division is structured into four main units, with each Head of Unit leading a team of prosecutors. Each unit is assigned a portfolio of work under their purview and is responsible for the majority of the criminal cases that fall within the ambit of the portfolio. Nevertheless, a Prosecutor may well be required to conduct prosecution of cases outside their portfolio to train and produce well-rounded Prosecutors, while specialising in specific areas of criminal law.

Also, as part of the CJD's professional development programme for its officers, several subject matter Focus Groups have been established giving officers the opportunity to become well-versed in other areas beyond their unit's portfolios and to give them exposure beyond litigation related matters:

- Children and Young Persons
- > Terrorism
- Money Laundering and Asset Recovery
- > Cybercrime

- Maritime
- Human Smuggling and Human Trafficking
- International Cooperation
- Brunei Darussalam International Reviews

CJD IN THE FACE OF COVID-19

On 8th August 2021, Brunei Darussalam recorded its first active infection since the first wave. The rapid rise in daily infection rates caused unprecedented interruption to CJD's standard processes due to the courts' closures and law enforcement agencies' restrictions. To implement some of the Government's measures to address the pandemic, 90% of the officers in the Division began working from home.

Nonetheless. **Prosecutors** adapted quickly to the remote working conditions and utilised maintain technology to administration of justice by via video attending court conferencing receiving and Investigation **Papers** this electronically. During second wave of the pandemic (August - November 2021), Prosecutors successfully brought 47 cases to court by video conference

The second wave also saw numerous individuals committing egregious offences relating to COVID-19 restrictions, which our Prosecutors duly charged these individuals in court for commission of these offences.

During this period, CJD also took this opportunity to prolifically source and participate in online courses to train its Prosecutors and by the end of 2021, our various Prosecutors have attended 21 online courses since August 2021.

The Covid-19 pandemic has not hindered CJD's dedication to capacity- building, with most officers participating in a wide range of training sessions conducted virtually from 2020 to date, including: Seminar on Access to Justice during the Pandemic; Regional Workshop on IP Enforcement; Workshop on Legislation and Capacities of Criminal Justice Authorities to Fight Online Child Sexual Exploitation in Asia; Webinar on Corruption at the Border; etc.

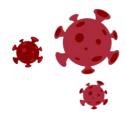
Between 2021 to 2022, CJD representatives have also been selected to participate prestigious several training programmes which CJD candidates had to undergo a selection process to be able to participate, including the month-International Visitor long Leadership Programme: Anticorruption Series: Trafficking in Persons Course; and the Conducting Financial Investigations (Foundation) Programme organised by the US Department of State, ILEA and the OECD International Academy for Tax Crime Investigation respectively.

Notably, CJD officers represented the Honourable Attorney General in several COVID-19-specific Government Committees and Taskforces. namely the National Coordination Centre for Covid-19 (N3C19) and the Taskforce on Issues Related to Foreign Workers, to give advice on various issues relating to the enforcement and implementation of relevant laws.

NOTEWORTHY CASES

Although CJD has had to recalibrate in the wake of the operational disruptions brought about by the COVID-19 pandemic, CJD continues to take a firm stance against offenders and seek to bring them to justice. Here are some of our significant cases in 2021:

Cases Involving Various Breaches of MOH Covid-19 Directions



1st Case

In the midst of escalating COVID-19 infection rates during the second wave of the pandemic in Brunei Darussalam, the Ministry of Health issued a direction which forbids participation in mass gatherings as part of the Government's effort to reduce transmission of the said virus.

Seven individuals were arrested and charged for breaching the direction by congregating at a private residence to partake in a birthday celebration.

The owner of the private residence was sentenced to B\$6,500 fine whereas the rest of the defendants were given a B\$5,500 fine each.

2nd Case

An Indonesian national, who tested positive for the COVID-19 virus, left his place of residence while undergoing his quarantine order to walk to a nearby convenience store. He proceeded to enter the said store without scanning his QR code, and omitted to include his details into the logbook at the entrance of the store. He then browsed items in the store with members of public around.

He was subsequently charged under the Infectious Diseases Act (Chapter 219) for breaking his quarantine order, failing to scan his QR

code prior to entering a public premise and exposing risk of infection to others. He was sentenced to 8 months' imprisonment.

3rd Case

A 65-year old local woman was charged under the Infectious Diseases Act for breaching her self-isolation notice without permission of the Minister of Health.

The defendant was aware she was to remain at her place of residence throughout her self-isolation period, but left anyway to go to a store. Consequently, she was given a 2- months' imprisonment sentence.

Heavy Sentences Secured For Intra-Familial Sexual Abuse Cases



1st Case

This case concerns a father who raped and sexually abused his two underaged daughters in the span of three years.

The defendant faced 10 charges ranging from offences of rape, forcing a minor to watch pornographic videos and outraging modesty, to which he was convicted of all charges after trial.

The Judge sentenced the defendant to the maximum penalty ascribed which is an imprisonment sentence of 30 years.

The defendant was also sentenced to 15 strokes of the cane, which reflects the defendant's gross abuse of trust and parental authority.

2nd Case

The Defendant is a former member of the Royal Brunei Police Force, and was convicted after trial for outraging the modesty of his three biological daughters on five separate occasions.

The victims were all under the ages of 18 years old when the defendant molested them, the youngest victim being 10 years old, and were committed in the confines of their home for over a period of 4 years. In what was described as "prolonged sexual molestation" inflicted upon the victims by the defendant, the judge imposed a cumulative sentence of 20 years and 12 strokes against the defendant.

In arriving at the sentence, the Judge took public interest consideration for intra-familial sexual cases and the fact that the defendant, a policeman, was expected to protect the public but instead committed a gross abuse of trust against his own children.



B\$1.473 Million Fine for Contraband Goods

The defendant was arrested after being discovered by patrolling Marine Police personnel partially submerged in the water of Sungai Menunggol, in an attempt to evade detection for assisting in the delivery of 1,295 cartons of contraband cigarettes.

He was sentenced to a fine of B\$1,472,000. Failing to pay the said fine, he was subsequently ordered to serve the in-default 3 years imprisonment sentence.



Former Judicial Officers' Embezzlement Appeal Dismissed

In 2019, a husband and wife duo were convicted for offences of criminal breach of trust and money laundering which they had committed in their capacity as judicial officers. A total of B\$15.75 million was embezzled over a period of 14 years where three different types of money laundering offences were involved namely paying stolen money from 255 bankrupts' accounts into their joint bank accounts in Brunei

Darussalam, transferring stolen monies into their U.K. bank accounts and buying expensive motor cars.

This is the largest amount of embezzled monies that Brunei courts have dealt with in history.

At the conclusion of a 6-week's hearing, the husband and wife duo were given 5- and 10-years imprisonment sentences respectively, to which both appealed against their convictions.

The Prosecution, as respondents, cross-appealed the sentences as being manifestly inadequate and applied for significant increases for their sentences.

At the end of the appeal, the Court of Appeal judges dismissed both appellants' appeals against their conviction. Furthermore, the respondents succeeded in their application to increase the sentences as the Court of Appeal judges made a ruling to quash the trial judge's order of 10 years imprisonment sentence against the first appellant, and increased her sentence to 15 years. The judges also made a similar ruling against the second appellant and quashed the trial judge's initial order of a 5- year imprisonment sentence and increased it to 7 years and 6 months.

CJD KEY FIGURES FOR 2021

NO. OF OFFICERS AND SUPPORT STAFF



INVESTIGATION PAPERS RECEIVED



PROSECUTED CASES





Brought via videoconference during the second wave (8th August – 20th November 2021)

APPEAL CASES





AMOUNT CONFISCATED UNDER CRIMINAL ASSET RECOVERY ORDER

2020

BND 33,786.00

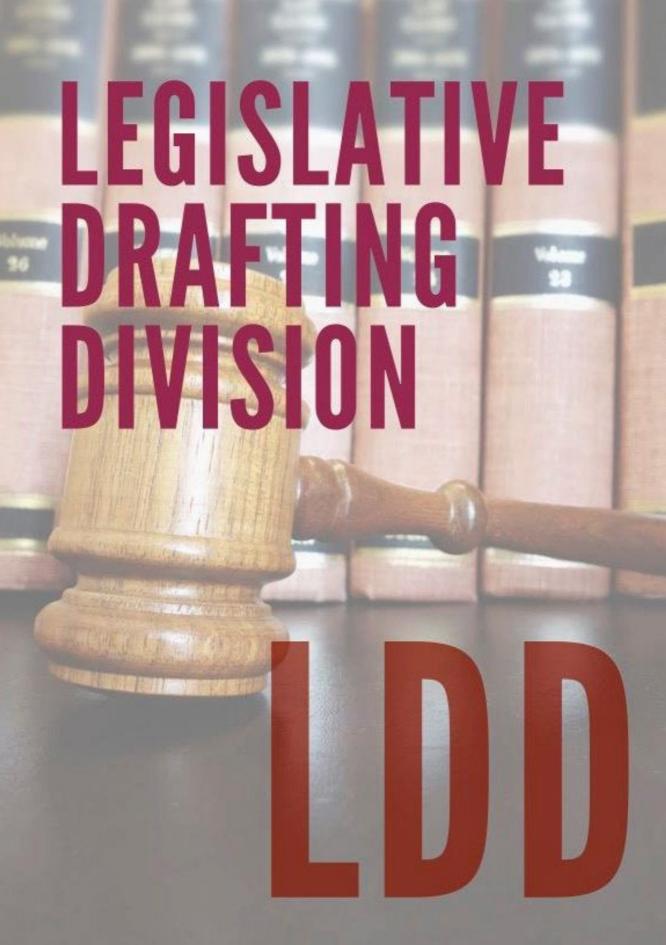
2021

BND 612,724.30



COVID-19 second wave

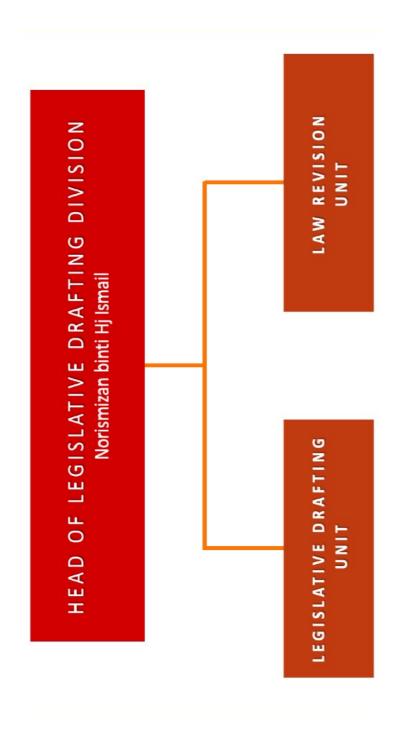
Online training courses since



The Legislative Drafting Division (LDD) is responsible for the drafting of legislation encompassing the policies of the Government of His Majesty the Sultan and Yang Di- Pertuan and simultaneously ensuring that these laws abide the Constitution of Brunei Darussalam and the country's local customs and traditions.



LDD is led by the Head of Division, Dyg Norismizan binti Haji Ismail. The Division is divided into two Units, namely, the Legislative Drafting Unit and the Law Revision Unit.



The Legislative Drafting Unit is responsible for drafting principal and subsidiary legislation required by the Government and statutory bodies to give effect to the policies of the Government of His Majesty the Sultan and Yang Di-Pertuan, in accordance with the Constitution of Brunei Darussalam and existing laws, regulations, policies, local customs and traditions. The Unit is also responsible in preparing standard drafts, including Notifications and matters related to Legislative Council sessions and giving presentations on the Constitution of Brunei Darussalam, Law- Making Process etc. The Unit is also responsible for the upload of the Laws of Brunei Darussalam onto the AGC website with the assistance of the Law Revision Unit.

The Legislative Drafting Unit is also involved in the preparation of the Malay texts of the Revised Edition of the Laws of Brunei by working closely with the Translation Unit of the Communications and Strategy Division.

The Legislative Drafting Unit has actively conducted virtual roadshows with Ministries on the Draft Legislation Database (DLD) to give access to the Ministries on information relating to drafts legislation pending with AGC as well as drafts completed by AGC which have been submitted to the Ministries.

The Law Revision Unit is responsible for the annual revision of the Laws of Brunei through the law revision process in compliance with the statutory obligations of the Honourable Attorney General under the Law Revision Act (Chapter 1).

MAJOR LEGISLATIONS PASSED



Persons with Disabilities Order, 2021

The Persons with Disabilities Order, 2021 is an Order to provide for the registration of, and offences against, persons with disabilities and for other matters connected therewith or incidental thereto. The Order ensures that individuals with disabilities are looked after and that they

are given equal opportunity as well as able to enjoy life with inclusivity in the Sultanate.



Penal Code (Amendment) Order, 2021

The Penal Code (Amendment) Order, 2021 amended the Penal Code (Chapter 22) to strengthen the law in relation to offences affecting property by introducing new offences, expanding on current offences as well as enhancing the punishments of such offences, particularly

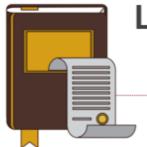
where such acts cause or are likely to cause disruption to key services. Key service covers a wide range of services which includes a service directly related to the provision to the general public of electricity, broadcasting and telecommunications, and others.



Supreme Court Act (Amendment) Order, 2021 Intermediate Courts Act (Amendment) Order, 2021 Subordinate Courts Act (Amendment) Order, 2021

These Orders respectively amended the Supreme Court Act (Chapter 5), Intermediate Courts Act (Chapter 162)

and Subordinate Courts Act (Chapter 6) to allow the Courts to conduct online hearing for witnesses that are in isolated areas and outside Brunei Darussalam. These amendments pave the way for litigators to keep up with modern litigation procedures and court processes and significantly improve access to civil litigation.



LDD KEY FIGURES FOR 2021





REVISED EDITION OF LAWS OF BRUNEI



PUBLISHED LEGISLATIONS



LEGAL ADVICE REFERRALS RECEIVED

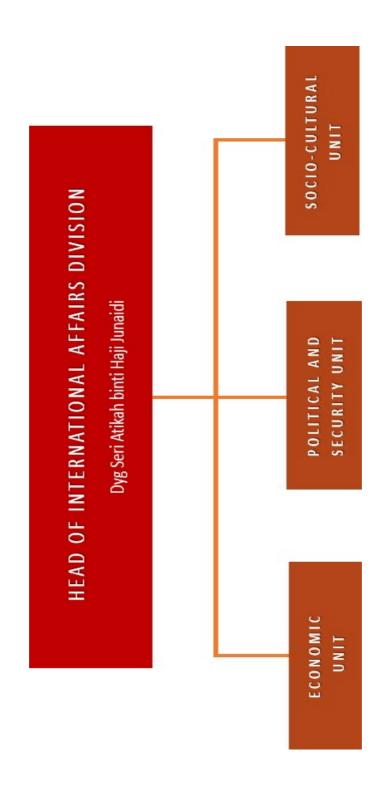


INTERNATIONAL AFFAIRS DIVISION

The International Affairs Division's (IAD) provides legal advice on all matters of international law such as treaties and conventions, trade and investment law, maritime and civil aviation law, human rights and on other international legal issues referred to by the ministries and departments. The Division also assists in the preparation and vetting of bilateral and multilateral legal instruments, and represents the Government in bilateral and multilateral negotiations as well as international meetings. IAD assists and advises ministries and agencies on the implementation of Brunei Darussalam's international obligations including the preparation of the domestic laws and regulations.

IAD is led by the Head of Division, Dyg Seri Atikah binti Hj Junaidi who replaced Dyg Norazizah binti Hj Mohd Ja'far effective from 1st March 2021.

On 23rd April 2021, the IAD organisation underwent restructuring; merging the Political Unit and Security Units to become the Political-Security Unit headed by Pg Hj Liyan bin Pg Hj Mohammad. The Division now has three Units, comprising the Economic Unit, Political-Security Unit and Socio-Cultural Unit.





The Economic Unit specialises in legal issues relating to the economic development of Brunei Darussalam that includes trade, investment, financial services, transport, tourism and intellectual property. The Unit is actively involved in negotiations for all free trade agreements that Brunei Darussalam is to

become party to, and assists relevant government agencies in the drafting and vetting of bilateral and multilateral economy related agreements. The Unit also advises on matters relating to Brunei Darussalam's memberships to international organisations such as the International Monetary Fund, World Trade Organisation and Asia Pacific Economic Cooperation (APEC).



The Socio-Cultural Unit focuses on regional and international matters that have a bearing upon cooperation on social welfare and cultural issues in Brunei Darussalam. It advises on Memorandums of Understanding and agreements on a wide range of

matters that include consular matters, health, education, sports, labour, gender equality, women, children and the environment.



The Political and Security Unit covers two substantive portfolios. The Political portfolio advises on Brunei Darussalam's diplomatic and political relations bilaterally, regionally and multilaterally, and ensures that such relations are consistent with Brunei

Darussalam's laws, regulations and policies. Bilateral issues include political relations, land and maritime boundaries, visa exemptions, diplomatic privileges and immunities and legal cooperation. On a regional and multilateral level, the Unit advises on institutional aspects of regional and international organisations and also prepares position papers and national implementation reports that may be required for Brunei Darussalam to fulfil its obligations as a member of an organisation.

The Security portfolio handles all matters pertaining to international cooperation and agreements that affect the security of Brunei Darussalam and its protection from international acts of violence, crime and harm. Matters under its purview include anti-terrorism, transnational crime, defence, maritime security, transfer of prisoners, mutual legal assistance and extradition. The Unit sits in the domestic national committee related to maritime security.

Commonwealth Highlights

Commonwealth High-Level Meeting for the Law Ministers on the Legal Impact of COVID-19

The High-Level Meeting for the Commonwealth Law Ministers was held on 18th February 2021. The meeting was a special session of the Commonwealth Law Ministers convened to discuss the prevailing issue of COVID-19 and the key legal challenges resulting from the COVID-19 pandemic in the Commonwealth, including to ensure equal access to justice for all, upholding the rule of law in the fight against COVID-19 pandemic and the legal barriers to equitable access to essential medicines, including vaccines and equipment. The Honourable Attorney General, Awang Haji Ahmad bin Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato Laila Utama Haji Awang Isa headed Brunei Darussalam's delegation to the High-Level Meeting and also in attendance were Dyg Hjh Zuraini binti Haji Sharbawi, Solicitor General and officers of AGC.

Senior Officials of the Commonwealth Law Ministers Meeting (SOLM)

The SOLM was held on 16th and 17th February 2021. SOLM meets twice at every regular session of the Commonwealth Law Ministers, held once every three years. The Brunei Darussalam's delegation was headed by Dyg Hjh Zuraini binti Haji Sharbawi, Solicitor General and attended by Dyg Norazizah Haji Mohd Ja'afar, the former Head of IAD, and other officers in AGC. Apart from the regular topics under its



agenda, the meeting also discussed and exchanged views on the challenges brought about by COVID-19 and shared experiences and efforts to address the impacts particularly ensuring due process and the rule of law was upheld and access to justice was assured. Other substantive matters considered and discussed were the action plan for the implementation of "Equal Access to Justice" Declaration, Singapore Mediation Convention, data protection, and courts transformation through digitalisation and ICT technology.

11th ASEAN Law Ministers Meeting (ALAWMM)



The 11th ALAWMM was held on 27th October 2021 through video conference and hosted by Malaysia. Brunei Darussalam's delegation

was headed by The Honourable Attorney General and attended by officers of AGC.

A sectoral body under the ASEAN Political-Security Community Pillar, ALAWMM's objectives are to discuss and exchange views on cooperation in the legal fields, including education and training, and to cooperate and address all legal matters in support of ASEAN integration efforts. A Joint Communique was adopted at the end of the 11th ALAWMM, among others confirmed the establishment of the ASEAN Extradition Treaty Working Group and the endorsed Terms of Reference, and also endorsed the decision to increase ASLOM's and ALAWMM's meeting frequency to annually and biennially respectively.

20th ASEAN Senior Law Officials Meeting (ASLOM)



The 20th ASLOM was held on 25th -26th October 2021 through video conference and hosted and chaired by Malaysia. Brunei Darussalam's delegation was led by Dyg Seri Atikah binti Hj Junaidi, Head of IAD.

The meeting discussed the substantive agenda

items, including the development of an ASEAN Extradition Treaty; the preliminary work to develop an Agreement on the Transfer of Sentenced Persons among ASEAN like- minded states; harmonisation of ASEAN trade laws; as well as collaboration with ASEAN Law Association



1st Senior Officials Meeting of the Central Authorities on Mutual Legal Assistance in C riminal Matters (1st SOM-MLAT)

IAD co-organised the preparation of the 1st SOM- MLAT with CJD which Brunei Darussalam hosted via video conference on 2nd - 3rd November 2021. The meeting was chaired by the Solicitor General and attended by all ASEAN



central authorities on MLA matters as well as representatives from the ASEAN Secretariat.

Brunei Darussalam's delegation was led by Dyg Hjh Suriana binti Haji Radin, Head of CJD. The meeting discussed primarily practical issues faced by Central Authorities in implementing the obligations in ASEAN MLA Treaty and on the investigation and proceedings of matters involving cross-border crimes.

Other Work Highlights

42nd ASEAN Law Association (ALA) Governing Council Meeting

The 42nd ALA Governing Council Meeting was held on 11th November 2021 via video conference. The Honourable Attornev General as chair of Brunei ALA National Committee. headed the Brunei Darussalam's delegation comprising representatives



from AGC, Judiciary, private legal firms, and the Universiti Islam Sharif Ali.

At the meeting, the Governing Council considered and agreed for the term of the current ALA President and Secretary-General to be extended until the 14th ASEAN Law Assembly which will be convened in Malaysia 2022, the ASEAN Law Institute Workplan 2021 and 2022, ALA Guidelines on Best Practices on the Enforcement of Arbitral Awards with ASEAN, and the reports on the works of the ALA Standing Committee. The Governing Council also endorsed the following initiatives the establishment of an ASEAN Law Centre, the Virtual Workplace, awareness building on ASEAN Law, and the development of the ASEAN Lawyer.



The 59th AALCO Session was held from 29th November – 1st December 2021 and hosted by the Government of the People's Republic of China.

Held in hybrid format, the Session encompassed a physical conference in the Hong Kong Special Administrative Region of China and a virtual conference. Brunei Darussalam was headed by The Honourable Attorney General and attended by officers from IAD. Among the outcomes of the Session was the election of His Excellency Dr. Kamaline Pinitpuvadol from the Kingdom of Thailand, who replaced His Excellency Professor Dr. Kennedy Gastorn from the United Republic of Tanzania, as the new Secretary-General of AALCO, and the establishment of the new AALCO regional arbitration centre in Hong Kong SAR. The Meeting also deliberated on the selected items on the agenda of the International Law Commission at its 72nd Session, which are international law on cyberspace, and violations of international law in Palestine.

Working Group on Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) - Labour Chapter



IAD continued to chair the Meeting of the Working Group on CPTPP Labour Chapter. The Working Group was established on 23rd November 2020 to review the obligations under the CPTPP Labour Chapter and address the gap in its implementation specifically pertaining to the obligations on freedom of association and collective bargaining. The Working Group members comprise representatives from AGC, Department of Labour, Ministry of Home Affairs (MOHA), and Prime Minister's Office, and reports to the Meeting of the Permanent Secretaries to the Ministry of Finance and Economy and MOHA.

The Working Group has met eight times since January 2021. The last 13th Working Group was held virtually on 23rd November 2021 and chaired by Dyg Seri Atikah binti Hj Junaidi, Head of IAD.



FOR 2021





Attendances at International Negotiations and Meetings



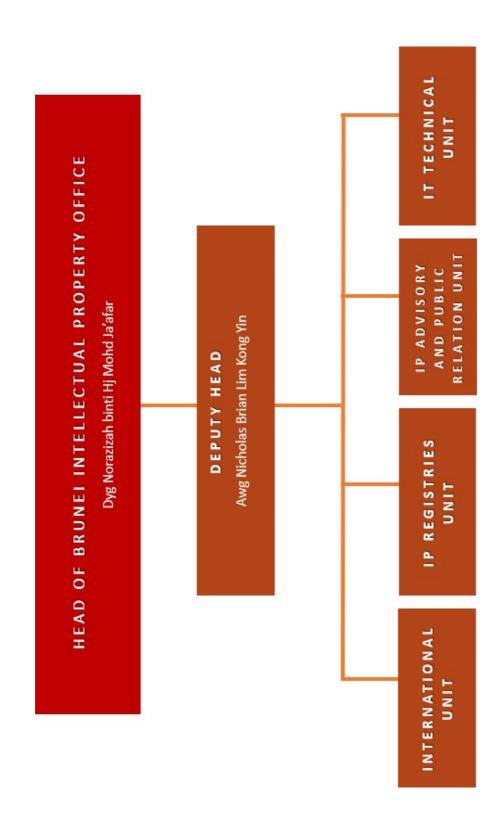
BRUNEI INTELLECTUAL PROPERTY OFFICE



Established on 1st June 2013, the Brunei Intellectual Property Office (BruIPO) is the agency responsible for the registration of Patents, Trademarks and Industrial Design. Apart from registry work, BruIPO is also carrying out public awareness campaigns and overseeing the improvement of Intellectual Property Infrastructure in Brunei Darussalam.

BruIPO is led by the Head of Division, Dyg Norazizah binti Haji Mohd Jaafar. The Division comprise of four Units, namely the International Unit, the Intellectual Property (IP) Registries Unit, the IP Advisory and Public Relations Unit and the IT Technical Unit.

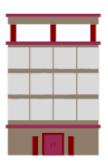
BruIPO's objectives are to implement a comprehensive and effective intellectual property system in line with international standards that would contribute to Brunei Darussalam's economic growth, raise awareness on the use and benefits of IP registration protection to enhance business growth and competitiveness and to develop an 'IP Culture' where creativity and innovation can flourish and to establish partnership with the relevant stakeholders in support of the national ecosystem. BruIPO also aims to provide efficient registry service to clients for the administration of IP rights in Brunei.



Restructuring and Relocation



Following the restructure of BruIPO from the Ministry of Energy, Manpower and Industry (MEMI) to the Attorney General's Chambers (AGC) in 2019, BruIPO's office relocation took place on 29 March 2021 from the Knowledge Hub (KHub) Anggerek Desa to the AGC Law Building.



BRUIPO Units



International Unit

The International Unit advises the Government of Brunei Darussalam on international intellectual property matters and represents BruIPO at international meetings. The Unit also prepares opinions, briefs, working papers and official reports

for relevant intellectual property matters. The Unit is in charge of international relations and cooperation with other Intellectual Property Offices and international organisations. They also propose recommendations for Brunei Darussalam's participation in international activities related to IP



IP Registries Unit

The IP Registries Unit processes applications relating to the registration of Trademark (TM), Patent and Industrial Design (ID).



IP Advisory & Public Relations Unit

The IP Advisory and Public Relations Unit advises Government agencies and the public on intellectual property laws and related matters. This includes promoting effective IP Enforcement. The Unit also undertakes work and exercises for law reviews on

IP related matters. The Unit is also responsible for handling and conducting IP awareness programmes such as talks and social media awareness activities.



IT Technical Unit

The IT Technical Unit is in charge of the IP systems and software administration. In addition, the Unit also deals with IP data extraction and exchange.

Training

Officers and staff of BruIPO have the opportunity to expand their skills for professional development and career advancement and to keep up with the latest developments in the field of Intellectual Property. All officers and staff in BruIPO are encouraged to attend variety of online trainings using several platforms such as Zoom meeting, Microsoft Teams or Skype in times of COVID-19 pandemic. BRUIPO officers and staff attended a number of trainings and courses including public awareness seminar on Geographical Indication Registration and Protection in the ASEAN Region, an introduction to IP Mediation course, enhancing skills for IP mediators' course, a workshop on the identification of counterfeit goods, a JPO/IPR training course on trial and appeal system and an IP enforcement workshop in collaboration with RCED.

International Meetings

The 63rd, 64th and 65th Meeting of the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC)

The AWGIPC meeting was held three times in 2021 via video conference and the recent **AWGIPC** meeting was hosted/chaired the bν Philippines. Brunei Darussalam's delegation was led by Dyg Norazizah binti Hj Ja'afar. Head of BrulPO. The AWGIPC is the sectoral group responsible for IP issues in the region. It is composed of the IP offices of the ASEAN Member States. The AWGIPC work is based on the ASEAN IPR Action Plan v2.0, which is a 10year roadmap that identifies the strategic goals and initiatives that will contribute to the collective transformation ASEAN into an innovative and competitive region through the use of IP. Under the ASEAN IPR Action Plan v2.0, Brunei Darussalam is the co-country champion for a number of ASEAN deliverables including the ASEAN IΡ Case-Law. ASEAN IPR Helpdesk and the ASEAN IP Network Directory.



Roundtable Discussion on The Findings of The Impact Study on ASEAN GI Registration in the ASEAN Region and Sharing Session on GI Examination

The roundtable discussion was held on 20th - 22nd September 2021 via video conference. The discussion was chaired by Viet Nam and moderated by a GI expert engaged by ARISE+ IPR. Brunei Darussalam's delegation was led by the Head of BruIPO joined by BruIPO officers and staffs. discussion was a follow-up activity to the finding of the Impact Study which analysed the similarities and differences of the GI protection systems in ASEAN Member States in order to further explore the possibility for feasible mechanisms to facilitate **ASFAN** GI in the ASEAN registrations region.

8th ASEAN Network of Intellectual Property Enforcement Experts Meeting (ANIEE)

Terms of reference of the ASEAN Network of Intellectual Property Experts (ANIEE) was commissioned at the 48th AWGIPC. drafted bγ the **ASEAN** Secretariat and endorsed at the 51st AWGIPC. ANIEE was formed for the overall management activities relating to the action plan on enforcement. At the 8th ANIEE meeting, upcoming scheduled include projects awareness campaigns in the form of a poster and video making competition; development of enforcement information material; workshops symposium on enforcement issues; development of information exchange on online enforcement and **ASEAN** guidelines on IPR enforcement against online infringement: with possible **MOUs** ecommerce platforms; publicly available statistical information on IP Enforcement

12th ASEAN Trademark Task Force Meeting (TMTF)

TMTF is a sub-committee set up under the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) work of support the AWGIPC. The purpose is to discuss on trademark-related initiatives under the ASEAN IPR Action Plan 2016-2025 working level among ASEAN Member States (AMS). The agenda item of the meeting is a discussion on the deliverables Trademark-related under initiatives as well as information sharing on best practices and upcoming capacity building with activities dialogue Main partners. issues discussed by the TMTF include establishing Pan-ASEAN Trademark System (PATMA), a unified trade mark system in South East Asia that allows for the application and registration of trade marks through one platform which is connected to the IP offices in the respective AMS. TMTF is held twice a year and was last held on 26th October 2021

18th ASEAN Task Force on Patent Cooperation (ASPECTF)

ASFAN The Patent Examination Cooperation (ASPEC) is the first regional work-sharing patent programme amongst nine participating ASEAN Members State (all AMS except for Myanmar) IΡ Offices. The purpose of this programme is to share search and examination between results participating offices to allow applicants in participating countries obtain to corresponding patents faster and more efficiently. The last ASPEC meeting was held on the 8th September 2021.

Advisory Committee on Enforcement (ACE)

The Advisory Committee on Enforcement (ACE) established bν 2002 **WIPO** General Assemblies with a mandate to carry out technical assistance and coordination in the field of enforcement. The ACE focuses on Coordinating with public and private organisations combat to counterfeiting and piracy; public education: assistance: coordination undertake to national and regional training programs for all relevant stakeholders and exchange of information enforcement on issues. The last meeting (the 13th ACE session) was held on 2nd – 4th September 2019



Assemblies of Member States of WIPO: Sixty-Second Series of Meetings

The Assemblies of Member States of WIPO: Sixty-Second Series of Meetings ("62nd WIPO General Assembly") was held on 4th – 8th October 2021 in hybrid format. Brunei Darussalam's delegation comprised of BruIPO officers and was headed by the Honourable

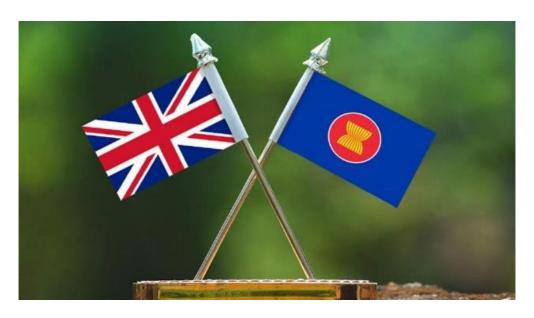
Attorney General. The 62nd WIPO General Assembly was convened by the Director General of WIPO, Mr. Daren Tang. The sessions were opened in a joint meeting of all the 22 Assemblies and other bodies. The WIPO General Assembly was chaired by His Excellency Ambassador Omar Zniber, Permanent Representative of Morocco.

The 62nd WIPO General Assembly considered 33 Agenda Items which was opened for debate during the sessions. Delegations and representatives of states, intergovernmental organisations and non-governmental organisations provided oral or written statements which empathised on the importance of intellectual property as an essential contributor to socio-economic growth and technological development.

BruIPO's continued participation in the WIPO General Assemblies had provided the opportunity to be up to date with the current issues, trends and developments on IP protection worldwide. Further, BruIPO would be able to take advantage of the cooperation activities and technical assistance offered by WIPO as part of the current or future work programme of WIPO which were highlighted during the meeting.

WIPO e-HIPOC Meeting

The HIPOC was held on 27th – 28th April 2021 via video conference. Brunei Darussalam's delegation was headed by the Head of BruIPO and joined by BruIPO officers. The HIPOC is a platform which aims to create a forum for participants to share experiences on governing and managing IP Offices. Additionally, HIPOC provided the opportunity for WIPO to introduce its initiatives for enhancing capability of IP Offices. During the conference, WIPO presented on the General Development Cooperation Outlook for 2021 and the next biennium which includes the National Intellectual Property (IP) Strategy Project. In addition, the conference included a sharing session on best practices for IP Offices in relation to financial management, key challenges and issues related to filing projection and financial forecasting as presented by ASEAN Dialogue Partners.



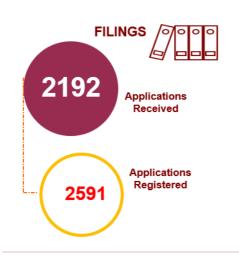
CPTPP UK Accession – Intellectual Property Experts Working
Group

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) UK Accession – Intellectual Property Experts Working Group ("IP Working Group") was held on 21st October 2021 through video conference. The IP Working Group was chaired by Australia and attended by all CPTPP Members.

Brunei Darussalam was represented by Awg Sheikh Abdul Khaliq bin Dato Paduka Sheikh Haji Abdul Gani, Deputy Registrar from BruIPO. The IP Working Group meeting was convened to discuss on the outstanding questions and issues related to the UK's compliance with the IP CPTPP Chapter. The meeting discussed on grace period (Article 18.38) and measures relating to the Marketing of Certain Pharmaceutical Products (Article 18.53), Geographical Indications and other topics such as trademarks, copyrights and enforcement.



BRUIPO KEY FIGURES FOR 2021







COMMUNICATIONS AND STRATEGY DIVISION

The Communications and Strategy Division (CSD) is led by the Head of Division, Pg Hajah Siti Rahmah binti Pg Hj Mohammad. The Division was established on 25th February 2021 with three officers and staff strength of three in the Registry Unit and ten in the Translation Unit.

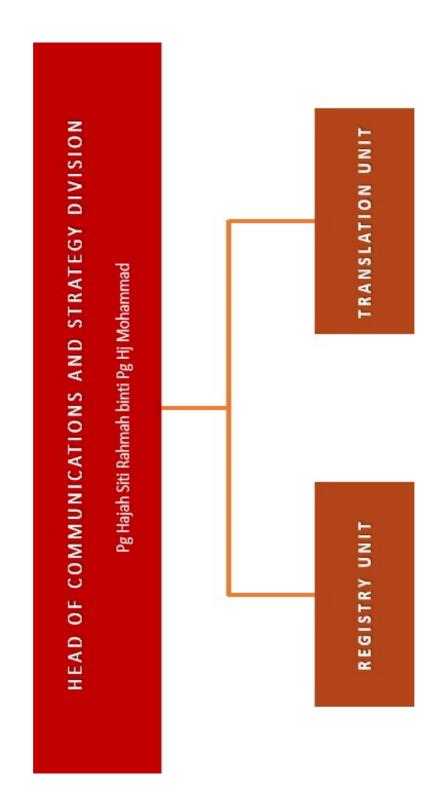
Generally, the Division handles general legal advice as well as research studies for the Honourable Attorney General and Solicitor General.

Communications

CSD promotes AGC corporate branding. The Division manages the external and internal corporate communications and works with the Divisions of the AGC to provide regular updates on the activities and developments at AGC on the website. CSD is also the focal division for the content layout designer for both the AGC Intranet and Internet.

Strategy

CSD monitors the implementation of current AGC Strategic Plan and works with the Divisions of the AGC to identify AGC's external and internal strategic issues (including challenges and opportunities) and based on an analysis of the Government's long-term vision and objectives to position AGC for the future.



Registry Unit

The Registry Unit is the registry office of the Registrar of Powers of Attorney and Registrar General of Marriages. The Unit handles the registration of Powers of Attorney and the registration of revocation/renunciation of Powers of Attorney under the Powers of Attorney Act (Chapter 13). The Registry is also responsible for the registration of marriage solemnised or contracted in Brunei Darussalam, and outside Brunei Darussalam other than a marriage where one of the parties is a Muslim or Christian under the Registration of Marriages Act (Chapter 124).





Translation Unit

The Translation Unit's core responsibility is to translate the Revised Edition of the Laws of Brunei. The Unit also provides translation service to the other Divisions. The Unit translates and does vetting of translation proofs of legislative and legal instruments, prosecutorial documents and other general documents.





CSD KEY FIGURES FOR 2021







ADMINISTRATION AND FINANCE DIVISION

The Administration and Finance Division (AFD) is responsible for ensuring the effective and efficient administration of the AGC. This includes the management of financial and Government assets, the management of affairs, planning and human resource development, the recruitment of employees as well as the management and storage of office documents. The Division is also responsible for the development, management and general maintenance of IT systems and IT related services.

The Division is led by the Head of Division, Awg Haji Abdul Rahman bin Hj Jumat, the Senior Administrative Officer, since 2019. AFD comprises of four units which are Human Resource Unit, Management Unit, Archive Unit and Information & Communication Technology (ICT) Unit.



Human Resource Unit

The Human Resource Unit is mainly responsible for the management of recruitments and maintenance of personal records of officers in AGC. This includes the process of reporting for duties, appointments, retirements and terminations, performance appraisal

management, updating of the master list data as well as updating the AGC organisational chart.

The Unit also supports AGC officers and staff's learning and development by offering career development programmes. The Unit conducts learning need analysis and manage courses, workshops and seminars. This includes managing the logistics of abroad courses which are less than 30 days such as arranging flight tickets, hotels and transport. For career development, this includes arrangements relating to selection of eligible officers and processes applications for In-Service Training (LDP) and Executive Development Management programmes organised either by the Public Service Commission or the Ministry of Defence.



Management Unit

The Management Unit is responsible for administrative affairs that are non-legal in nature and management of financial and Government assets. The Unit is also responsible for providing a conducive environment, comfort and safety in the workplace including the custody and maintenance of assets of AGC.



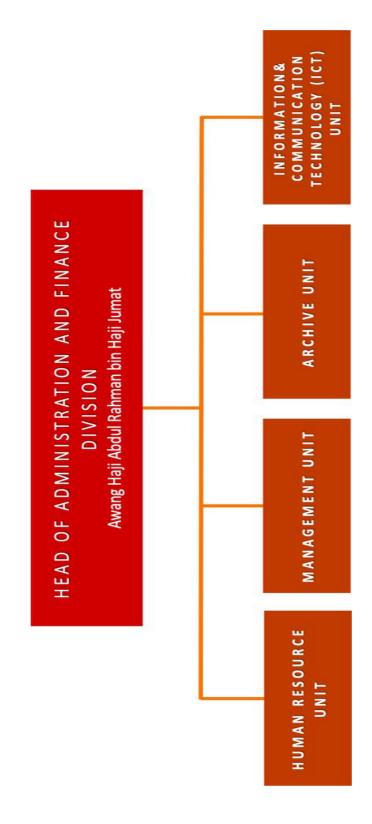
Archive Unit

The Archive Unit keeps and maintains the general records and files of AGC. Its responsibilities include ensuring the smooth flow of all documents and also planning and maintaining the filing system index of AGC. This Unit is also in charge of consultations with the National Archive of Brunei Darussalam relating to the disposal of AGC files and to make necessary arrangements for their eventual disposal.



ICT Unit

The ICT Unit assists AGC in the development, management and general maintenance of IT systems and provides IT provides related services in the organisation such as the AGC's network infrastructure and equipment, AGC website, the AGC Information Systems and Intranet Portal. The members are part of the technical team for AGC IT project.



The second wave COVID-19 pandemic

The AFD was responsible for implementing the AGC Business Continuity Plan during the COVID-19 pandemic.







AFD KEY FIGURES FOR 2021

NO. OF OFFICERS AND SUPPORT STAFF

54

NO. OF INTERNS HOSTED BY AGC

4 Officers

Support Staff 50

68

NO. OF RETIRED OFFICERS
/ SUPPORT STAFF



9

NO. OF OFFICERS / STAFF WHO LEFT AGC

NO. OF NEWLY APPOINTED / PROMOTED OFFICERS / STAFF



COLLECTION OF REVENUE

2019/2020

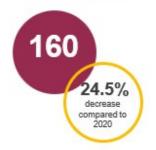
BND 256,925.16

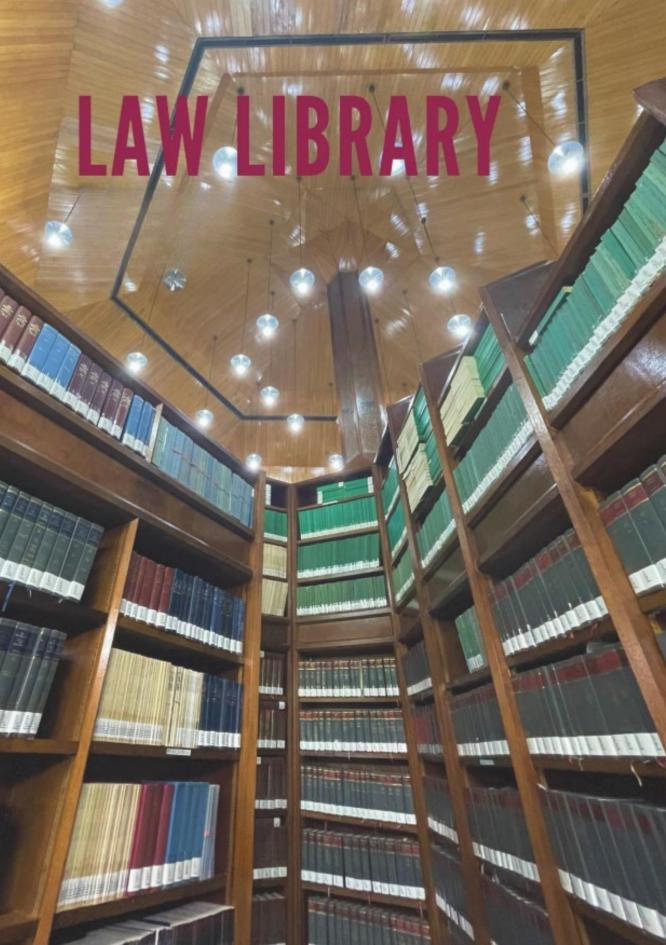
2020/2021

BND 1,727,194.27



NO. OF FILES OPENED BY ARCHIVE UNIT





The Law Library is led by the Head of Unit, Dayang Amalina bin Haji Ramli, Library Officer, and assisted by one officer and one staff.

Acquisition of Law Books Committee

The Acquisition of Law Books Committee was established on 5th February 2020 and is headed by Dyg Hajah Zufriah binti Haji Aliakbar. The committee comprised eight officers from the substantive divisions of AGC with the Head of the Law Library Unit as the secretary. The committee's goal is to ensure the collection of legal materials in the Law Library is relevant and provides resources for research reference for members of AGC.



Online Legal Resources

Since 27th May 2021, the Law Library Unit has also provided access to online legal resources namely the Practical Law and Westlaw Asia and one laptop has been designated for this purpose.

Renovations

The Law Library is also part of AGC renovation project to create an ambiance of comfort and safety. The renovation plan started in early April 2021 and priority areas were identified. Renovation works started on 18th December 2021.



LIBRARY UNIT KEY FIGURES

FOR 2021



NO. OF OFFICERS AND SUPPORT STAFF



ACQUISITED TITLES / BOOKS



DIGITISED DOCUMENTS



AGC HIGHLIGHTS THROUGHOUT THE YEAR



Awards

AGC recipients of His Majesty the Sultan and Yang Di-Pertuan's State Orders, Decorations and Honorary Medals.

Pingat Indah Kerja Baik (P.I.K.B)

Dayangku Hajah Ena Suraya binti Pengiran Haji Mohammad

Pingat Kerja Lama (P.K.L)

- Hajah Zuraidah binti Pehin Orang Kaya Pekerma Indera Dato Paduka Awang Haji Sidek
- ❖ Muhd Erwan Falullah bin Abdullah @ Erwan Ramble
- Norasmedy bin Haji Abdul Rahman
- ❖ Haji Isa bin Haji Ibrahim

Enhancing Legal Services to the Government

AGC embarked on two major projects in 2021 namely the Electronic Document Management System (EDMS) and the Legislative Electronic Drafting and Online System (LEDO). These projects aimed to enhance efficiency and effectiveness of AGC legal services through the use of info-communications technology. The EDMS provides AGC with its own document and case management system for transparent process and accessible information. The LEDO allows legislative drafting, revision of laws and publication processes to be in one single system.

IT Upgrading Programme

On 28th February 2021, the Second Phase of the digitisation project was completed with a total of 301, 600 images/pages being successfully digitised, with a total of 1.17 TB of digitised data uploaded onto the AGC's file server.

Draft Legislation Database (DLD)

AGC introduced the Draft Legislation Database (DLD) in 2021. This project was implemented with the coordination of the Information, Technology and Innovative Office of the Prime Minister's Office. A series of training on the use of DLD for other ministries was organised by the Legislative Drafting Division, as the owner of the database, in coordination with AGC ICT Unit. The project was completed on 11 December 2021.

Digitisation of the Library

The Library Unit has been actively involved in digitisation projects of its legal materials such as the Laws of Brunei, subsidiary legislations, enactments, Judgements of the Courts of Brunei Darussalam, etc. The purpose of the digitisation project is for easy access and preservation purposes. During the challenging Covid-19 phase of remote working from home, there were encouraging requests for softcopies from the officers for their reference and work matter.

Enhancing Criminal Enforcement and Prosecutions

CJD continues to conduct dialogues with law enforcement agencies to enhance cooperation and to continuously improve the overall investigation and prosecution mechanisms between all agencies. The objective of such dialogues is to facilitate existing lines of communication as well as reviewing and addressing areas that require improvement.

CJD is also in close communication with their regional counterparts in Singapore and Malaysia which fosters international cooperation as well as training opportunities between the three AGCs. This is exemplified most recently, through an online seminar conducted by AGC Singapore from the 3rd to 4th March 2021 of which AGC Brunei and Malaysia were participants. The main objective of the online seminar is to train and equip prosecutors with the necessary skills for interviewing vulnerable witnesses which includes children and victims in line with CJD's commitment to continuously train its team of skilled prosecutors.

Engagement with Government and Enforcement Agencies

The Law Seminar, Prime Minister's Office

The Prime Minister's Office and AGC organised and conducted a two-days Law Seminar which is an annual collaborative project educate public servants on matters and legal responsibilities, as well as the roles of AGC, as an avenue to promote greater efficiency and consistency public servants amongst



The Honourable Attorney General delivering the closing remarks

when performing their duties. It serves as a platform where public servants can learn and understand better the general legal matters applicable to their roles and responsibilities. The Law Seminar covers four areas of the law namely legislation, contract, international affairs and criminal offences.

In delivering the closing remarks, the Honourable Attorney General expressed his sincere appreciation for the organisers and participants who have made the event a success. AGC remains a staunch supporter of such knowledge-sharing events which is in line with AGC's mission and represents our commitment in ensuring government agencies are provided robust legal advice and support. The ability to work together for the betterment of civil services is key to a whole-of-government approach and the Honourable Attorney General looks forward to more collaborative projects and events.



Minister at the Prime Minister's Office Dato Seri Setia Haji Awang Abdul Mokti bin Haji Mohd Daud delivering his keynote address.

Some attendees from the Prime Minister's Office and the Attorney General's Chambers.



Engagements with the Royal Brunei Police Force

Several dialogue and presentation sessions were held with the Royal Brunei Police Force by officers from CJD across all 4 districts in Brunei Darussalam, and with various specialist units under the Criminal Investigation Department. CJD continues to conduct training and lectures at the Police Training Centre and at the AGC for new members of the Royal Brunei Police Force (RBPF), and to newly promoted officers of the RBPF. These sessions aim at strengthening the cooperation between AGC and RBPF whilst also sharing best practices to improve investigations.

Lectures on the Prevention of Corruption Act

AGC and the Anti-Corruption Bureau conducted several sessions of lectures in 2021, for officers and staff from various departments at the Ministry of Finance and Economy on corruption offences under the Prevention of Corruption Act, Chapter 131 and related offences under the Penal Code, Chapter 22. The lectures were conducted by CJD officers with the objective to educate public servants on corruption related offences, the investigation process and criminal proceedings in court.

Seminar on the Prevention of People Smuggling Order, 2019

The Seminar was conducted by CJD officers at the Department of Immigration and National Registration in January 2021 with the objective of training immigration officers, especially those on the frontlines and at the borders, on the provisions under the new Order, including offences and penalties and powers of investigations.

Workshop on Investigation Referral and Court Preparedness

A one-day workshop on Investigation Referral and Court Preparedness was conducted by CJD officers virtually for more than 40 personnel from the Safety, Health and Environment National Authority on 22nd December 2021. The workshop included lectures on the Brunei Darussalam Legal System; Investigation Papers Checklist; Referring cases to DPPs; Roles of Investigating Officers in Assisting the Prosecutor; Giving Evidence in Court; and WSHO Case Study. These lectures were presented with the objective of training and guiding SHENA inspectors in the conduct of their investigations and referring Investigation Papers to the Prosecutor.

Presentations on "Trafficking in Persons in Brunei Darussalam"

CJD officers continued to deliver presentations initiated since the year 2020 relating to "Trafficking in Persons in Brunei Darussalam" to the National Committee on Trafficking in Persons (TIP) chaired by the

Permanent Secretary at the Prime Minister's Office, to the Ministry of Culture, Youth and Sports and to the US Embassy and Department of State. These presentations were delivered as part of AGC's involvement in the various National committees on TIP to educate and raise awareness on TIP and Brunei Darussalam's national laws, namely the Anti-Trafficking in Persons Order 2019.

Expert Witness Course

AGC conducted a number of Expert Witness Courses to Government agencies in 2021.



CJD officers conducted a one-day course at the Department of Scientific Services (DSS) to train and prepare 30 Analysts and other DSS personnel for giving evidence in court when they are called as expert witnesses in criminal cases, particularly those cases involving offences under the Misuse of Drugs Act, Chapter 27, where expert witnesses are expected to accumulate the scientific evidence necessary to prove a case, and to be able to convey a case effectively to the judge during trial.



Another two-days course on Digital Evidence and Court Process was held virtually for 16 personnel from Cyber Security Brunei (CSB) from 29th to 30th November 2021. The objective of the course was to provide insight into criminal justice system in Brunei Darussalam and to provide an in depth understanding as to the importance of digital evidence in criminal cases and their roles as expert witnesses. The course topics included the Criminal Justice System in Brunei Darussalam; The Role of The Prosecutors and Assessment of Evidence; The Importance of Digital Evidence in Criminal Cases and The Need to Preserve the Integrity of Digital Evidence; Giving Evidence in Court as Expert Witnesses; and case examples involving the use of digital evidence as evidence.

Investigations and Prosecutions Course with the Narcotics Control Bureau



CJD conducted a course from 16th to 18th March 2021 on Investigations and Prosecutions for more than 80 operative and investigation officers from the Narcotics Control Bureau. The workshop was tailored to provides specific focus on the respective roles of operative officers and investigation officers, including powers of investigations provided under the law pertaining to their specific roles; preserving evidence; preparation of documents during investigations; statement recording; offences under the Misuse of Drugs Act; and court processes including preliminary inquiries and trial preparation.



Intellectual Property Talk for BICTA Plus Bootcamp



On 16th April 2021, BruIPO gave a talk on Intellectual Property for BICTA Participants, facilitated by SUBHE Company. BruIPO had been engaged in the BICTA Plus Bootcamp 2018 as a facilitator for a session on Intellectual Property. The BICTA Plus Bootcamp provides a series of workshops and seminars to participants who joined the program.

IP Enforcement Workshop in collaboration with RCED



AGC in collaboration with the Royal Customs and Excise Department organised IP Enforcement Workshop which was attended by approximately 30 participants from different government agencies. It was held on 30 March 2021 at Dewan Kyoto, RCED. The workshop began with the opening remarks by the Honourable Attorney General. Invited speakers from BruIPO, CJD, United Kingdom Intellectual Property Office, National Standard of United Kingdom; HM Revenue & Customs, United Kingdom Private Investigators and Hewlett-Packard Development Company presented on various IP topics during the workshop.





Intellectual Property Talks with UBD

BruIPO delivered a talk on Intellectual Property at UBD on 5th April 2021. The session was attended by approximately 30 students and lecturers.



BruIPO gave a second virtual lecture for the UBD IP Module to 60 students including lecturers on 6th November 2021 and involved learning activities such as poll questions and case studies relating to Trademark, Patent, Industrial Design, Plant Variety Protection (PVP) and Copyright, with the objective to provide students understanding on the regulatory framework in Brunei Darussalam for the protection of IP rights.



DEVELOPING OUR CAPABILITIES

AGC-Wide Training

Fire Safety and Security



Twenty officers and staff took part in a three-days' fire marshal course conducted by the Public Relations Division of Fire and Rescue Department at the Bandar Seri Begawan Fire Station from 29th June to 30th June 2021.

Participants were briefed on the causes of fire, proper use of firefighting equipment, procedures on evacuating a building and prevention of fire. The Fire and Rescue Department offers safety programmes, including Life Saver 995 and fire marshal courses, to instil knowledge on workplace safety and guidelines on the proper use of a fire extinguisher.

3rd ANCORS Law of the Sea Course



In August 2021, AGC collaborated with Australian High Commission in Bandar Seri Begawan and Australian National Centre for Ocean Resources and Security (ANCORS) the convening of the 3rd ANCORS Law of the Sea Course together.

The four-day course (16-19 August 2021) focused discussion on the legal issues and aspect of the law of the sea and provisions in the UN Convention on the Law of the Sea 1982 and had a deeper discussion on specific legal issues concerning disputes in the South China Sea and the South China Sea Arbitration.

Judgment Writing Talk



13th On November 2021, the Supreme Court of Brunei Darussalam and British Hiah Commission organised virtual а seminar series delivered by experts from the UK Slynn

Foundation. More than 80 participants attended the seminar, comprising of justices, judges and judicial officers from the Supreme Court and Syariah Courts and officers from the AGC. The seminar was delivered by The Honourable Mrs Justice Maura McGowan DBE, judge of the High Court of England and Wales. The seminar aimed to discuss and share practical aspects of, and advice on, the art of writing good and cogent judgments.

Legal Profession Talk

On 20th November 2021, UK Slynn Foundation delivered the second part of its seminar series. The seminar was on the Legal Profession in England and Wales, delivered by Mr Nicholas Vineall QC, Chair of the Bar Council's Education and Training Committee. The seminar was part of an effort to strengthen paternities core duties in code of conduct and continued cooperation in the spirit of collaboration and learning. More than 110 participants attended the seminar, comprising of justices, judges and judicial officers from the Supreme Court, officers from the AGC and Prime Minister's Office and Bruneian law students and graduates from UNISSA and abroad.

Human Resource Management Matters

Functional Competencies

One of the focus areas under AGC strategic management, is "Enhancing Human Resource Management" which involves to "Develop and Adopt Functional and Leadership Competency programme". In order to materialise this focus area, several actions have been taken including conducting workshops to Develop and Adopt Functional Competencies for Counsels and Legal Officers held in May 2021 followed by a Functional Competencies Workshop for Counsel and Legal Officer in the same month. Workshop on Leadership to senior managements took place in June 2021. The workshops were conducted by the Consultant to AGC.

A separate workshop on Core Competencies for support staff has been carried out in August 2021. With this, it can support the AGC's mission by managing and building its own Competency Framework.

GENERAL HIGHLIGHTS

Corporate Governance



Group picture with the Honourable Attorney General during the Townhall Meeting

The AGC held its first townhall meeting on the 25th February 2021 which was chaired by the Honourable Attorney General. The agenda of the meeting was to introduce to the AGC officers and support staff the revised AGC organisational structure. The new structure presents

the areas of responsibility of the senior management of AGC as well as the integration of the 'Research and Registry Division' and the 'Law Revision and Translation Division' to become the 'Communications and Strategy Division'. The meeting also declared the vision, mission and core values as AGC's organisational aspiration and the organisation's core purpose. This was followed by the announcement on the AGC Strategic Plan 2021-2023 and its strategic focus areas namely to 'Enhance Human Resource Management' and to 'Expedite Adoption of Legal Technology' together with the action plans to achieve them. The Strategic Plan was developed by senior members of AGC under the guidance of Datin Paduka Magdalene Chong, the Consultant engaged by AGC.

Social Activities

Green Protocol Campaign

The Attorney General's Chambers with the support of the Forestry Department had a tree planting event at the Berakas Forest



Reserve Recreation Park in conjunction with the tree planting campaign to support the Green Protocol Guidelines. A total of 62 saplings have been planted on 29th November 2021.

Khatam Al-Quran Ceremony



Participants at the Khatam Al-Quran Ceremony In conjunction with the celebration of the month of Ramadhan, the AGC held a Khatam Al-Quran Ceremony which took place at the Golden Jubilee Hall. Khatam Al-Quran Ceremony is one of the religious activities conducted every year to glorify the month of Ramadhan and mark the ending of Tadarus Al-Quran by AGC officers and staff which starts from the beginning of the Ramadhan fasting month.





Isra' and Mi'raj Celebration

The AGC held an Isra' and Mi'raj celebration at the Golden Jubilee Hall on the 20th March 2021. The ceremony commenced with the recitation of the Surah Al-Fatihah followed by the recitation of the Holy Quran's verses delivered by guest reciter Awang Muhammad bin Ali. A special talk titled 'Sembahyang Teras Kejayaan Umat' was delivered by the invited speaker from the Islamic Dakwah Centre, Ustaz Awang Muhammad Nasyith bin Superi.









AGC-Wide Projects

Allocation of divisions' workspace

The layout of officers for the divisions in AGC was rearranged to give each divisions their own office space to promote agility as well as improve communication and collaboration amongst division officers and staff.

Refurbishments and Renovations

The AGC had undergone an extensive refurbishment and renovation projects for the Law Building as well as the Law and Courts Building to create a conducive working environment for officers and staff of the AGC and for better space utilisation. This project embraces better space utilisation through consolidation of physical space to accommodate AGC staff and maximising available workspace.

Completed Projects

Renovation at Lobby Lift Area and Walkway, First Floor, Law Building







Renovation at Office Area, Second Floor, Law Building







Renovation at the Pantry and Discussion Room, Second Floor, Law Building













Renovation of Training Room, First Floor, Law and Courts Building







Workstation for staff at Civil Division and Administration and Finance Section at the Law Court's Building









Ongoing Projects

A number of other renovation projects are still under construction and expected to be completed next year as follows:

- 1. Renovation for Reception Counter, Ground Floor, Law Building
- Renovation for Wilkinson Room, Syndicate Room and Clerks Room, Law Building
- Renovation for Security Guard Room, Ground Floor, Law Building
- 4. Renovation for Library, Second and Third Floor, Law Building
- 5. Renovation for Zone B Office Area, Ground Floor, Law Building
- 6. Renovation for Lobby Lift, Second Floor, Law Building

Write-Off Project

AGC embarked on a write-off project in 2021. The Write-off Project in 2021 involved the destruction of 1,772 boxes of the Laws of Brunei Volumes 1-10, Loose Leaf Edition (Chapter 1- 50) and 9,406 booklets of Law Books (Chapter 1-174). These were planted at Sungkai Paku, Tutong over the period between 26 June 2021 and 6 July 2021.

PREPARING FOR THE FUTURE

Digitisation of AGC Documentation

EDMS project includes the digitisation of 8 million documents maintained by AGC. Currently, AGC's filing room is almost reaching its full capacity and in an effort to streamline the documentation from all AGC divisions, adopting a digital and paperless approach will enable collaboration between AGC divisions and the Archive Unit for the easy and convenient storage of documents.

IT Upgrading Programme

To support AGC's efforts to keep up to date the IT equipment and IT system applications/software and ensure its reliability, an IT Upgrading Programme is formed. This programme aims to equip all AGC's employees with new and upgraded IT equipment as well as access points which will widen the network coverage and strengthen AGC's network connection of AGC. This programme is targeted to start by Q1 of 2022. This is also in preparation of the two ACG new ICT projects, EDMS and LEDO.

ACKNOWLEDGEMENTS

ADVISOR

Yang Berhormat Awang Haji Ahmad bin Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato Laila Utama Haji Awang Isa

Yang Mulia Hajah Zuraini binti Haji Sharbawi Solicitor General

EDITORIAL TEAM

Chief Editor : Pg Hjh Siti Rahmah binti Pg Hj Mohammad

(Principal Counsel)

Editor : Dk Didi-Nuraza binti Pg Hj Abdul Latiff

(Deputy Senior Counsel, CJD)

Editor : Dyg Bazilah Amirah binti Awg Hj Mohamad

Yusof (Counsel, CD)

Support Member : Dyg Norhayati binti Hj Md Yazid

(Legal Assistant, IAD)

: Siti Munirah binti Abu Bakar

(Assistant Executive Officer Grade II, CSD)

: Dyg Siti Natasha binti Mohd Rudy

(I-Ready, CSD))

FOCAL PERSONS

- 1. Dyg Dianewaty binti Hj Mohd Yussof (Counsel, LDD)
- 2. Dyg Marrina binti Hj Serudin (Counsel, CD)
- 3. Dyg Hjh Fauziah binti Hj Sulaiman (Deputy Senior Counsel, IAD)
- 4. Dyg Siti Shahryenawaty binti Hj Mohd Shahri (Counsel, BrulPO)
- 5. Dyg Siti Khalillah binti Hj Hussin (Counsel, CJD)
- 6. Dyg Nurin Najla @ Motia'ah binti Hismawadi (Legal Officer, CSD)
- 7. Dyg Noorazimah binti Haji Othman (Administration Assistant, AFD