

LAWS OF BRUNEI

CHAPTER 17

IMMIGRATION ACT

23 of 1956

1984 Ed. Cap. 17

Amended by

12 of 1957

S 99/59

1 of 1962

24 of 1967

S 1/85

S 17/87

S 24/90

S 32/96

S 6/98

2002 Ed. Cap. 17

Amended by

S 19/04

S 28/04

S 51/05

S 17/06

REVISED EDITION 2006

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CHAPTER 17
IMMIGRATION ACT

ARRANGEMENT OF SECTIONS

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IMMIGRATION ACT**An Act to regulate immigration into Brunei Darussalam**

Commencement: 1st July 1958
[S 41/58]

PART I**PRELIMINARY****Citation.**

1. This Act may be cited as the Immigration Act.

Interpretation.

2. In this Act, unless the context otherwise requires —

“aircraft” includes flying-boat;

“authorised airport” means respectively an airport, a landing place or a point of entry declared to be an authorised airport, landing place or point of entry, as the case may be, under subsection (1) of section 5;

“authorised landing place” means respectively an airport, a landing place or a point of entry declared to be an authorised airport, landing place or point of entry, as the case may be, under subsection (1) of section 5;

“authorised point of entry” means respectively an airport, a landing place or a point of entry declared to be an authorised airport, landing place or point of entry, as the case may be, under subsection (1) of section 5;

“Controller” means the Controller of Immigration appointed under section 3;

“crew” includes every seaman on a vessel, and every person employed in the operation of an aircraft or in any service

rendered to the crew or passengers of such aircraft while in flight;

“employ” means to engage or use the service of any person, whether under a contract of service or otherwise, with or without remuneration;

[S 6/98]

“entry” means —

(a) in the case of a person arriving by sea, disembarking in Brunei Darussalam from the vessel in which he arrives;

(b) in the case of a person arriving at an authorised airport by air, leaving the precincts of such airport;

(c) in the case of a person who enters by land and proceeds to an immigration control post in accordance with section 26, leaving the precincts of such post for any purpose other than that of departing from Brunei Darussalam by an approved route for some place outside Brunei Darussalam; and

(d) in any other case any entry into Brunei Darussalam by land, sea or air:

Provided that it shall not include in any case an entry made for the purpose of complying with this Act or an entry expressly or impliedly sanctioned by an Immigration Officer for the purpose of an enquiry, proceeding or detention under the provisions of this Act;

“Entry Permit” means a Permit to enter and includes a Permit to remain in Brunei Darussalam issued under the provisions of section 10;

“family” means wife and children under 18 years of age;

“flying boat” means any aircraft designed to alight, and alighting on water;

“harbour” includes the giving of food or shelter and the act of assisting a person in any way to evade apprehension;

[S 24/90]

“immigration control post” means a post established as such by the Controller at a place declared to be an immigration control post under section 5;

“immigration depot” means any place designated or authorised by the Controller for the examination, inspection or detention of persons under this Act;

“Immigration Officer” means the Controller and any person appointed under section 3 and includes a Senior Immigration Officer;

“immigration signal” means such signal as may be prescribed for vessels which arrive in Brunei Darussalam;

“master” means in relation to a vessel any person having command thereof and in relation to an aircraft the captain thereof;

“officer of customs” has the same meaning as in the Customs Act (Chapter 36);

“Pass” means any Pass issued under the provisions of any regulations made under this Act entitling the holder thereof to enter and remain temporarily in Brunei Darussalam;

“passenger” means any person carried in a vessel or aircraft, other than any member of the crew;

“Permit” includes an Entry Permit and Re-entry Permit;

“Port Officer” includes any shipping master or other officer discharging the duties of a shipping master;

“prohibited immigrant” means a person declared to be a prohibited immigrant under section 8;

“Re-entry Permit” means a Permit to re-enter Brunei Darussalam issued under the provisions of section 11;

“Residence Permit” means a permit issued under the provisions of subsection (1) of section 67 of the Immigration Enactment, 1956 (Enactment No. 23 of 1956);

[S 17/06]

“seaman” includes the master and any person carried in a vessel as a *bona fide* member of the staff employed in the operation or

service of such vessel and, if such vessel has articles, entered on such articles;

“Senior Immigration Officer” means a Senior Immigration Officer appointed under section 3 and any other person appointed thereunder of or above the rank of Assistant Controller;

“stowaway” means a person who goes to sea secreted in a vessel without the consent of the master or other person in charge of the vessel or of a person entitled to give such consent and includes a person arriving in Brunei Darussalam on board any aircraft who is on board without the consent of the master or of a person entitled to give such consent;

“through passenger” means any passenger who arrives in Brunei Darussalam by a vessel or aircraft and who is continuing his journey in the same vessel or aircraft to a place outside Brunei Darussalam;

“transportation company” means any government, municipality, body corporate, or organisation, firm or person carrying or providing for the transit of passengers, whether by vessel, aircraft, railway, highway or otherwise, and includes any 2 or more such transporting companies co-operating in the business of carrying passengers;

“travel document” includes an internationally recognised passport, a certificate of identity and any similar document, issued by an authority recognised by the Controller.

Appointment of Controller and other officers.

3. His Majesty the Sultan and Yang Di-Pertuan may appoint a Controller of Immigration and such Deputy Controllers, Assistant Controllers, Senior Immigration Officers and other officers as he may consider necessary for the proper carrying out of the provisions of this Act.

Exercise of powers.

4. The powers and discretions vested in the Controller by this Act and the duties required to be discharged by him may, subject to such limitations as may be prescribed by regulations made under section 53, be exercised and discharged by a Deputy Controller, and by an Assistant Controller or a Senior Immigration Officer duly authorised in writing in that behalf by the Controller.

PART II

ADMISSION INTO BRUNEI DARUSSALAM

Entry into Brunei Darussalam.

5. (1) His Majesty in Council* may, by notification in the *Gazette*, prescribe approved routes and declare such immigration control posts, landing places, airports or points of entry, as he may consider to be necessary for the purposes of this Act; to be immigration control posts, authorised landing places, airports or points of entry, as the case may be, and no person shall, unless compelled by accident or other reasonable cause, enter Brunei Darussalam from any place outside Brunei Darussalam except at an authorised landing place, airport or point of entry.

(2) His Majesty in Council* may, by notification in the *Gazette*, prescribe approved routes and declare such immigration control posts, places of embarkation, authorised airport, authorised points of departures or authorised departing place, as the case may be, and no person shall, unless compelled by accident or other reasonable cause, leave Brunei Darussalam except at an authorised place of embarkation, airport, point of departure or place of departure.

[S 1/85]

(3) Any person who contravenes the provisions of subsection (1) or (2) of this section shall be guilty of an offence under this Act.

[S 1/85]

Control of entry into Brunei Darussalam.

6. (1) No person other than a citizen of Brunei Darussalam shall enter Brunei Darussalam from any place outside Brunei Darussalam unless —

(a) he is in possession of a valid Entry Permit or Re-entry Permit lawfully issued to him under the provisions of section 10 or 11;

(b) his name is endorsed upon a valid Entry Permit or Re-entry Permit in accordance with the provisions of section 12 and that he is in the company of the holder of such Permit;

* Transferred to the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan — [S 54/89]

(c) he is in possession of a valid Pass lawfully issued to him to enter Brunei Darussalam;

(d) he is in possession of a valid Residence Permit lawfully issued to him; or

(e) he is exempted from the provisions of this section by an order made under section 54.

(2) Any person who has entered or remained in Brunei Darussalam in accordance with a pass lawfully issued under this Act shall complete an embarkation form and submit it together with his passport or other travel document for examination by an immigration officer at the time he leaves Brunei Darussalam.

[S 1/85]

(3) Any person who contravenes the provisions of subsection (1) or (2) of this section shall be guilty of an offence and —

[S 1/85]

(a) in the case of an offence under subsection (1), shall be liable on conviction to imprisonment for a term of not less than 3 months and not more than 2 years and whipping with not less than 3 strokes cumulatively:

[S 6/98; S 19/04]

Provided that no sentence of whipping shall be imposed on any person charged in court before 12th June 2004.

[S 28/04]

(b) in the case of an offence under subsection (2), shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding \$4,000 or to both.

[S 6/98]

(4) The burden of proof that a person entered Brunei Darussalam without contravening subsection (1) shall lie upon that person, and in any prosecution for an offence against subsection (1), it shall not be necessary to specify in the charge the date, time, place or manner of the entry of such person into Brunei Darussalam, or the means of travel used for such entry.

[S 19/04]

Right of entry.

7. (1) A citizen of Brunei Darussalam shall be entitled to enter Brunei Darussalam without having obtained a permit or pass in that behalf under this Act.

[S 1/85]

(2) The burden of proof that any person is a citizen of Brunei Darussalam shall lie upon that person.

[S 1/85]

Prohibited immigrants.

8. (1) Any person who in the opinion of the Controller —

(a) is not a citizen of Brunei Darussalam; and

[S 1/85]

(b) is a member of any of the prohibited classes, as defined in subsection (2),

is a prohibited immigrant and, subject to any exemption granted under the provisions of section 54, it shall be unlawful for him to enter Brunei Darussalam from any place outside Brunei Darussalam by land, sea or air unless he is in possession of a valid Pass in that behalf issuable to a prohibited immigrant under the provisions of any regulations made under this Act.

(2) The following persons are members of the prohibited classes —

(a) any person who is unable to show that he has the means of supporting himself or his dependents, if any, or that he has definite employment awaiting him or who is likely to become a pauper or a charge on the public;

(b) any person suffering from mental disorder or being a mental defective;

(c) any person —

(i) who refuses to submit to a medical examination after being required to do so under the provisions of section 29; or

- (ii) certified by a Government medical officer or a medical practitioner, after examination under the provisions of section 29, to be suffering from a contagious or infectious disease which makes his presence in Brunei Darussalam dangerous to the community;
- (d) any person who —
 - (i) has been convicted in any country or state of an offence for which a sentence of imprisonment has been passed for any term;
 - (ii) has not received a free pardon; and
 - (iii) by reason of the circumstances connected with such conviction is deemed by the Controller to be an undesirable immigrant;
- (e) any prostitute, or any person, who is living on or receiving, or who, prior to entering Brunei Darussalam, lived on or received, the proceeds of prostitution;
- (f) any person who procures or attempts to bring into Brunei Darussalam prostitutes or women or girls for the purpose of prostitution or other immoral purposes;
- (g) vagrants or habitual beggars;
- (h) any person whose entry into or presence in Brunei Darussalam is, or at the time of his entry was, unlawful under this or any other written law for the time being in force;
- (i) any person who believes in or advocates the overthrow by force or violence of the Government of Brunei Darussalam or of the Government of any territory within the Commonwealth or of constituted law or authority or who disbelieves in or is opposed to organised government, or who advocates the assassination of public officials, or who advocates or teaches the unlawful destruction of property;
- (j) any person who is a member of or affiliated with any organisation entertaining or teaching disbelief in or opposition to organised government or advocating or teaching the duty, necessity or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or officers generally, of the

Government of Brunei Darussalam or of the Government of any territory within the Commonwealth or of any other organised government, because of his or their official character, or advocating or teaching the unlawful destruction of property;

(*k*) any person who, in consequence of information received from any source deemed by the Controller to be reliable, or from any government, through official or diplomatic channels, is deemed by the Controller to be an undesirable immigrant;

(*l*) any person who has been removed from any country or state by the government of such country or state on repatriation for any reason whatever and who, by reason of the circumstances connected therewith, is deemed by the Controller to be an undesirable immigrant;

(*m*) any person who, being required by any written law for the time being in force to be in possession of valid travel documents, is not in possession of such documents or is in possession of forged or altered travel documents which do not fully comply with any such written law;

(*n*) any person other than a Brunei Darussalam who is unable to show that he is willing and can of right return to some country outside Brunei Darussalam;

(*o*) the family and dependants of a prohibited immigrant; and

(*p*) any person prohibited by order made under section 9 from entering Brunei Darussalam.

(3) The burden of proof that any person seeking to enter Brunei Darussalam is not a prohibited immigrant shall lie upon that person.

(4) In any case where the Controller refuses to allow any person to enter Brunei Darussalam on the ground that such person is a prohibited immigrant he shall if so requested by such person inform him of the class of prohibited immigrant of which, in the opinion of the Controller, he is a member.

(5) Subject to any exemption granted under section 54, if any prohibited immigrant enters Brunei Darussalam otherwise than in accordance with a valid Pass lawfully issued to him he shall be guilty of an offence.

(6) Any person in possession of an Entry Permit or Re-entry Permit, issued to him under the provisions of this Act and who, upon his arrival in Brunei Darussalam, is refused permission to enter upon the ground that he is a prohibited immigrant, may appeal against such refusal within such time and in such manner as may be prescribed, to His Majesty in Council*, whose decision shall be final:

Provided that, notwithstanding the provisions of sections 24, 25 and 26, any person who appeals against such refusal shall be permitted to disembark and shall be detained in an immigration depot pending the determination of his appeal, unless released on a Pass issued at the discretion of the Controller of such conditions as to furnishing security or otherwise as the Controller may deem fit.

Power to prohibit or limit entry into Brunei Darussalam.

9. (1) The Minister of Home Affairs with the approval of His Majesty the Sultan and Yang Di-Pertuan may, by order —

[S 1/85]

(a) where he deems it expedient so to do in the interests of public security or by reason of any economic, industrial, social, educational or other conditions in Brunei Darussalam —

- (i) prohibit, either for a stated period or permanently, the entry or re-entry into Brunei Darussalam of any person or class or persons;
- (ii) limit the number of persons of any class who may enter Brunei Darussalam within any period specified in the order; and
- (iii) limit the period during which any person or class of persons entering or re-entering Brunei Darussalam may remain therein:

Provided always that no order made under the provisions of this paragraph, except an order made in the interests of public security, shall apply to any person outside Brunei Darussalam at the time when such order is made and who is in possession of a valid Residence or Re-entry Permit lawfully issued to him; and

* Transferred to the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan — [S 54/89]

(b) prohibit the entry into Brunei Darussalam of passengers brought to Brunei Darussalam by any transportation company which refuses or neglects or has refused or neglected to comply with the provisions of this Act.

(2) An order under subsection (1) of this section shall not apply to any citizen of Brunei Darussalam.

[S 1/85]

(3) Every order made under paragraph (a) of subsection (1) which relates to a class of persons, and every order made under paragraph (b) of that subsection, shall be published in the *Gazette*.

(4) Any person who enters or re-enters or remains in Brunei Darussalam in contravention of any order made under subsection (1) of this section shall be guilty of an offence.

PART III

ENTRY AND RE-ENTRY PERMITS

Entry Permits.

10. (1) Any person seeking to enter Brunei Darussalam who is not entitled so to enter under the provisions of subsection (1) of section 7 or by virtue of a valid Pass to enter Brunei Darussalam lawfully issued to him or seeking to remain in Brunei Darussalam after the expiration of such a Pass may make application in that behalf in the manner prescribed to the Controller or to such other person whether within or outside Brunei Darussalam as may be prescribed or as the Controller may, from time to time, appoint for such purpose.

(2) Upon application made under subsection (1) and upon payment of the prescribed fees the Controller shall, if satisfied that the applicant is not a prohibited immigrant, issue to such applicant an Entry Permit in the prescribed form:

Provided that the Controller may in any case in which he is satisfied that it would be prejudicial to public security in Brunei Darussalam to permit the applicant to enter or remain in Brunei Darussalam refuse to issue an Entry Permit.

(3) Any person aggrieved by the refusal of the Controller to issue to him an Entry Permit under the provisions of the proviso of subsection (2) may within 30 days of the notification of such refusal to him appeal by petition in writing to His Majesty the Sultan and Yang Di-Pertuan in Council whose decision thereon shall be final.

Re-entry Permits.

11. (1) Any person lawfully resident in Brunei Darussalam not being —
- (a) the holder of a valid Pass; or
 - (b) a citizen of Brunei Darussalam,

[S 1/85]

who seeks to leave Brunei Darussalam temporarily may make application to the Controller in the prescribed manner for the issue to him of a Re-entry Permit authorising him to re-enter Brunei Darussalam.

(2) Upon application being made under subsection (1) and upon payment of the prescribed fees, the Controller shall, if satisfied that the applicant is not a prohibited immigrant, and that it would not be prejudicial to public security in Brunei Darussalam so to do, issue to such applicant a Re-entry Permit in the prescribed form.

(3) Any person aggrieved by the refusal of the Controller to issue to him a Re-entry Permit under the provisions of this section may within 30 days of the notification of such refusal to him appeal by petition in writing to His Majesty the Sultan and Yang Di-Pertuan in Council, whose decision thereon shall be final.

Endorsement of name of wife and children on Entry and Re-entry Permits.

12. Subject to such conditions as may be prescribed it shall be lawful for the Controller, on application made in that behalf in the prescribed form by the holder of, or by an applicant for, an Entry Permit or a Re-entry Permit, to endorse upon the Permit issued to such person the name or names of the members of the family of such person.

Power to make enquiries.

13. The Controller may before the issue of an Entry or Re-entry Permit under this Act or before making any endorsement thereon under the

provisions of section 12 make such enquiries or require the production of such evidence as he may think fit in order to satisfy himself as to the truth of any statement made in the application for such Permit.

Cancellation of Permits.

14. (1) When the holder of any Entry Permit or Re-entry Permit seeks to enter Brunei Darussalam accompanied by any child whose name is not endorsed upon such Permit under the provisions of section 12 and who is not otherwise entitled to enter Brunei Darussalam under the provisions of this Act, the Controller may cancel the Permit issued to such person.

(2) When, upon the arrival in Brunei Darussalam of any person to whom an Entry Permit or Re-entry Permit has been issued, the Controller is satisfied, as a result of enquiries made under section 24, 25 or 26, or from other information, that any Permit was issued as a result of any false representation or concealment of a material fact, the Controller may cancel such Permit.

(3) When at any time, during the period of validity of an Entry Permit or Re-entry Permit, the Controller is satisfied that the holder of such Entry Permit or Re-entry Permit is a prohibited immigrant the Controller shall cancel such Permit.

(4) Where any person has entered Brunei Darussalam by virtue of an Entry Permit or a Re-entry Permit, and the Controller is satisfied —

(a) that any material statement made in or in connection with the application for such Permit was false or misleading; or

(b) that such person is a member of any of the prohibited classes defined in subsection (2) of section 8,

the Controller may, unless such person was entitled at the time of such entry, or has subsequently become entitled to enter Brunei Darussalam under the provisions of subsection (1) of section 7, declare at any time within 2 years after the date of such entry, that the presence of such person in Brunei Darussalam is unlawful.

(5) On making any cancellation under subsection (2) or subsection (3) or on making any declaration under subsection (4) the Controller shall, by notification, which, if the address of the person is known, shall be sent to him at such address and otherwise shall be published in such manner as the Controller deems fit, inform the person affected thereby of the grounds on

which such cancellation or declaration has been made and such person may appeal against the cancellation or declaration, as the case may be, within such time and such manner as may be prescribed, to His Majesty the Sultan and Yang Di-Pertuan in Council, whose decision shall be final.

Effect of cancellation or expiry of Permit or Pass.

15. (1) It shall be unlawful for any person to remain in Brunei Darussalam after the cancellation of any Entry Permit or Re-entry Permit or after the making of a declaration under section 14(4) or the expiration or cancellation of any Pass relating to or issued to him unless he is otherwise entitled or authorised to remain in Brunei Darussalam under the provisions of this Act or of any regulation made thereunder.

(2) Any person who without reasonable cause contravenes the provisions of subsection (1) shall be guilty of an offence and —

(a) in the case where he remains unlawfully for a period not exceeding 90 days, shall be liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$4,000 or to both;

[S 6/98]

(b) in the case where he remains unlawfully for a period exceeding 90 days, shall be liable on conviction to imprisonment for a term of not less than 3 months and not more than 2 years and whipping with not less than 3 strokes cumulatively:

[S 6/98; S 19/04]

Provided that no sentence of whipping shall be imposed on any person charged in court before 12th June 2004.

[S 28/04]

PART IV

**PROCEDURE ON ARRIVAL IN AND DEPARTURE
FROM BRUNEI DARUSSALAM**

[S 1/85]

Immigration signal.

16. (1) Subject to the provisions of subsection (2) the master of every vessel which arrives in or is about to leave Brunei Darussalam shall hoist the

prescribed immigration signal and shall exhibit such signal until authorised by a Senior Immigration Officer to haul it down.

[S 1/85]

(2) The provisions of subsection (1) shall not apply to any vessel which plies solely between ports in Brunei Darussalam.

(3) The master of any vessel who contravenes or fails to comply with any of the provisions of subsection (1) shall be guilty of an offence.

Vessel or flying-boat to proceed to Immigration Anchorage or other place ordered by Immigration Officer.

17. (1) The Controller may, by notification in the *Gazette*, declare any place in any river or within the territorial waters of Brunei Darussalam to be an Immigration Anchorage, either for vessels generally or for vessels of a class specified in the notification or for flying-boats, and the master of any vessel or flying-boat which arrives at or is about to leave a place where an Immigration Anchorage, either for vessels generally or for vessels of a class to which such vessel belongs or for flying-boats, has been declared shall, subject to any directions given under subsection (3), forthwith navigate his vessel or flying-boat to such anchorage and shall remain there until an Immigration Officer gives him permission to leave.

[S 1/85]

(2) No vessel or flying-boat carrying passengers, other than a vessel which plies solely between ports in Brunei Darussalam, shall proceed to any place in Brunei Darussalam other than a place within which an Immigration Anchorage has been declared under subsection (1).

(3) The master of every vessel or flying-boat which arrives in or is about to leave Brunei Darussalam shall, if so ordered by an Immigration Officer, anchor or tie up his vessel or flying-boat at such place as may be ordered, and shall remain there until an Immigration Officer gives him permission to leave.

[S 1/85]

(4) The master of any vessel or flying-boat who, without reasonable cause, contravenes or fails to comply with any of the foregoing provisions of this section or any order made or direction given thereunder shall be guilty of an offence.

Aircraft arriving in or departing from Brunei Darussalam.

18. (1) The captain of every aircraft which arrives in or leaves Brunei Darussalam shall land his aircraft at or fly his aircraft away from an authorised airport.

[S 1/85]

(2) The captain of any aircraft who, without reasonable cause, contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence.

(3) In this section, “land” includes alight on water.

Persons not to board or leave vessel or flying-boat until examination completed.

19. (1) Save under and in accordance with any authority granted by a Senior Immigration Officer, no person other than —

(a) the pilot of the vessel;

(b) any Government officer boarding the vessel or flying-boat on duty;

(c) the owner, charterer or agent of the vessel or flying-boat; or

(d) a Consular representative to Brunei Darussalam of the country or state to which such vessel or flying-boat belongs, or, if such vessel or flying-boat belongs to a country within the Commonwealth, an accredited representative in Brunei Darussalam of the Government of such country,

shall leave or board a vessel or flying-boat arriving in Brunei Darussalam, nor may any person (other than the crew of a vessel carrying any such person) approach within 30 feet of such vessel or flying-boat, until such vessel or flying-boat has been examined by a Senior Immigration Officer and, in the case of a vessel, the immigration signal has been hauled down.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence, and every such person leaving a vessel or flying-boat in contravention of subsection (1) shall if so required by an Immigration Officer return forthwith to such vessel or flying-boat and remain thereon and the master of the vessel or flying-boat shall be bound to re-embark such person or board a vessel departing from Brunei Darussalam

after it has been examined by an Immigration Officer just before its departure.

[S 1/85]

Prohibition on disembarking from vessels or flying-boats without permission of Immigration Officer.

20. (1) It shall be the duty of the master, and the owner, charterer or agent, of every vessel or flying-boat which arrives in Brunei Darussalam to prevent any person on board other than a person specified in paragraph (a), (b), (c) or (d) of subsection (1) of section 19 from disembarking from such vessel or flying-boat until such disembarkation has been authorised by a Senior Immigration Officer, and for such purpose any means reasonably necessary may be used.

(2) When any person disembarks from any vessel or flying-boat before such disembarkation has been authorised by a Senior Immigration Officer, such person, the master, owner, charterer or agent of such vessel or flying-boat shall each be guilty of an offence: Penalty, a fine of \$4,000 and imprisonment for one year, and —

(a) it shall be no defence to a prosecution under this section that the master, owner, charterer or agent, did not permit or do anything to facilitate the disembarkation of any such person; and

(b) it shall be a good defence to a prosecution under this section that the master, owner, charterer or agent, took every reasonable precaution to prevent the disembarkation of any such person.

(3) The master of the vessel or flying-boat from which any person has disembarked before such disembarkation has been authorised by a Senior Immigration Officer shall be bound to re-embark such person and any master refusing to re-embark such person shall be guilty of an offence: Penalty, a fine of \$4,000 and imprisonment for one year.

Prohibition of removal of articles before examination.

21. (1) Except with the authority of a Senior Immigration Officer, no article or thing shall be removed or taken from, or put on board, any vessel or flying-boat until such vessel or flying-boat has been examined by a Senior Immigration Officer under section 19.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence.

Production of certain lists and persons by masters of vessels.

22. (1) The master of every vessel arriving in or leaving Brunei Darussalam shall, whenever required to do so by a Senior Immigration Officer —

(a) exhibit to such officer a complete list of the members of the crew in such form and containing such particulars as may be prescribed;

(b) produce to such officer for inspection and interrogation all the members of the crew;

(c) furnish to such officer in triplicate identification cards of each member of the crew in such form as may be prescribed;

(d) submit to such search of his vessel as may be necessary to establish the presence or absence of other persons on board;

(e) produce his ship's papers; and

(f) report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on his removal from any other state or country by the competent authorities of such state or country.

(2) In the case of vessels carrying passengers the master shall, in addition, produce —

(a) a complete list of all the passengers in such form and containing such particulars as may be prescribed;

(b) in relation to every passenger disembarking in or embarking from Brunei Darussalam such particulars in such form as may be prescribed; and

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(c) all passengers for inspection and interrogation.

(3) The master of any vessel who contravenes or fails to comply with any of the provisions of subsection (1) or (2), and any person who

hinders or obstructs any search of a vessel under paragraph (d) of subsection (1) shall be guilty of an offence.

(4) If any person is found on board a vessel whose presence should have, but has not, been reported in accordance with paragraph (f) of subsection (1), the master of such vessel shall be guilty of an offence: Penalty, a fine of \$1,000 in respect of each such person.

(5) In any proceedings under this section the certificate in writing of a Senior Immigration Officer who boards or examines any particular vessel to the effect that such vessel carried on arrival in Brunei Darussalam a total number of seamen corresponding in description to the particulars on the identification cards furnished under paragraph (c) of subsection (1) shall be conclusive proof that such vessel did on arrival carry such number of seamen.

Production of lists and persons by captain of aircraft.

23. (1) The captain of every aircraft arriving in or leaving Brunei Darussalam shall whenever required to do so by a Senior Immigration Officer —

(a) produce a passenger list as prescribed under the provisions of paragraph (a) of subsection (2) of section 22 or in accordance with the provisions of Annex 9 to the Convention on International Civil Aviation;

(b) produce in relation to every passenger landing in or are departing from Brunei Darussalam such particulars in such form as may be prescribed;

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(c) produce a complete list of the members of the crew of his aircraft as prescribed under the provisions of paragraph (a) of subsection (1) of section 22 or in accordance with the provisions of Annex 9 to the Convention on International Civil Aviation;

(d) produce the members of the crew and passengers of such aircraft for inspection and interrogation as directed either generally or specifically by a Senior Immigration Officer;

(e) submit to such search of his aircraft as may be necessary to establish the presence or absence of such other persons as have not been produced under this subsection; and

(f) report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on his removal from any other state or country by the competent authorities of such state or country.

(2) The captain of any aircraft who contravenes or fails to comply with any of the provisions of subsection (1), and any person who hinders or obstructs any search of an aircraft under paragraph (e) of that subsection, shall be guilty of an offence.

(3) If any person is found on board an aircraft whose presence should have, but has not, been reported in accordance with paragraph (f) of subsection (1), the captain of such aircraft shall be guilty of an offence: Penalty, a fine of \$1,000 in respect of each such person.

(4) In any proceedings under this section the certificate in writing of a Senior Immigration Officer who boarded or examined any particular aircraft to the effect that such aircraft carried on arrival in Brunei Darussalam a total number of crew corresponding in description to the particulars on the list produced under paragraph (c) of subsection (1) shall be conclusive proof that such aircraft did on arrival carry such number of crew.

Examination of persons arriving by sea.

24. (1) Every person arriving by sea intending to disembark in Brunei Darussalam shall appear before a Senior Immigration Officer at such time and place as such officer may direct, and such officer, after such examination as he may consider necessary, shall inform any person whom he considers to be prohibited from entering Brunei Darussalam under the provisions of this Act or of any regulations made thereunder of his finding, and such person, if still aboard the vessel, shall not disembark in Brunei Darussalam or, if disembarked for the purposes of such examination, shall return forthwith to the vessel and remain thereon; and the master of the vessel shall likewise forthwith be informed in writing by the Senior Immigration Officer of his finding and the master shall not permit such person to disembark in Brunei Darussalam, or, if such person has disembarked, whether for the purpose of examination or otherwise, shall be bound to re-embark him.

(2) Any person who —

(a) refuses or neglects to appear before a Senior Immigration Officer as required by subsection (1) or who leaves the place of

examination without or otherwise than in accordance with the authorisation of such officer;

(b) after having been informed by a Senior Immigration Officer that he is prohibited from entering Brunei Darussalam, either disembarks in Brunei Darussalam or refuses or neglects to return forthwith to his vessel, as the case may be; or

(c) being the master of a vessel, permits any person to disembark in Brunei Darussalam, or refuses to re-embark any person, after being informed by a Senior Immigration Officer that such person is prohibited from entering Brunei Darussalam or that such person has refused or neglected to appear before a Senior Immigration Officer as required by subsection (1) or that he has left the place of examination without or otherwise than in accordance with the authorisation of such officer,

shall be guilty of an offence.

(3) When any person either disembarks in Brunei Darussalam or refuses or neglects to return to his vessel, in contravention of the provisions of this section, an Immigration Officer may require such person to return to his vessel and may take such action, including the use of force, as may be reasonably necessary to compel such return, and the master of such vessel shall be bound to re-embark such person and to remove him from Brunei Darussalam.

(4) The master of a vessel may use such force as may be reasonably necessary to enable him to comply with the provisions of subsections (1) and (3).

Examination of persons arriving at authorised airport.

25. (1) Every person arriving by air at any authorised airport in Brunei Darussalam and intending to leave the precincts of such airport shall appear before a Senior Immigration Officer at such time and place as such officer may direct, and such officer, after such examination as he may consider necessary, shall inform any person whom he considers to be prohibited from entering Brunei Darussalam under the provisions of this Act or of any regulations made thereunder of his finding, and such person shall not leave the precincts of such airport except for a place approved by such officer, and shall leave and depart from Brunei Darussalam for a place outside Brunei Darussalam by the first available means in accordance with the instructions

of such officer. The captain of the aircraft in which such person arrived shall, if so required by such officer, remove such person from Brunei Darussalam by the same aircraft.

(2) Any person who —

(a) refuses or neglects to appear before a Senior Immigration Officer as required by subsection (1) or who leaves the place of examination without or otherwise than in accordance with the authorisation of such officer;

(b) after having been informed by a Senior Immigration Officer that he is prohibited from entering Brunei Darussalam, leaves the precincts of an airport without the permission of such officer, or refuses or neglects to proceed to or remain at a place approved by such officer;

(c) refuses or fails to leave Brunei Darussalam in accordance with the instructions of a Senior Immigration Officer given under subsection (1); or

(d) being the captain of the aircraft in which any person arrived in Brunei Darussalam refuses or neglects to remove such person from Brunei Darussalam after being informed by a Senior Immigration Officer that such person is prohibited from entering Brunei Darussalam or that such person has refused or neglected to appear before a Senior Immigration Officer as required by subsection (1) or that he has left the place of examination without or otherwise than in accordance with the authorisation of such officer,

shall be guilty of an offence.

(3) When any person leaves the precincts of an airport in contravention of the provisions of this section or refuses to leave and depart from Brunei Darussalam in accordance with the instructions of the Senior Immigration Officer given under the provisions of subsection (1), the Senior Immigration Officer may take such action, including the use of force, as may be reasonably necessary to compel such person to return to the precincts of the airport or to comply with such instructions, as the case may be.

Examination of persons entering Brunei Darussalam by land or at a place other than an authorised airport.

26. (1) Every person who from a place outside Brunei Darussalam enters Brunei Darussalam by land shall enter at an authorised point of entry and shall proceed therefrom by an approved route, prescribed under section 5, to the nearest immigration control post and shall appear before the Senior Immigration Officer in charge of such post and shall if so required by such Senior Immigration Officer, furnish particulars about himself in such form as may be prescribed.

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(2) Every person who from a place outside Brunei Darussalam arrives by sea or air in Brunei Darussalam at any place other than an authorised landing place or airport shall forthwith proceed to and appear before the nearest Senior Immigration Officer.

(3) The Senior Immigration Officer before whom any person appears in accordance with the provisions of this section shall if he considers that such person is prohibited from entering Brunei Darussalam under the provisions of this Act or of any regulations made thereunder inform such person of his finding and such person shall in accordance with the instructions of such officer forthwith leave and depart from Brunei Darussalam for a place outside Brunei Darussalam.

(4) Any person who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence.

Power to send person to Immigration depot.

27. (1) When a Senior Immigration Officer is in doubt as to the right of any person to enter Brunei Darussalam, it shall be lawful for such officer to direct such person to an immigration depot and, in such case, such person shall proceed forthwith to such depot and shall remain there until permitted to leave by such officer:

Provided that such person shall not, except on the written order of the Controller, be so detained for any period exceeding 7 days:

And provided further that the Controller may, in his discretion, and pending the completion of enquiries regarding such person, release such person from the immigration depot on such terms and conditions as the

Controller may deem fit, and for such purpose the Controller may issue to such person a Pass in the prescribed form.

(2) Any person who refuses or neglects to comply with directions given by a Senior Immigration Officer under subsection (1) or who leaves an immigration depot in contravention of the provisions of that subsection, shall be guilty of an offence.

Interrogation of travellers.

28. (1) Any person who arrives in Brunei Darussalam from any place outside Brunei Darussalam or who is about to leave Brunei Darussalam by sea, land or air for any place outside Brunei Darussalam, shall fully and truthfully answer all questions and enquiries put to him by a Senior Immigration Officer tending directly or indirectly to establish his identity, nationality or occupation or bearing on any of the restrictions contained in this Act or in any regulations made thereunder or any absolute or conditional liability on his part to any military, naval or air force service under any state or country whatsoever, and shall disclose and produce to any such officer on demand all documents in his possession relating to such matters.

(2) Notwithstanding the provisions of section 117 of the Criminal Procedure Code (Chapter 7) or of any law relating to evidence, all such answers and documents, and any statement made by any such person to a Senior Immigration Officer, whether such officer is a police officer or not, shall be admissible in evidence in any proceedings under this Act against the person making, disclosing or producing the same:

Provided that nothing in this section shall be construed as rendering any such answer inadmissible in any other proceedings in which they would otherwise be admissible.

(3) Any such person who —

(a) refuses to answer any question or enquiry put to him under subsection (1);

(b) knowingly gives any false or misleading answer to any such question or enquiry or knowingly makes a false or misleading statement to a Senior Immigration Officer;

(c) refuses or fails to produce any document in his possession when required so to do under that subsection; or

(d) knowingly produces any false or misleading document,
shall be guilty of an offence.

Medical examination.

29. For the purpose of exercising his powers and carrying out his functions and duties under this Act or any regulations made thereunder, a Senior Immigration Officer may require any person who desires to enter Brunei Darussalam to submit to examination by a Government medical officer.

Immigration Officer may give instructions to prevent evasion of examination.

30. (1) An Immigration Officer may give such instructions as may be reasonably necessary to ensure that no passenger or member of a crew evades examination either of his person or effects.

(2) Any person who without reasonable cause refuses or fails to comply with any instruction given under subsection (1) shall be guilty of an offence.

PART V**REMOVAL FROM BRUNEI DARUSSALAM****Removal of prohibited immigrants from Brunei Darussalam.**

31. If during the examination of any person arriving in Brunei Darussalam or after such enquiry as may be necessary such person is found to be a prohibited immigrant the Controller shall, subject to the provisions of any regulations made under this Act, prohibit such person from disembarking or may in his discretion detain him at an immigration depot or other place designated by the Controller until an opportunity arises to return him to his place of embarkation or to the country of his birth or citizenship.

Removal of illegal immigrants.

32. (1) Any person who is convicted of an offence under section 5, 6, 8 or 9 shall be liable to be removed from the State by order of the Controller:

Provided that no person entitled to enter Brunei Darussalam under the provisions of subsection (1) of section 7 convicted of an offence under section 5 shall be ordered to be removed from Brunei Darussalam under the provisions of this subsection.

(2) Nothing in this section shall be deemed to prevent the removal of any person to any place outside Brunei Darussalam under any law in force relating to fugitive offenders.

Removal of persons unlawfully remaining in Brunei Darussalam.

33. (1) When the presence of any person in Brunei Darussalam is unlawful by reason of the provisions of section 15 such person shall, whether or not any proceedings are taken against him in respect of any offence against this Act under that section, be liable to be removed from Brunei Darussalam by order of the Controller.

(2) Any person in respect of whom an order of removal has been made under the provisions of subsection (1) on the ground that his presence in Brunei Darussalam is unlawful by reason of the cancellation of an Entry Permit, Re-entry Permit or Pass may on payment of the prescribed fee appeal to His Majesty the Sultan and Yang Di-Pertuan in Council in such manner and within such time as may be prescribed.

Detention of persons ordered to be removed.

34. (1) When any person is ordered to be removed from Brunei Darussalam under the provisions of this Act it shall be lawful for the Controller to order such person to be detained in custody for such period as may be necessary for the purpose of making arrangements for his removal:

Provided that any person detained under this subsection who appeals under the provisions of subsection (2) of section 33 against the order of removal may, in the discretion of the Controller, be released, pending the determination of his appeal, on such conditions as to furnishing security or otherwise as the Controller may deem fit.

(2) Subject to the determination of any appeal under section 33, any person who is ordered to be removed from Brunei Darussalam may be placed on board a suitable vessel or aircraft by any police officer or Immigration Officer, and may be lawfully detained on board such vessel or aircraft, so long as the vessel or aircraft is within the limits of Brunei Darussalam.

(3) Any person who is detained in custody in pursuance of an order made by the Controller under subsection (1) may be so detained either in any prison, police station or immigration depot, or in any other place appointed for the purpose by the Controller.

Power to arrest person liable to removal.

35. Any person reasonably believed to be a person liable to removal from Brunei Darussalam under any of the provisions of this Act may be arrested without warrant by any Immigration Officer or police officer generally or specially authorised by the Controller in that behalf or by a police officer not below the rank of Inspector, and may be detained in any prison, police station or immigration depot for a period not exceeding 14 days pending a decision as to whether an order for his removal should be made.

Unlawful return after removal.

36. Any person who, having been removed or otherwise lawfully sent out of Brunei Darussalam under the provisions of this Act and any person, other than a person entitled to enter Brunei Darussalam under the provisions of subsection (1) of section 7, having been removed or otherwise lawfully sent out of any territory within the Commonwealth, enters or resides in Brunei Darussalam without the written authority of the Controller under this section shall be guilty of an offence: Penalty, imprisonment for not less than one year and not more than 3 years and a fine of \$6,000, and shall, in addition to any penalty for such offence, be liable to be removed or again removed, as the case may be, from Brunei Darussalam.

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PART VI

MISCELLANEOUS

Performance of duties of Immigration Officers.

37. (1) Immigration Officers appointed under this Act shall perform the duties imposed on them by this Act or any regulations made thereunder, and shall also perform such duties as are required of them by the Controller, either directly or through any other officer; and no action taken by any such officer under or for any purpose of this Act shall be deemed to be invalid or

unauthorised by reason only that it was not taken by the officer specially appointed or detailed for the purpose.

(2) Every Immigration Officer shall be deemed to be a public servant within the meaning of the Penal Code (Chapter 22).

Authority of Immigration Officer to arrest.

38. (1) Every Immigration Officer appointed under this Act shall have the authority and powers of a police officer to enforce any of the provisions of this Act relating to arrest, detention or removal.

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(2) Every Immigration Officer shall have the authority to appear in court and conduct any prosecution in respect of any offence under this Act or the regulations.

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(3) In any case relating to the commission of any offence against this Act, any immigration officer shall have the same power of investigation of a police officer under Chapter XIII of the Criminal Procedure Code (Chapter 7) in respect of a seizable offence.

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Power to summon witnesses etc.

39. (1) The Controller may, for the purpose of any inquiry or appeal under this Act, summon and examine witnesses on oath or affirmation, and may require the production of documents relevant to the inquiry or appeal.

(2) Any person summoned as a witness under the provisions of subsection (1) who without reasonable excuse fails to attend at the time and place mentioned in the summons, or who, having attended, refuses to answer any question that may lawfully be put to him or to produce any document which it is in his power to produce, shall be guilty of an offence.

Duty of police officers to execute orders.

40. All police officers shall, when so directed by a Senior Immigration Officer, receive and execute according to the tenor thereof any written order of the Controller, and any warrant of the Controller for the arrest, detention or removal of any person under the provisions of this Act.

Departure of vessel or aircraft for Brunei Darussalam to be reported.

41. (1) On the departure of any vessel or aircraft from any place outside Brunei Darussalam on a voyage or flight to any place in Brunei Darussalam the owner, charterer, agent or consignee within Brunei Darussalam of such vessel or aircraft shall forthwith inform a Senior Immigration Officer of —

(a) the place and approximate date and time of arrival in Brunei Darussalam of such vessel or aircraft; and

(b) the approximate number of passengers in such vessel or aircraft.

(2) Any such owner, charterer, agent or consignee who without reasonable cause fails to comply with the provisions of subsection (1) shall be guilty of an offence.

Restriction of discharge of member of crew.

42. (1) When any seaman is about to be or is discharged or paid off in Brunei Darussalam, the master, owner, charterer or agent shall as soon as practicable notify the Controller; and any such master, owner, charterer or agent who without reasonable cause fails to comply with the provisions of this subsection shall be guilty of an offence.

(2) No member of a crew who has been discharged or paid off shall be left in Brunei Darussalam unless either —

(a) he is a citizen of Brunei Darussalam; or

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(b) he is in possession of a valid Entry Permit or Re-entry Permit or of a valid Pass.

(3) In any instance of contravention of the provisions of subsection (2), the master, owner, charterer, agent or consignee of the vessel or aircraft in which the person concerned was employed shall be liable for the maintenance of such person and for the cost of his repatriation to his place of birth or citizenship or, if such master, owner, charterer, agent or consignee so elects, to such other place as may be approved by the Controller.

Signing on or bring as one of the crew any person with intent to land contrary to this Act.

43. Any transportation company and any person, including the master and the owner of a vessel or aircraft arriving in Brunei Darussalam, who has knowingly signed on the ship's articles or brought to Brunei Darussalam as a member of the crew of such vessel or aircraft any person with intent to permit such person to enter Brunei Darussalam contrary to the provisions of this Act or of any regulations made thereunder, or who represents to an Immigration Officer that any such person is a *bona fide* member of the crew of such vessel or aircraft, shall be guilty of an offence: Penalty, a fine not exceeding \$4,000 and not less than \$200 in respect of each such person.

Security to prevent unlawful landing.

44. (1) A Senior Immigration Officer may demand security, whether by deposit or otherwise, from the master, owner, charterer, agent or consignee of any vessel or aircraft from which he has reasonable grounds to believe that any person is about to disembark in or enter Brunei Darussalam in contravention of the provisions of this Act or of any regulations made thereunder, and may refuse to release the vessel or aircraft from examination until such security is furnished.

(2) The Controller may, if satisfied that any person has disembarked in or entered Brunei Darussalam from any vessel or aircraft, in respect of which security has been furnished under subsection (1), in contravention of any provisions of this Act or of any regulations made thereunder, direct the forfeiture of such security or any part thereof:

Provided that the Controller shall not direct the forfeiture of any security under this subsection if he is satisfied that the master, owner, charterer, agent or consignee took every reasonable precaution to prevent any person from so disembarking in or entering Brunei Darussalam.

(3) When a Senior Immigration Officer in lieu of requiring a deposit under the provisions of subsection (1) requires security by a bond with or without sureties such bond shall be in the prescribed form.

Reports as to persons failing to continue their journey.

45. (1) When any through passenger in or member of the crew of any vessel or aircraft fails to continue his journey in such vessel or aircraft in circumstances from which it may reasonably be inferred that such passenger

or member of the crew has remained in Brunei Darussalam, the master of such vessel or aircraft, as the case may be, shall, as soon as practicable, notify a Senior Immigration Officer or a police officer of or above the rank of corporal of the failure of such passenger or member of the crew to continue his journey.

(2) Any master who fails to comply with the provisions of subsection (1) shall be guilty of an offence.

Repatriation.

46. (1) Any person residing in Brunei Darussalam who —

(a) is not a citizen of Brunei Darussalam;

(b) is by reason of destitution, infirmity or mental incapacity, unable to obtain employment or to support himself and his family, if any;

(c) is unable to pay the cost of his passage and of the passages of the members of his family, if any, to the country of his birth or citizenship; and

(d) is or is likely to become a charge upon the public or a charitable institution,

may apply to the Controller for the repatriation of himself and his family, if any, at the cost of the Government.

(2) Upon such application, if the Controller is satisfied, after such enquiry as he deems necessary, that such person has or is about to become a charge on the public or on a charitable institution and is unable to pay the cost of the repatriation of himself and his family, if any, and that no government, organisation, company or person is liable or willing to pay such cost of repatriation, the Controller may authorise the payment of such cost subject to the condition specified in subsection (3).

(3) Any person repatriated at the cost of the Government shall enter into an undertaking in such form as may be prescribed, that he will not return to Brunei Darussalam without the consent in writing of the Controller. Such consent shall be conditional upon such person refunding to the Controller all costs and charges incurred in the repatriation of such person and his family, if any, and shall be subject to such other conditions as the Controller may deem expedient.

(4) Any person who has been repatriated at the cost of the Government under this section who enters or attempts to enter Brunei Darussalam without the consent of the Controller under subsection (3), or who having entered Brunei Darussalam with such authority, fails or neglects to comply with any condition upon which such consent was given, shall be guilty of an offence.

Masters and others liable for expenses.

47. If any person —

(a) enters Brunei Darussalam from any vessel or aircraft contrary to the provisions of this Act or of any regulations made thereunder;

(b) disembarks from any vessel or aircraft on which he has been re-embarked or to which he has been returned under the provisions of section 19, 20, 24 or 25,

the master, owner, charterer and agent thereof shall be jointly and severally liable for all expenses incurred by the Government in respect of the detention and maintenance of such person and his removal from Brunei Darussalam and such expenses shall be recoverable as a debt due to Government from the master, owner, charterer and agent of such vessel or aircraft jointly and severally.

Obligation to afford free passage.

48. (1) When an order of removal is made under the provisions of this Act in respect of any person who has entered Brunei Darussalam contrary to the provisions of this Act or of any regulations made thereunder, and such person was brought to Brunei Darussalam in a vessel or aircraft, the master of such vessel or aircraft, and also the master of any vessel or aircraft belonging to the same owners or chartered by the same charterers, shall, if required in writing by the Controller, receive such person on board his vessel or aircraft and afford him free of charge a passage to the port or place at which such person embarked and proper accommodation and maintenance during the voyage or flight:

Provided that no such master shall be liable as aforesaid unless such order of removal has been made by the Controller within 3 months from the date upon which such person entered Brunei Darussalam.

(2) The master of any vessel or aircraft who fails to comply with the provisions of this section shall be guilty of an offence.

Power to detain vessel or aircraft.

49. (1) The Controller may by writing under his hand authorise any Port Officer to detain any vessel or aircraft in connection with which an offence against this Act is reasonably believed to have been or to be about to be committed, and the vessel or aircraft may then be detained either at the place where it is found or at any place to which the Controller may order it to be brought. The Controller shall give notice to the master or owner or charterer or agent of the vessel or aircraft of the detention thereof.

(2) For the purposes of the detention and other lawful dealing with the vessel or aircraft the Port Officer shall have power to muster the crew and may, if he considers it necessary so to do, place a police guard on board.

(3) The detention shall be for safe custody only, and shall cease if a bond with two sufficient sureties to the satisfaction of the Controller be given by the master, owner, charterer or agent of the vessel or aircraft for the payment of any fine, costs and charges incurred under this Act in respect of any offence or default thereunder.

(4) If default is made in the payment of any such fine, costs or charges, the Port Officer or the Controller of Civil Aviation or any person authorised by him in that behalf may seize the vessel or aircraft and such vessel or aircraft shall be declared forfeited to the Government by order of a Court of competent jurisdiction upon the application of the Attorney General. Any vessel or aircraft so forfeited shall be sold.

(5) The proceeds of sale of a vessel or aircraft under this section shall be applied first in payment of any fine, costs or charges incurred under this Act and of any costs incurred in and about the sale and the proceedings leading thereto and the balance shall be paid to the owners of or other persons lawfully entitled to the vessel or aircraft before sale.

(6) For the purpose of this section vessel shall be deemed to include any motor vehicle.

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Powers of arrest and search.

50. (1) Any Senior Immigration Officer or any police officer of or above the rank of Inspector, or any police officer or officer of customs generally or specially authorised by the Controller in that behalf may without a warrant and with or without assistance —

(a) enter and search any premises; and

(b) stop and search any vessel, vehicle or person, or search any aircraft, whether in a public place or not,

if he has reason to believe that any evidence of the commission of an offence against this Act or any regulations made thereunder is likely to be found on such premises or person or in such vessel, vehicle or aircraft, and may seize any evidence so found.

(2) No woman shall be searched under this section except by a woman.

(3) Any police officer, Immigration Officer or officer of customs may arrest without warrant any person who he reasonably believes has committed an offence against this Act or any regulations made thereunder.

(4) When any person is arrested by an Immigration Officer or officer of customs such officer shall comply with the provisions of section 33 of the Criminal Procedure Code (Chapter 7) as if he were a police officer.

Registration of particulars for purposes of identification.

51. (1) Every person in respect of whom an order of removal from Brunei Darussalam has been made under the provisions of this Act shall be legally bound to submit to the taking of his photograph and finger impressions in the manner provided by the Fingerprints Enactment, 1956 (17 of 1956), and an Immigration Officer shall endorse particulars of such order upon the sheet upon which such finger impressions have been made, authenticating such endorsement with his signature, and the provisions of the said Act relating to the registration, recording and admissibility in evidence thereof shall apply to every such photograph, finger impression and particulars so taken.

(2) Any person who being legally bound under subsection (1) to submit to the taking of his photograph or finger impressions, refuses or fails

to submit thereto on demand by an Immigration Officer shall be guilty of an offence: Penalty, a fine of \$250 and imprisonment for one month.

Counterfoils and counterparts to be *prima facie* evidence.

52. In any proceedings under this Act or at the hearing of any charge for an offence against this Act any counterfoil or counterpart of any Permit, Pass or other document issued under this Act or any regulations made thereunder and purporting to be signed by the Controller or by a Deputy Controller, Assistant Controller or Senior Immigration Officer, as the case may be, may be produced in evidence without further proof and shall as against the person relying upon such Permit, Pass or other document be *prima facie* evidence of the facts therein stated and shall unless the contrary be proved be presumed to be a true and complete statement of the facts in the Permit, Pass or other document to which it relates.

Regulations.

53. His Majesty in Council* may, make regulations not inconsistent with the provisions of this Act for all or any of the following purposes —

- (a) prescribing anything which is to be or may be prescribed under the provisions of this Act;
- (b) prescribing the forms to be used for the purposes of this Act;
- (c) prescribing —
 - (i) the period for which Permits shall be valid;
 - (ii) the terms and conditions subject to which any person may be granted a Permit and the person who may issue Permits; and
 - (iii) the terms and conditions subject to which any person may be granted a Pass entitling him to enter and remain temporarily within Brunei Darussalam, the period for which any said Pass may be granted, the classes of such Passes and the person who may issue such Passes;

* Transferred to the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan — [S 54/89]

(d) providing for the payment and recovery of any expenses incurred by the Government in connection with the detention, maintenance, medical treatment and removal from Brunei Darussalam of any person under the provisions of this Act;

(e) prescribing the place where, the person to whom and the manner in which application to enter Brunei Darussalam shall be made;

(f) prescribing the procedure to be followed by persons entering Brunei Darussalam;

(g) prescribing the procedure to be followed by authorities in the exercise of their functions under this Act;

(h) governing the procedure to be followed and the fees and costs to be paid on any appeal;

(i) prescribing the deposit or security, if any, to be made or given by or in respect of any person granted an Entry Permit, Re-entry Permit or Pass and the conditions subject to which such deposit or security may be forfeited;

(j) prescribing the fees, if any, to be charged upon the issue of any Entry Permit, Re-entry Permit or Pass;

(k) prescribing the penalties not exceeding imprisonment for 6 months and a fine of \$2,000 for the breach of any such regulations;

(l) prescribing the precincts of authorised airports; and

(m) generally for the better carrying into effect of the purposes and provisions of this Act.

Power to exempt from provisions of Act.

54. (1) Notwithstanding anything contained in this Act, His Majesty in Council* may, by order exempt, absolutely or conditionally, any person or class of persons from all or any of the provisions of this Act.

(2) Every order made under this section which relates to a class of persons shall be published in the *Gazette*.

* Transferred to the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan — [S 54/89]

Offences. [S 1/85; S 24/90]

55. (1) Any person who —

[S 6/98]

(a) attempts unlawfully to enter Brunei Darussalam; or

[S 19/04]

(b) abets any person to enter or leave Brunei Darussalam in contravention of the provisions of this Act or of the regulations; or

(c) engages in the business or trade of conveying to Brunei Darussalam in or on any vessel, aircraft or vehicle any person whom he knows or has reasonable grounds for believing is a prohibited immigrants; or

(d) harbours any person who has acted in contravention of the provisions of this Act or of the regulations; or

(e) employs any person who has acted in contravention of the provisions of section 6, 15 or 36 of this Act or of the regulations; or

(f) makes or causes to be made any false report, false statement or false representation in connection with any obligation imposed by the provision of this Act or of the regulations; or

(g) resists or obstructs, actively or passively, any immigration officer in the execution of his duty; or

(h) without lawful excuse hinders or obstructs any removal under the provisions of this Act; or

(i) gives, sells or parts with possession of any Entry or Re-entry Permit, Pass or Certificate in order that it may be used in contravention of the provisions of paragraph (j) of this section; or

(j) uses any entry Re-entry Permit, Pass or Certificate issued to any other person as if it had been lawfully issued to himself; or

(k) by making a false statement obtains or attempts to obtain an Entry or Re-entry Permit, Pass or Certificate for himself or for any other person; or

(l) uses or without lawful authority has in his possession any forged, unlawfully altered or irregular Entry or Re-entry Permit, Pass or Certificate or other document issued under this Act or the

regulations, or any Permit, Pass or Certificate or other document so issued on which any endorsement has been forged or unlawfully altered,

shall be guilty of an offence: Penalty —

- (i) in the case of an offence against paragraph (a), imprisonment for a term of not less than 3 months and not more than 2 years and a fine not exceeding \$4,000 cumulatively;

[S 19/04]

- (ii) in the case of an offence against paragraph (b) or (c), imprisonment for a term of not less than 2 years and not more than 7 years and whipping with not less than 3 strokes cumulatively:

[S 19/04]

Provided that no sentence of whipping shall be imposed on any person charged in court before 12th June 2004.

[S 28/04]

- (iii) in the case of an offence against paragraph (d) or (e), in respect of each person harboured or employed, imprisonment for a term not exceeding 2 years, a fine of not less than \$3,000 but not exceeding \$6,000 or both, and in the case of a second or subsequent offence, imprisonment for a term not exceeding 4 years, a fine of not less than \$6,000 but not exceeding \$12,000 or both;

[S 19/04; S 51/05]

- (iv) in the case of an offence against paragraph (f), (g), (h), (i), (j), (k) or (l), imprisonment for a term not exceeding one year, a fine not exceeding \$4,000 or both.

[S 19/04]

(2) Where a body corporate is guilty of an offence under this Act and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any act or default on the part of, a director, manager, secretary or other similar officer of that body corporate, or

of a person purporting to act in any such capacity, he, as well as the body corporate, is also guilty of that offence and liable to be proceeded against and punished accordingly.

[S 6/98]

(3) Where a body corporate is guilty of an offence under this Act for which a period of mandatory imprisonment is prescribed, the body corporate shall, in lieu of imprisonment, be liable on conviction to a fine of not less than \$30,000 and not more than \$100,000.

[S 6/98]

(3A) Where a person is guilty of an offence against this Act for which a mandatory sentence of whipping is prescribed and by virtue of section 258 of the Criminal Procedure Code (Chapter 7) he shall not be punishable with whipping, that person shall, in lieu of whipping, be liable on conviction to a fine of not exceeding \$6,000.

[S 19/04]

(4) Where in any proceedings under this Act or the regulations it is proved that the defendant has failed to produce on demand by an Immigration Officer or a police officer —

(a) any valid Permit, Pass or Certificate issued to him under this Act or the regulations;

(b) any other document accepted by the Director as evidence that the defendant has entered or remained in Brunei Darussalam lawfully; or

(c) any other evidence showing to the satisfaction of the Director that the defendant is exempted from subsection (1) of section 6,

it shall be presumed, until the contrary is proved, that he has, as the case may be, entered or re-entered or remained in Brunei Darussalam unlawfully.

[S 6/98]

(5) Where in any proceedings for an offence under paragraph (c) of subsection (1), it is proved that the defendant has conveyed any prohibited immigrant in any vehicle, vessel or aircraft, it shall be presumed, until the contrary is proved, that he is engaged in the business or trade of conveying to Brunei Darussalam in or on that vehicle, vessel or aircraft that prohibited

immigrant knowing him to be, or having reasonable grounds for believing him to be, a prohibited immigrant.

[S 6/98]

(6) Where in any proceedings for an offence under paragraph (d) of subsection (1), it is proved that the defendant has given shelter to any person who has remained in Brunei Darussalam unlawfully for a period exceeding 90 days after the expiration of any Pass issued to him or who has entered Brunei Darussalam in contravention of subsection (1) of section 5 or of subsection (1) of section 6, it shall be presumed, until the contrary is proved, that the defendant has harboured him knowing him to be a person who has acted in contravention of the provision of this Act or the regulations.

[S 6/98]

(7) Where an immigration offender is found at any premises or place, other than premises used solely for residential purposes, the occupier of the premises or place shall be presumed, until the contrary is proved to have employed him knowing that he is an immigration offender.

[S 6/98]

(8) In any proceedings for an offence under paragraphs (d) or (e) of subsection (1), it shall not be a defence for the defendant to prove that the person harboured or employed by him was in possession of a Pass or Permit issued to the person under this Act or the regulations unless the defendant further proves that he had exercised due diligence to ascertain that the Pass or Permit was at the material time valid under this Act or the regulations.

[S 6/98]

(9) For the purpose of subsection (8), a defendant shall not be deemed to have exercised due diligence unless he had personally checked the passport or other travel document of the person whom he had harboured or employed and had reasonable ground to believe that —

(a) the person harboured or employed by him had, at the material time, in force a Pass or Permit issued under this Act or the regulations; and

(b) where such person is the holder of a Visit Pass, that person had, at the material time, obtained the written consent of the Director to work in Brunei Darussalam.

[S 6/98]

(10) In this section and section 55B, “immigration offender” means a person who acted in contravention of the provisions of section 6, 15 or 36 or of the regulations.

[S 6/98]

Offences by owners and tenants etc. [S 6/98]

55A. (1) No person being the owner, tenant or occupier of any premises or place referred to in subsection (7) of section 55 shall knowingly permit or suffer such premises or place or any part thereof to be kept or used as a place or premises in which any person is employed in contravention of paragraph (e) of subsection (1) of section 55.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall on conviction be punished with imprisonment for a term of not less than 6 months and not more than 2 years and to a fine not exceeding \$6,000 cumulatively.

[S 19/04]

Prohibition of immigration offender entering or remaining at work place. [S 6/98]

55B. (1) No occupier of a work place who has control of access to the work place shall permit any immigration offender to enter or remain at the work place.

(2) Where an immigration offender is found at a work place, it shall be presumed, until the contrary is proved, that the occupier of the work place —

(a) had control of access to the work place;

(b) had permitted the immigration offender to enter or remain at the work place; and

(c) had knowledge that he is an immigration offender.

(3) The presumptions provided for in paragraphs (b) and (c) of subsection (2) shall not be rebutted unless the defendant proves that he had exercised due diligence to prevent the immigration offender from entering or remaining at the work place.

(4) For the purposes of subsection (3), a defendant shall not be presumed to have exercised due diligence unless he had taken all reasonable

measures to prevent any immigration offender from entering or remaining at the work place, including all the measures prescribed under subsection (5) in respect of the work place.

(5) For the purposes of subsection (4), the Minister may, by notification in the *Gazette*, prescribe the measures that are required to be taken by the occupier of a work place.

(6) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine of not less than \$6,000 and not more than \$12,000 or to both for each immigration offender found at the work place, and in the case of a second or subsequent conviction, to imprisonment for a term not exceeding 2 years or to a fine of not less than \$12,000 and not more than \$24,000 or to both for each immigration offender found at the work place.

(7) In this section —

“construction works” means construction, reconstruction, maintenance, repair, alteration, or demolition of any building, harbour, dock, pier, canal, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gasworks, waterworks or other work of construction, as well as the preparation for or laying the foundation of any such work or structure;

“occupier”, in relation to a work place, means the principal contractor who undertakes any construction works at the work place and includes such other person as the Minister may, by notification in the *Gazette*, specify to be the occupier of the work place;

“principal contractor” means a person who has entered into a contract with an owner, developer or lessee of a property or his agent for the purpose of carrying out any construction works on the property;

“work place” means any place or premises where any construction works are being carried out and includes —

(a) all the land within the vicinity of the work place which are owned by the person for whom the construction

works are being carried out and to which the principal contractor has control of access;

(b) any canteen, sleeping quarters, office and other structures or buildings erected on the work place; and

(c) such other place or premises as the Minister may, by notification in the *Gazette*, specify to be a work place.

Proceedings not to affect liability to removal.

56. Any person unlawfully entering or attempting unlawfully to enter Brunei Darussalam shall whether or not any proceedings are taken against him in respect of such offence be liable to be removed from Brunei Darussalam by order of the Controller.

Presumption regarding certain offences. [S 24/90]

56A. (1) Where a person who has acted in contravention of the provisions of section 6, 15 or 36 or of the regulations is found at any premises or place and is in possession of any tools or other implements or is engaged in any activity which may give rise to the inference that he is doing any work, the occupier of such premises or place shall, until the contrary is proved, be presumed to have employed him knowing that he is a person who has acted in contravention of the provisions of those sections or of the regulations.

(2) In this section, “occupier”, in relation to any premises or place, includes —

(a) the person having the charge, management or control of either the whole or part of the premises or place, either on his own account or as an agent; and

(b) a contractor who is carrying out building operations or construction works at the premises or place on behalf of some other person.

When clearance of vessel or aircraft may be refused.

57. When the master of any vessel or aircraft is charged with an offence against this Act, the clearance of the vessel or aircraft may be refused until the charge has been heard and the fine imposed, if any, has been paid.

General penalty.

58. Any person guilty of an offence against this Act for which no special penalty is provided shall be liable on conviction to a fine of \$2,000 and to imprisonment for 6 months.

Power to compound offences. [S 32/96]

58A. (1) The Controller, and any Immigration Officer not below the rank of Senior Immigration Officer specially authorised by name or by office by the Minister by notification in the *Gazette* for the purpose, may in his discretion —

(a) in relation to any offence under sections 5(3) and 15(2) or under any regulations made under this Act, if he is satisfied that any person has committed such offence, compound the offence by collecting from that person a sum not exceeding \$600;

(b) in relation to any offence under this Act or under any regulations made thereunder which has been prescribed as an offence which may be compounded by the Controller and any such Immigration Officer, if he is satisfied that any person has committed such offence, compound the offence by collecting from that person a sum of money not exceeding \$600.

(2) Any sum of money collected under this section shall be dealt with as if it were a fine imposed by a Court.

(3) The Minister may make rules to prescribe the offence under this Act or under any regulations made thereunder which may be compounded under paragraph (b) of subsection (1) and the procedure to be followed in the exercise of the powers conferred by subsection (1).

Court of a Magistrate to have full jurisdiction.

59. (1) A conviction for any offence under this Act may be had before the Court of a Magistrate which shall have jurisdiction to impose any penalty provided by this Act.

(2) When any person is charged before a Court with any offence under this Act, no further proceedings in respect thereof shall be taken against him without the consent in writing of the Controller, the Public Prosecutor or a Deputy Public Prosecutor, except such as the Court may

think necessary by remand, whether in custody or on bail, or otherwise to secure the due appearance of the person charged.

Recovery of debts etc.

60. Any sum due under a bond or other security or as a debt to the Government under the provisions of this Act may be claimed and recovered in the appropriate Court by civil suit by and in the name of the Controller on behalf of the Government.

Saving.

61. For the avoidance of doubt it is hereby declared that the provisions of this Act shall be without prejudice to the provisions of the Passport Act (Chapter 146) or any other written law relating to passports for the time being in force in Brunei Darussalam.

Available from
Attorney General's Chambers
The Law Building, Jalan Tutong
Bandar Seri Begawan BA1910
Brunei Darussalam

Printed by
The Government Printing Department
Brunei Darussalam

\$13.00
IMMIGRATION ACT
CAP. 17, 2006 Ed.

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IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION REGULATIONS

S 80/56

Amended by

S 99/59

S 125/67

S 155/67

S 6/97

REVISED EDITION 2006

SUBSIDIARY LEGISLATION
IMMIGRATION REGULATION

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SUBSIDIARY LEGISLATION

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IMMIGRATION REGULATIONS

Commencement: 1st July 1958

[S 41/58]

Citation.

1. These Regulations may be cited as the Immigration Regulations.

Interpretation.

2. In these Regulations —

“alien” means a person who is not a Commonwealth citizen;

“Commonwealth citizen” has the same meaning as in the British Nationality Act 1981;

“Controller” includes an Immigration Officer, or other person, authorised by the Controller to act generally on his behalf under the provisions of these Regulations, and where the Controller authorises an Immigration Officer or other person to act on his behalf for the purpose of one or more but not all of these Regulations, includes, for the purposes of such regulation or regulations, the Immigration Officer or other person so authorised;

“unberthed passage” means a ship’s passenger for whom no accommodation in any cabin, stateroom or saloon is reserved.

Application for and issue of a Certificate entitling entry under section 7(1) of the Act.

3. (1) In order to facilitate the entry into Brunei Darussalam of any person who is outside Brunei Darussalam and who is entitled to enter under the provisions of subsection (1) of section 7 of the Act, such person may apply to the Controller in Form 1 in the First Schedule for the issue to him of a Certificate in the Form 2 set out in the First Schedule. Every such application shall be accompanied by 2 recent photographs of the applicant for the purposes of the said Form.

(2) Where an application under this regulation is sought to be made by a member of the family of a person resident in Brunei Darussalam, such person so resident may complete and sign Part I of the said Form 1 on behalf of such applicant and shall complete and sign Part II thereof.

(3) An applicant may apply in accordance with Part I of Form 1 aforesaid for the inclusion in the Certificate to be issued to him of the name of any child under the age of 16 years accompanying him who is entitled to enter Brunei Darussalam under the provisions of

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subsection (1) of section 7 of the Act, and shall furnish with such application 2 recent photographs of such child.

(4) The Controller shall, upon being satisfied that the applicant is entitled to enter Brunei Darussalam under the provisions of subsection (1) of section 7 of the Act and upon payment of the prescribed fee, issued to the applicant a Certificate in Form 2 in the First Schedule and, if satisfied that any child accompanying the applicant and included in the application is so entitled to enter, shall include the name of such child in the Certificate.

(5) Upon application being made in that behalf in Form 3 in the First Schedule by a person resident in Brunei Darussalam, the Controller shall, upon being satisfied that the applicant is a person entitled to enter Brunei Darussalam under the provisions of subsection (1) of section 7 of the Act, make an endorsement to that effect on the passport or other travel document of such applicant.

(6) A Certificate issued or endorsement made under the provisions of paragraph (1) or paragraph (5) respectively shall have validity only so long as the holder of such Certificate or passport or other travel document so endorsed continues to be entitled to enter under the provisions of subsection (1) of section 7 of the Act.

(7) The burden of proof that any person is a person to whom the provisions of subsection (1) of section 7 of the Act apply shall lie upon that person.

(8) Where the Controller is satisfied that the holder of a Certificate granted under the provisions of paragraph (1) or of a passport or other travel document endorsed under the provisions of paragraph (5) has obtained such Certificate or endorsement by misrepresentation or fraud or is not a person entitled to enter Brunei Darussalam under the provisions of subsection (1) of section 7 of the Act he may cancel such Certificate or endorsement, and such holder shall, on being so required by the Controller, forthwith deliver to him such Certificate, passport or other travel document for such purpose.

Application for Entry Permits.

4. (1) Every application for an Entry Permit shall be made in accordance with Part I of Form 4 in the First Schedule and shall be forwarded to the Controller. Such application shall be accompanied by 2 recent photographs of the applicant, endorsed by the applicant for the purposes of such Form:

Provided that any such application or photographs may be completed or endorsed, as the case may be, by a husband on behalf of his wife, or by a parent on behalf of a child under 16 years of age or by a son or daughter over 21 years of age on behalf of a parent whose entry is sought on compassionate grounds.

(2) An applicant may apply in accordance with Part II of Form 4 aforesaid for the inclusion in the Entry Permit to be issued to him of the names of his wife and of his children under 16 years of age accompanying him, and shall furnish with such application 2 recent photographs of his wife and of each such child for the purposes of such Form.

(3) Every application for an Entry Permit shall be supported by a declaration in the form set out in Part III of Form 4 aforesaid, made by a person resident in Brunei Darussalam.

(4) Notwithstanding the provisions of paragraphs (1), (2) and (3) any person who at the time of his arrival in Brunei Darussalam —

(a) is in possession of a valid passport and, if an alien, of a valid entry visa, where such visa is required;

(b) is, in the opinion of the Controller, within any of the categories of person set out in the Schedule to the Immigration (Prohibition of Entry) Order;

(c) intends to enter Brunei Darussalam otherwise than for the purpose of remaining temporarily therein; and

(d) is not, in the opinion of the Controller, a member of any of the prohibited classes defined in any of the paragraphs (a) to (o) both inclusive of subsection (2) of section 8 of the Act or a person who is prohibited by name from entering Brunei Darussalam under any order made under section 9 of the Act, may on his arrival, unless the Senior Immigration Officer examining him under the provisions of section 24, 25 or 26 of the Act otherwise directs, make oral application for the issue to him of an Entry Permit and for the inclusion in such Permit of the names of his wife and his children under 16 years of age accompanying him.

(5) Where in the case of any person applying for an Entry Permit under the provisions of the preceding paragraph of this regulation the Senior Immigration Officer is of the opinion that further enquiries are necessary, he may issue to such person a Special Pass in accordance with the provisions of regulation 12.

Form of Entry Permits.

(6) Every Entry Permit shall be in the Form 5 set out in the First Schedule:

Provided that the Controller may, in his discretion, in the case of an Entry Permit granted to a person making application therefor under the provisions of paragraph (4), make an appropriate endorsement on the passport or other travel document held by such person, and such endorsement shall be deemed to be an Entry Permit for the purposes of these Regulations.

(7) Except in the case of a person described in paragraph (4) or of a person seeking to remain in Brunei Darussalam after the expiration of a Pass issued to him, every application for an Entry Permit shall be made before the arrival in Brunei Darussalam of the person making such application, and no Entry Permit shall be issued to any such person except prior to his arrival in Brunei Darussalam.

Security in respect of Entry Permits.

5. (1) The Controller may, in his discretion require in respect of any applicant for an Entry Permit such security, whether by deposit or otherwise, as he may think necessary for all costs, charges and expenses which may be incurred in the maintenance and repatriation or removal from Brunei Darussalam of such applicant in the event of his being required to be repatriated or removed from Brunei Darussalam at any time within 2 years from the date of his entry into Brunei Darussalam.

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(2) Where any person in respect of whom security has been furnished under the provisions of paragraph (1) is required to be repatriated or removed from Brunei Darussalam at any time within 2 years from the date of his entry into Brunei Darussalam, the total amount of all costs, charges and expenses incurred in the repatriation or removal of such person and his dependants, if any, shall be certified in writing by the Controller, whose certificate shall be conclusive evidence thereof, and such amount, or so much thereof as the security will cover, shall be recovered out of such security.

(3) Subject to the provisions of paragraph (2), such security, or the balance thereof, if any, as the case may be, shall be returned to the person who furnished the same at the expiration of the period for which the security was furnished, or of such lesser period as the Controller may think fit.

Application for Re-entry Permits.

6. (1) Every application for a Re-entry Permit shall be made in accordance with Part I of Form 6 in the First Schedule and shall be forwarded to the Controller. Such application, unless the Controller otherwise directs, shall be accompanied by 2 recent photographs of the applicant, endorsed by the applicant for the purposes of such Form.

(2) An applicant, resident in Brunei Darussalam, may apply in accordance with Part II of Form 6 aforesaid for the inclusion in the Re-entry Permit to be issued to him of the names of his wife and of his children under 16 years of age, who are then resident in Brunei Darussalam and who it is intended shall accompany him on his re-entry to Brunei Darussalam and shall, where the Controller so requires furnish with such application 2 recent photographs of his wife and of each such child.

(3) The Controller may require the appearance in person before him of any applicant resident in Brunei Darussalam and of his wife and any child in respect of whom an application is made under paragraph (2).

(4) Every application for a Re-entry Permit made under the provisions of paragraph (1) shall be accompanied by satisfactory evidence that the person making such application is in possession of a valid passport or other travel document, provided such passport or other travel document is required under the provisions of the Passport Regulations (Chapter 146) or of any other written law relating to passports for the time being in force in Brunei Darussalam.

Form of Re-entry Permits.

(5) Every Re-entry Permit shall be in Form 7 in the First Schedule:

Provided that the Controller may in his discretion in the case of a Commonwealth citizen make an appropriate endorsement on the passport or other travel document held by such person, and such endorsement shall be deemed to be a Re-entry Permit for the purposes of these Regulations.

Validity of Entry and Re-entry Permits.

7. (1) An Entry Permit shall be valid for a single entry into Brunei Darussalam and shall cease to be valid if the holder of the same being out of Brunei Darussalam at the date of issue thereof has not entered Brunei Darussalam within 6 months after such date:

Provided that the Controller may in his absolute discretion extend such period by a further period or periods not exceeding in the aggregate 6 months.

(2) A Re-entry Permit shall be valid for such period not exceeding one year from the date of issue thereof as may be specified in such Permit and, if so endorsed thereon by the Controller, for any number of re-entries during the period of its validity, and, if not so endorsed, for one re-entry only:

Provided that the Controller may in his absolute discretion extend the validity of any Re-entry Permit for such period or periods as the Controller may think fit.

Passes.

8. (1) The following classes of Passes may be issued under these Regulations for the purpose of entitling a person to enter and remain temporarily within Brunei Darussalam —

- (a) a Visit Pass;
- (b) a Transit Pass;
- (c) a Student's Pass;
- (d) a Special Pass;
- (e) a Landing Pass;
- (f) an Employment Pass;
- (g) a Dependant's Pass.

(2) Subject to the provisions of these Regulations the issue of any Pass shall be in the absolute discretion of the Controller.

(3) Any Pass shall be subject to such special conditions, not inconsistent with the provisions of the Act, as the Controller may think fit to impose.

Visit Passes.

9. (1) A Visit Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he wishes to enter Brunei Darussalam —

- (i) on a social, business or professional visit; or
- (ii) as a tourist.

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Application for Visit Pass.

(2) The Controller may in his discretion require any person applying for a Visit Pass to make application therefor in Form 8 in the First Schedule and to furnish the Controller with 2 recent photographs for the purposes of such Form.

(3) A Visit Pass shall authorise the holder thereof to enter Brunei Darussalam within the period and subject to the conditions stated in such Pass and to remain in Brunei Darussalam for such period as may be stated in such Pass:

Provided that the Controller may in his discretion extend such period for any further period or periods.

(4) Every Visit Pass issued to any person as a tourist or for the purpose of a social visit shall be subject to the condition that the holder shall not engage in any form of employment, paid or unpaid, during the validity of such Pass without the consent in writing of the Controller.

(5) The Controller shall cancel a Visit Pass if he is satisfied that the holder thereof is a prohibited immigrant and may cancel such a Pass if at any time the holder thereof fails to comply with any condition subject to which was issued.

Form of Visit Pass.

(6) A Visit Pass may be in Form 9 in the First Schedule or may be granted by an endorsement made in the passport or other travel document of the visitor, as the Controller may determine.

Transit Passes.

10. (1) A Transit Pass may be issued by the Controller to any person on arrival in Brunei who satisfies him that he desires to enter Brunei Darussalam for the purpose of passing through Brunei Darussalam to a destination outside Brunei Darussalam and that he is in possession of or in a position to obtain such valid documents as will permit him to enter the country of his destination and is otherwise qualified under the law in force in that country to enter the same.

(2) A Transit Pass shall entitle the holder thereof to enter Brunei Darussalam and remain therein for such period not exceeding 28 days as may be stated in such Pass:

Provided that the Controller may, in his discretion, from time to time extend such period.

(3) A Transit Pass shall be in the form of an endorsement on the passport or other travel document held by the person to whom it is issued.

Students' Passes.

11. (1) A Student's Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he is in possession of a certificate issued by the Director of Education to the effect that it is desirable that he should be

accepted as a student at a specified educational institution in Brunei Darussalam and that he has been so accepted.

Application for Students' Pass.

(2) Every application for a Student's Pass shall be in Form 10 in the First Schedule, and shall be made to the Controller.

Form of Student's Pass.

(3) A Student's Pass shall be in Form 11 in the First Schedule and shall permit the holder thereof to enter Brunei Darussalam and remain therein for such period and subject to such conditions as may be stated in such Pass.

(4) The Controller may cancel a Student's Pass if the person to whom such Pass is issued fails within a reasonable time to enter the educational institution designed in any certificate issued by the Director of Education or, having entered such educational institution fails to remain or ceases to be retained as a student therein or fails to comply with any condition or conditions which may be endorsed in such Pass.

Special Passes.

12. (1) A Special Pass may be issued by the Controller to any person arriving in Brunei Darussalam if the Controller considers the issue of such a Pass desirable —

(a) in order to afford an opportunity of making enquiry for the purpose of determining whether such person is entitled to an Entry Permit or is otherwise entitled to enter Brunei Darussalam under the provisions of the Act, or of these Regulations, or whether such person is a prohibited immigrant;

(b) in order to afford such person a reasonable opportunity of prosecuting an appeal under the provisions of the Act against any decision of the Controller; or

(c) for any other special reason.

(2) A Special Pass shall entitle the holder thereof to enter Brunei Darussalam and remain therein for such period, not exceeding 42 days, as may be stated in such pass:

Provided that the Controller may, in his discretion, from time to time extend such period.

Form of Special Pass.

(3) A Special Pass shall be in the Form 12 in the First Schedule or may be granted by an endorsement on a passport or other travel document of the applicant as the Controller may determine.

(4) A Special Pass may at any time be cancelled by the Controller in his discretion:

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Provided that the Controller shall not cancel a Pass issued under the provisions of subparagraph (b) of paragraph (1) otherwise than for breach of any conditions imposed in respect thereof until the appeal, in respect of which such Pass has been issued, has been determined.

(5) Where a Special Pass is to be issued in Form 12 aforesaid, the applicant shall, if so required, furnish to the Controller one recent photograph of himself for the purpose of such Form.

Landing Passes.

13. (1) A Landing Pass may be issued by the Controller to any through passenger travelling in or any member of crew of any vessel or aircraft on arrival in any port or airport, as the case may be, in Brunei Darussalam.

(2) A Landing Pass shall entitle the holder thereof to enter Brunei Darussalam and remain therein during the stay in Brunei Darussalam of such vessel or aircraft.

(3) Subject to the provisions of regulation 14, a Landing Pass shall take the form of an endorsement on the passport or other travel document of such passenger.

Seaman's Identification Card deemed to be a Landing Pass.

14. (1) Where any member of a crew is in possession of a seaman's identification card furnished under the provisions of section 22 of the Act or of any identification card issued to him by the master of the vessel on which he is employed or by the owners or agents of such vessel, and such card in the opinion of a Senior Immigration Officer sufficiently identifies him, it shall, subject to the provisions of regulation 18 and unless the Controller otherwise directs generally or in any particular case or cases, be deemed to be a valid Landing Pass issued to him under the provisions of regulation 13.

(2) Every seaman's identification card, which is deemed by virtue of the provisions of paragraph (1) to be a Landing Pass, shall be deemed to have been issued subject to such conditions as the Controller may have notified in writing to the master of the vessel to which the holder thereof belongs.

Employment Pass.

15. (1) An Employment Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he wishes to enter Brunei Darussalam in order to take up work or employment in Brunei Darussalam and that —

(a) he is qualified to work or undertake employment in the trade, business or calling in respect of which the application is made; and

(b) there is not already unemployment in Brunei Darussalam of person skilled in that class of trade, business or calling; and

(c) his taking up such work or employment will be to the benefit generally of Brunei Darussalam.

(2) Subject to the conditions stated in the Pass and to these Regulations, an Employment Pass shall authorise the holder thereof to enter Brunei Darussalam within the period stated in the Pass and to remain therein for the purpose of working or engaging in employment in Brunei Darussalam as specified in the Pass for such period not exceeding 5 years as shall be stated in the Pass, and the Pass may specify the employer or proposed employer by whom such person may only be employed:

Provided that the Controller may, in his discretion extend the period of validity of an Employment Pass from time to time for any period not exceeding 5 years at any one time.

(3) Every Employment Pass issued to any person under this regulation shall be subject to the conditions that the holder shall take up the work or employment specified in the Pass and shall continue therein during the validity of the Pass.

(4) Where a person is specified in an Employment Pass as the employer or proposed employer of the holder, that person shall forthwith inform the Controller if the holder —

(a) fails to take up employment; or

(b) is discharged from, or leaves, the employment.

(5) An Employment Pass may at any time be cancelled by the Controller, and shall be cancelled if the holder does not observe the conditions required by paragraph (3) of this regulation.

(6) The Controller may require any person applying for an Employment Pass to make application therefor in the Form 23 set out in the First Schedule hereto, and to furnish the Controller with 2 recent photographs of the person to be employed.

(7) An Employment Pass shall be in the Form 24 set out in the First Schedule hereto or in the form of an endorsement on the passport or travel document of the employee as the Controller may determine.

Dependant's Pass.

16. (1) A Dependant's Pass may be issued by the Controller to any person other than a prohibited immigrant being the wife or dependant child of the holder of a valid Employment Pass to enable such wife or child to accompany or join such holder and remain with him in Brunei Darussalam.

(2) Subject to the conditions stated in the Pass and to these Regulations a Dependant's Pass shall authorise the holder thereof to enter Brunei Darussalam on or before such date as may be stated in the Pass and to remain therein for such period as may be so stated but not exceeding the period for which any Employment Pass has been issued to the husband or parent of the holder of such Dependant's Pass:

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Provided that, subject to these Regulations, the Controller may by endorsement on such Pass from time to time make it valid for any number of entries or extend the period of its validity or alter, add to or delete any conditions stated in such Pass.

(3) Every Dependant's Pass issued under paragraph (1) of this regulation shall be subject to the condition that the wife or child in respect of whom it is issued shall not engage in any form of paid employment in Brunei Darussalam without the consent in writing of the Controller.

(4) If the Controller is satisfied that the holder of a Dependant's Pass is a prohibited immigrant or that his presence in Brunei Darussalam would be prejudicial to the public security in Brunei Darussalam, he shall cancel such Pass.

(5) Every application for a Dependant's Pass shall be in the Form 25 set out in the First Schedule hereto.

(6) The issue of every Dependant's Pass shall be subject to the provisions of adequate security.

Holders of Passes to report.

17. Every holder of a Pass issued under these Regulations may be required by the Controller as a condition of the issue thereof —

(a) to report to an Immigration Officer immediately prior to leaving Brunei Darussalam;

(b) to comply with any instructions endorsed upon such Pass by the Controller regarding the marking of reports as to himself and his whereabouts during his stay in Brunei Darussalam.

Security in respect of Passes.

18. The Controller may, as a condition of the issue of any Pass under these Regulations, require such security, whether by deposit or otherwise, as he may think necessary, to be furnished by or on behalf of the applicant for such Pass, as a guarantee that the person to whom such Pass is issued will comply with the provisions of the Act and or any regulations made thereunder and with any conditions imposed in respect of or instructions endorsed upon such Pass:

Provided that no person in respect of whom security has been given under the provisions of regulation 21 shall be required to give security under this regulation.

Cancellation of Pass and forfeiture of security.

19. (1) The Controller may, if satisfied that the holder of any Pass issued under these Regulations has contravened or failed to comply with any provisions of the Act or of any of these Regulations or with any condition imposed in respect of or instruction endorsed on such Pass, in his absolute discretion —

(a) forthwith cancel such Pass; and

(b) in any case where security has been deposited under regulation 18 and whether or not the Pass is cancelled, direct the forfeiture of such security or any part thereof.

(2) The cancellation of a Pass or forfeiture of any security under this regulation shall be without prejudice to the taking of proceedings against any person for any offence against the Act or against these Regulations.

(3) Notification of the cancellation of any Pass or of the forfeiture of any security or any part thereof shall be given to the holder of such Pass:

Provided that it shall be sufficient if such notification is forwarded by registered post to the last known address of the holder.

Security in respect of seamen.

20. (1) Where under the provisions of regulation 14 a seaman's identification card is deemed to be a Landing Pass issued to a member of the crew of any vessel, the Controller may require the master, owner, agent or charterer of such vessel to give security, whether by deposit or otherwise, that such member of the crew will comply with the provisions of the Act and of any regulations made thereunder and with any conditions subject to which such Landing Pass is deemed to have been issued.

Form of Bond.

(2) Where the Controller requires security by bond under this regulation such bond shall be in Form 13 in the First Schedule.

(3) Notwithstanding the provisions of regulation 14 no seaman's identification card shall be deemed to be a Landing Pass issued to a member of a crew in any case in which security, having been required under this regulation, is not given in accordance with such requirement.

Employers' general security.

21. (1) Where any employer enters into a contract for the employment within Brunei Darussalam of a person resident outside Brunei Darussalam, the Controller may require such employer as a condition precedent to the issue to any such person of an Entry Permit or Pass, to furnish a general security in respect of all such charges and expenses, which may be incurred by the Government of Brunei Darussalam in respect of the maintenance, repatriation or removal from Brunei Darussalam of such person or his dependants in the event of his repatriation or removal from Brunei Darussalam at any time within 2 years from the date of his entry into Brunei Darussalam.

(2) A security under the provisions of this regulation shall be in Form 14 in the First Schedule.

Controller may retain passport or other travel document under certain circumstances.

22. For the purpose of an examination under section 24, 25 or 26 of the Act, or where a Special Pass is issued under the provisions of paragraph (1) of regulation 12 the Controller may, where he deems it necessary so to do, take possession of the passport or other travel document of the person regarding whom such examination is being conducted or to whom such Special Pass is issued, and shall in every such case forthwith issue a receipt therefor to the holder.

Issue of duplicate of Re-entry Permit.

23. (1) Any person whose Re-entry Permit has been lost, stolen or destroyed, may apply to the Controller for the issue of a duplicate of such permit.

(2) Every application made under the provisions of paragraph (1) shall be supported by a statutory declaration as to the facts relied on and shall be accompanied, unless the Controller otherwise directs, by 2 recent photographs of the applicant, one of which shall be endorsed with the applicant's signature, and the Controller may thereupon, if he is satisfied that the applicant's Re-entry Permit has been lost, stolen or destroyed and on payment of the prescribed fee, issue a duplicate thereof.

Liability of master etc. for payment of expenses in respect of persons detained in an immigration depot.

24. (1) Where any person is detained in an immigration depot under the provisions of subsection (1) of section 27 of the Act, the master, owner, charterer and agent of the vessel or aircraft which brought such person to Brunei Darussalam shall be jointly and severally liable for all expenses incurred in the detention and maintenance of such person:

Provided that where any person so detained is permitted to enter Brunei Darussalam no such liability shall be incurred.

(2) Any expenses leviable under the provisions of paragraph (1) shall be recoverable as a debt due to Government from the master, owner, charterer and agent of such vessel or aircraft jointly and severally.

Recovery of expenses incurred in respect of prohibited immigrants.

25. (1) A prohibited immigrant shall be liable to pay to the Government of Brunei Darussalam a sum sufficient to cover all expenses incurred by the Government in connection with the detention, maintenance, medical treatment and removal from Brunei Darussalam of himself and his dependants.

(2) A magistrate, who is satisfied that any expenses have been or are likely to be incurred by the Government of Brunei Darussalam in connection with the detention, maintenance, medical treatment or removal of any prohibited immigrant and his dependants, may issue a warrant for the levy of an amount sufficient to cover such expenses by distress and sale of any moveable property belonging to such prohibited immigrant.

(3) Such warrant may be executed in the same manner as a warrant for the levy of the amount of a fine under paragraph (b) of subsection (1) of section 253 of the Criminal Procedure Code (Chapter 7).

(4) Where any sum recovered under any warrant issued under paragraph (2) is in excess of the total amount of the expenses for which the prohibited immigrant is liable under paragraph (1), the balance shall be returned to him.

(5) The partial recovery of expenses under the provisions of this regulation shall not prejudice the liability of any surety or of any other person for the balance, nor shall the issue or execution of a warrant under such regulation be a condition precedent to the liability of a surety or such other person.

Appeal to His Majesty the Sultan and Yang Di-Pertuan in Council.

26. (1) Any person wishing to appeal under the provisions of subsection (6) of section 8 of the Act against refusal of permission to enter Brunei Darussalam or under subsection (4) of section 14 of the Act against cancellation of an Entry or Re-entry Permit may within 7 days of receiving notification of such refusal or cancellation, as the case may be, appeal to His Majesty the Sultan and Yang Di-Pertuan in Council.

(2) Any person wishing to appeal under the provisions of subsection (2) of section 33 of the Act against an order of removal made by the Controller shall within 7 days of receiving notification of such order of removal appeal by petition in writing to His Majesty the Sultan and Yang Di-Pertuan in Council.

(3) Any appeal made under this regulation shall be lodged with the Controller who shall thereupon issue a written acknowledgement of the receipt thereof.

Form of undertaking under section 46(3) of the Act.

27. Every undertaking given under the provisions of subsection (3) of section 46 of the Act shall be in Form 15 in the First Schedule.

Particulars of crew.

28. (1) The list of members of a crew required under paragraph (a) of subsection (1) of section 22 of the Act or under paragraph (c) of subsection (1) of section 23 of the Act shall be in Form 16 in the First Schedule, and shall contain the particulars mentioned in such Form.

Form of Seaman's Identifications Card.

(2) The seaman's identification card required under paragraph (c) of subsection (1) of section 22 of the Act shall be —

(a) in respect of a seaman employed on a vessel of 75 net registered tons or over, in Form 17A in the First Schedule; and

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(b) in respect of a seaman employed on a vessel of under 75 net registered tons, in Form 17B in the First Schedule.

(3) No seaman's identification card shall be required in respect of any seaman employed on any vessel, who is in possession of a Seaman's Certificate of Nationality and Identity issued by the Controller or a valid Re-entry Permit.

Particulars of passengers landing in Brunei Darussalam.

29. (1) The list of passengers required under paragraph (a) of subsection (2) of section 22 of the Act shall be in Forms 18A and 18B in the First Schedule as may be appropriate, and shall contain the particulars mentioned therein.

Passengers Embarkation and Disembarkation Card.

(2) The particulars required under paragraph (b) of subsection (2) of section 22 of the Act and under paragraph (b) of subsection (1) of section 23 of the Act shall be supplied in accordance with Form 19 in the First Schedule.

Security Bond.

30. Where an Immigration Officer requires under the provisions of subsection (1) of section 44 of the Act security by a bond, such bond shall be in Form 20 in the First Schedule.

Order of detention.

31. An order of detention made under the provisions of subsection (1) of section 34 of the Act shall be in Form 21 in the First Schedule.

Summons to a witness.

32. A summons to a witness issued under the provisions of subsection (1) of section 39 of the Act shall be in Form 22 in the First Schedule.

Fees.

33. There shall be payable to the Controller in respect of every document mentioned in first column of the Second Schedule the respective fee mentioned in last column of the said Schedule.

Immigration signals to be hoisted.

34. The immigration signal required under subsection (1) of section 16 of the Act shall be —

(a) by day, the flags in the International Code of Signals corresponding to —

- (i) the numerals 25 in respect of vessels not carrying passengers; and
 - (ii) the numerals 34 in respect of vessels carrying passengers; and
- (b) by night, in every case, 2 white lights mounted vertically, 6 feet apart, visible through 360 (degree) for a distance of 2 miles.

Offences. [S 6/97]

35. (1) Any person who without reasonable cause contravenes or fails to comply with any provision of regulation 9, 11, 15 or 16 shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$2,000 or to both.

(2) Any holder of any Pass issued under these Regulations who without reasonable cause contravenes or fails to comply with any provisions of the Act or of any of these Regulations or with any condition imposed in respect of or instruction endorsed on such Pass shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$2,000 or to both.

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FIRST SCHEDULE

FORMS

FORM 1

Brunei Darussalam

Immigration Regulations

APPLICATION FOR CERTIFICATE

(regulation 3(1))

(To be used only by or on behalf of an applicant who is outside Brunei Darussalam at the time of application).

To the Controller of Immigration,
Brunei Darussalam.

PART I

I hereby make application for the grant of a Certificate under regulation 3(1) of the Immigration Regulations, to*/myself on the ground that *he/she is/I am entitled to enter Brunei Darussalam under the provisions of section 7 of the Immigration Act. (The burden of proving such entitlement shall lie upon the applicant).

2. Here state full reasons on which claim is based —

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.....

* Delete where not applicable.

FORM 1 — (*continued*)

3. Particulars of person requiring the Certificate are as follows —

(1) Full Name Chinese characters
(if applicable)

(2) Nationality Race Sex

(3) Date of birth Place of birth

(4) Present address in full

.....

(5) Whether married or single

(6) If married —

(a) Wife/husband
(Full Name) (Age)

(b) Full name(s), sex(es), date(s) and place(s) of birth of child(ren) under the
age of 16 years —

Full Name	Sex	Date and Place of Birth
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.....

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.....

(7) Particulars of passport or other travel document, if held —

Type of document Number

Date of issue Place of issue

Date of expiry

(8) If formerly resident in Brunei Darussalam, give in chronological order —

Dates of Arrival	Date of Departure
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FORM 1 — (*continued*)

- (9) Names of children under 16 years of age to be included in the Certificate for the purpose of accompanying applicant at the time of entry —

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.....
.....
.....
.....

- (10) Full names and addresses of two persons resident in Brunei Darussalam to whom reference may be made (not required where the application is made on behalf of the applicant).

.....
.....
.....
.....

Date

.....
Signed by or on behalf of Applicant

NOTES —

1. Further questions may be asked in regard to this application and documentary evidence must be produced, if required.
2. 2 un-retouched and un-mounted copies each of —
 - (a) photograph (passport size, head (full face) and shoulders) of applicant; and
 - (b) group photograph (passport size, head (full face) and shoulders) of any children named above accompanying applicant,must be furnished with this application.

FORM 1 — (*continued*)

PART II

**DECLARATION BY PERSON LOCALLY RESIDENT IN BRUNEI
DARUSSALAM IN SUPPORT OF AN APPLICATION FOR A
CERTIFICATE UNDER REGULATION 3(1)**

I, the undersigned, wish to sponsor the above application.

Particulars of myself are as follows —

Full Name Chinese characters
(if applicable)

Nationality Race Sex

Date of birth Place of birth

Profession/Occupation

Title and address of business

.....

Present address (in full)

.....

Date of first arrival in Brunei Darussalam

Length of residence in Brunei Darussalam

Relationship to application

I hereby certify that —

(a) I have known personally for a period
of years;

(b) the statements made in the application are true.

I further certify that the attached photographs, one of which I have endorsed
accordingly on the back thereof, are a true likeness of the applicant.

Dated this day of 20

.....
Signature

FORM 2
Brunei Darussalam
Immigration Regulations
CERTIFICATE
(regulation 3(4))
Outside

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<p style="text-align: center;">Reverse of Counterfoil</p> <p style="text-align: center;">Description of children under 16 years of age accompanying holder.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Full Name</td> <td style="width: 50%; border: none;">Sex</td> <td style="width: 50%; border: none;">Date of birth</td> </tr> <tr><td style="border: none;">.....</td><td style="border: none;">.....</td><td style="border: none;">.....</td></tr> <tr><td style="border: none;">.....</td><td style="border: none;">.....</td><td style="border: none;">.....</td></tr> <tr><td style="border: none;">.....</td><td style="border: none;">.....</td><td style="border: none;">.....</td></tr> <tr><td style="border: none;">.....</td><td style="border: none;">.....</td><td style="border: none;">.....</td></tr> <tr><td style="border: none;">.....</td><td style="border: none;">.....</td><td style="border: none;">.....</td></tr> </table> <p style="text-align: center;">Space for photograph of children</p>	Full Name	Sex	Date of birth	<p style="text-align: center;">Page 4</p> <p style="text-align: center;">(perforated join)</p>	<p style="text-align: center;">Page 1</p> <p style="text-align: center;">Brunei Darussalam Immigration Regulations (regulation 3(4))</p> <p style="text-align: center;">CERTIFICATE</p> <p>This is to certify that the holder hereof is entitled to enter Brunei Darussalam under the provisions of section 7(1) of the Immigration Act, in that he/she</p> <p>.....</p> <p>.....</p> <p>This Certificate is issued in order to facilitate a single entry of the holder into Brunei Darussalam on or before</p> <p>.....</p> <p>Issued at this</p> <p>day of 20</p> <p>Fee \$ paid.</p> <p>.....</p> <p style="text-align: right;">Controller or Immigration</p> <p>This Certificate does not establish the nationality of the holder.</p>
Full Name	Sex	Date of birth																		
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FORM 2
Brunei Darussalam
Immigration Regulations
CERTIFICATE
(regulation 3(4))
Inside

<div> <div>Page 2</div> <div> <div>Serial No.</div> <div>Description of Holder</div> </div> <div> <div>Name</div> <div>Nationality</div> <div>Place of birth</div> <div>Date of birth</div> </div> <div> <div>PHOTOGRAPH OF HOLDER</div> </div> </div>	<div> <div>Page 3</div> <div> <div>Description of children under 16 years of age accompanying holder</div> <div> <div>Name</div> <div>Sex</div> <div>Date of birth</div> </div> </div> <div> <div>.....</div> <div>.....</div> <div>.....</div> <div>.....</div> <div>.....</div> <div>.....</div> </div> <div> <div>Space for photograph of children</div> </div> </div>	<div> <div>Counterfoil</div> <div> <div>Serial No.</div> <div>CERTIFICATE UNDER REGN. 3(4)</div> </div> <div> <div>Name</div> <div>Nationality</div> <div>Place of birth</div> <div>Date of birth</div> <div>Grounds for issue</div> <div>.....</div> <div>.....</div> </div> <div> <div>PHOTOGRAPH OF HOLDER</div> </div> <div> <div>(Perforated join)</div> <div> <div>Issued at</div> <div>the</div> <div>day of</div> <div>20</div> </div> <div> <div>Fee \$</div> <div>paid.</div> </div> <div> <div>.....</div> <div>Controller of Immigration</div> </div> </div> </div>
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FORM 3

Brunei Darussalam

Immigration Regulations

APPLICATION FOR CERTIFICATE

(regulation 3(5))

(To be used only by an applicant who is resident in Brunei Darussalam at the time of his application).

To the Controller of Immigration,
Brunei Darussalam.

I hereby apply for
my passport No. issued at
on to be endorsed to the effect that I am entitled to
enter Brunei Darussalam under the provisions of subsection (1) of section 7 of the
Immigration Act, in that I (here state grounds for entitlement).

.....
.....
.....
and do not intend to lose my right of re-entry to Brunei Darussalam by absence from Brunei
Darussalam for a period in excess of

Dated the day of 20

.....
Signature of Applicant

FORM 4

Brunei Darussalam

Immigration Regulations

APPLICATION FOR A PERMIT TO ENTER
BRUNEI DARUSSALAM

(regulation 4(1))

To the Controller of Immigration,
Brunei Darussalam.

PART I

I, (full name) Chinese characters
(if applicable)

do hereby make application for the grant of a permit to enter and reside in Brunei Darussalam.

2. I am eligible for entry on the following grounds —

.....
.....
.....
.....

3. Pursuant to this application I append the following information relating to myself —

(1) Nationality Race Sex

(2) Date of birth Place of birth

(3) Present address in full

.....

(4) Nationality and place of birth of parents —

(a) Father
(Nationality) (Place of birth)(b) Mother
(Nationality) (Place of birth)

(5) Whether married or single

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Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 4 — (continued)

(6) If married —

(a) Wife/husband
(Full Name) (Age)

(b) Full name(s), sex(es); date(s) and place(s) of birth of all children under the age of 18 years —

Full Name Sex Date and Place of birth

.....
.....
.....
.....
.....

(7) Particulars of passport or other travel document, if held —

Type of document Number

Date of issue Place of issue

Date of expiry

(8) Place/places of residence during the last 3 years preceding this application, giving dates of such residence —

.....
.....
.....
.....
.....

(9) If formerly resident in Brunei Darussalam give in chronological order —

Dates of Arrival Date of Departure

.....
.....
.....

(10) Profession/Occupation

FORM 4 — (*continued*)

- (11) Address in Brunei Darussalam to which communications may be sent to applicant (if applicable) —

.....

- (12) Full names and addresses of two persons resident in Brunei Darussalam to whom reference may be made —

Full Name	Address	If relative, state relationship; if employer state so
-----------	---------	--

.....
.....

- (13) Has applicant ever been refused permission to enter —

(a) Brunei Darussalam

(b) any other country

- (14) Has applicant ever been required to leave —

(a) Brunei Darussalam

(b) any other country

- (15) Details of any documentary evidence attached to this application —

.....

I hereby declare that all the particulars in the application are true.

If a visa is required in addition to a permit to enter, I hereby make application for a visa.

Dated the day of 20

.....
 Signature of Applicant

LAWS OF BRUNEI

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[Subsidiary]

Immigration

[CAP. 17, Rg 1

FORM 4 — (continued)

PART II

(regulation 4(2))

Application for endorsement on Entry Permit of names of wife and/or children under 16 years of age

(To be filled in only by an applicant who wishes his wife and/or children under 16 years of age to accompany him into Brunei Darussalam).

Should my above written application for an Entry Permit to Brunei Darussalam be granted, I hereby make further application to have endorsed on the said permit the names of the following who are my wife and children under 16 years of age and whom I wish to accompany me into Brunei Darussalam —

Full Name	Relationship to Applicant	Age
.....		
.....		
.....		
.....		
.....		
.....		

Dated the day of 20

.....
Signature of Applicant

NOTES —

1. The applicant must furnish with this application two un-retouched and un-mounted copies each of —
 - (a) photographs (passport size, head (full face) and shoulders) of himself and his wife, if accompanying him; and
 - (b) group photograph (passport size, head (full face) and shoulders) of any children above-named accompanying him.
2. No wife or child whose name is endorsed on an Entry Permit may enter Brunei Darussalam otherwise than in the company of the holder of such Permit.
3. Further questions may be asked in regard to this application and documentary evidence must be produced if required.

FORM 4 — (continued)

PART III

(regulation 4(3))

Declaration by Local Sponsor in support of an Application for an Entry Permit

I, the undersigned, sponsor the above application.

Particulars of myself are as follows —

Full Name Chinese characters
(if applicable)

Nationality Race Sex

Date of birth Place of birth

Profession/Occupation

Title and address of business

.....

Present address (in full)

.....

Date of first arrival in Brunei Darussalam

Length of residence in Brunei Darussalam

I hereby certify that —

- (a) I have known personally for
a period of years;
- (b) he/she is not to the best of my knowledge and belief a member of any
political party which has been declared unlawful in Brunei Darussalam;
- (c) his/her application is for the purpose stated by the applicant;
- (d) the statements made by him/her in his/her application are true.

I further certify that the attached photographs, one of which I have endorsed
accordingly on the back thereof, are a true likeness of the applicant.

Dated the day of 20

.....
Signature of Sponsor

FORM 5
Brunei Darussalam
Immigration Regulations
ENTRY PERMIT
(regulation 4(6))
Inside

<p style="text-align: center;">Page 2</p> <p>Serial No.</p> <p>Name</p> <p>Date and Place of birth</p> <p>Nationality</p> <p>Occupation</p> <p>Particulars of passport/travel documents —</p> <p>Type of document</p> <p>Place of issue</p> <p>Number</p> <p>Name of wife</p> <p style="text-align: center;">(if accompanying holder)</p> <div style="border: 1px solid black; height: 100px; margin-top: 10px; position: relative;"> <div style="position: absolute; top: 0; left: 0; width: 50%; height: 100%; text-align: center; vertical-align: middle;"> PHOTOGRAPH OF HOLDER </div> <div style="position: absolute; top: 0; right: 0; width: 50%; height: 100%; text-align: center; vertical-align: middle;"> PHOTOGRAPH OF WIFE OF HOLDER </div> </div>	<p style="text-align: center;">Page 3</p> <p>Description of children accompanying holder</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">Full Name</td> <td style="width: 33%; border-bottom: 1px solid black;">Sex</td> <td style="width: 33%; border-bottom: 1px solid black;">Age</td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> <tr> <td colspan="3" style="border-bottom: 1px solid black;">Space for photograph of children</td> </tr> </table>	Full Name	Sex	Age										Space for photograph of children			<p style="text-align: center;">Counterfoil</p> <p>Serial No.</p> <p style="text-align: center;">ENTRY PERMIT</p> <p>Name</p> <p>Occupation</p> <p>Particulars of passport/travel document —</p> <p>Type of document</p> <p>Number</p> <p>Place of issue</p> <p>Date of issue</p> <p>Name of wife</p> <div style="border: 1px solid black; height: 100px; margin-top: 10px; position: relative;"> <div style="position: absolute; top: 0; left: 0; width: 50%; height: 100%; text-align: center; vertical-align: middle;"> PHOTOGRAPH OF HOLDER </div> <div style="position: absolute; top: 0; right: 0; width: 50%; height: 100%; text-align: center; vertical-align: middle;"> PHOTOGRAPH OF WIFE OF HOLDER </div> </div> <p>Issued at on 20</p> <p>Fee \$ paid.</p> <p style="text-align: right;">..... Controller of Immigration</p>
Full Name	Sex	Age															
Space for photograph of children																	

FORM 5
Brunei Darussalam
Immigration Regulations
ENTRY PERMIT
(regulation 4(6))
Outside

<p style="text-align: center;">Reverse of Counterfoil</p> <p style="text-align: center;">Description of children accompanying holder</p> <p style="text-align: center;">Full Name Sex Age</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p style="text-align: center;">Space for photograph of children</p> <p>.....</p>	<p style="text-align: center;">Page 4</p> <p style="text-align: center;">(Perforated join)</p>	<p style="text-align: center;">Page 1</p> <p style="text-align: center;">Brunei Darussalam</p> <p style="text-align: center;">ENTRY PERMIT</p> <p style="text-align: center;">(Immigration Act, section 10)</p> <p>This permit —</p> <p>(i) is not a travel document and will not be accepted as such;</p> <p>(ii) permits the holder thereof and his wife and children, whose names are endorsed herein and who are accompanying him, to enter and reside in Brunei Darussalam, provided that the holder at the time of his entry is in possession of a valid passport or other travel document and, if an alien, a valid visa where such a visa is required;</p> <p>(iii) expires on the</p> <p>(iv) must be produced to the Immigration Officer on arrival.</p> <p>Issued at day of on the day of 20</p> <p>Fee \$ paid.</p> <p style="text-align: right;">..... Controller of Immigration</p> <p>This document does not establish the nationality of the holder.</p>
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Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 6

Brunei Darussalam

Immigration Regulations

**APPLICATION FOR A PERMIT TO RE-ENTER
BRUNEI DARUSSALAM**

(regulation 6(1))

To the Controller of Immigration,
Brunei Darussalam.

PART I

I, (full name) Chinese characters
(if applicable)

hereby make application for the grant of a permit to re-enter Brunei Darussalam and submit
the following particulars —

1. Nationality Race Sex
2. Place of birth Date of birth
3. Permanent address in full
.....
4. Occupation
Name and address of employer
.....
Period so employed
6. Particulars of passport/travel document —
Type of document Number
Place of issue Date of issue
Date of expiry
7. Length of residence in Brunei Darussalam
Questions 8 — 11 inclusive to be completed only by an applicant resident in Brunei
Darussalam at the time of his application.
8. Proposed date of departure from Brunei Darussalam

FORM 6 — (*continued*)

9. Destination aboard
10. Purpose of journey
.....
11. Proposed duration of absence from Brunei Darussalam
Questions 12 — 17 inclusive to be completed only by an applicant resident outside
Brunei Darussalam at the time of his application.
12. Date of departure from Brunei Darussalam
13. Means of travel (name of ship, aircraft flight No. etc.)
.....
14. Destination on departure
15. Purpose of journey
.....
16. Reasons for failure to obtain a Re-entry Permit before departure
.....
.....
17. Proposed duration of absence from Brunei Darussalam
If a visa is required in addition to a permit to re-enter, I hereby make application for a
visa.

Dated the day of 20

.....
Signature of Applicant

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Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 6 — (continued)

PART II

(To be completed only by an Applicant for a Re-entry Permit resident
in Brunei Darussalam at the time of his application)

Should my above written application for a Re-entry Permit to Brunei Darussalam be granted, I hereby make further application to have endorsed on the said Re-entry Permit the names of the following who are my wife and natural born children under the age of 16 years at present residing in Brunei Darussalam and whom I wish to accompany me on my re-entry to Brunei Darussalam —

Full Name	Relationship	Age
.....		
.....		
.....		
.....		
.....		
.....		

Dated the day of 20

.....
Signature of Applicant

NOTES —

1. The applicant must furnish with this application 2 un-retouched and un-mounted copies each of —
 - (a) photographs (passport size, head (full face) and shoulders) of himself and his wife, if accompanying him; and
 - (b) group photograph (passport size, head (full face) and shoulders) of any children above-named accompanying him.
2. No wife or child whose name is endorsed on a Re-entry Permit, may re-enter Brunei Darussalam otherwise than in the company of the holder of such Permit.

FORM 7
Brunei Darussalam
Immigration Regulations
RE-ENTRY PERMIT
(regulation 6(5))
Outside

<p style="text-align: center;">Reverse of Counterfoil</p> <p style="text-align: center;">Description of children accompanying holder</p> <p style="text-align: center;">Full Name Sex Age</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p style="text-align: center;">Space for photograph of children</p> <p>.....</p>	<p style="text-align: center;">Page 4</p> <p style="text-align: center;">(Perforated join)</p>	<p style="text-align: center;">Page 1</p> <p style="text-align: center;">Brunei Darussalam</p> <p style="text-align: center;">RE-ENTRY PERMIT</p> <p style="text-align: center;">(Immigration Act, section 11)</p> <p>This permit —</p> <p>(i) is not a travel document and will not be accepted as such;</p> <p>(ii) permits the re-entry of the holder and his wife and children, whose names are endorsed herein and who at the time of re-entry are accompanying at any time during the period of its validity;</p> <p>(iii) is valid until the day of 20;</p> <p>(iv) must be produced to the Immigration Officer on arrival.</p> <p>Issued at on the day of 20</p> <p>Fee \$ paid.</p> <p style="text-align: right;">..... Controller of Immigration</p> <p>This document does not establish the nationality of the holder.</p>
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FORM 7
Brunei Darussalam
Immigration Regulations
RE-ENTRY PERMIT
(regulation 6(5))
Inside

[Subsidiary]

<div>Page 2</div> <div>Serial No.</div> <div>Description of Holder</div> <div>Name</div> <div>Date and Place of birth</div> <div>Occupation</div> <div>Passport/travel document —</div> <div>Type of document</div> <div>Number</div> <div>Date of issue</div> <div>Place of issue</div> <div>Name of wife</div> <div>(if accompanying holder)</div> <div><div>PHOTOGRAPH OF HOLDER</div><div>PHOTOGRAPH OF WIFE OF HOLDER</div></div>	<div>Page 3</div> <div>Description of children accompanying holder</div> <div>Full Name</div> <div>Sex</div> <div>Age</div> <div>.....</div> <div>.....</div> <div>.....</div> <div>.....</div> <div>.....</div> <div>.....</div> <div>Space for photograph of children</div>	<div>Counterfoil</div> <div>Serial No.</div> <div>RE-ENTRY PERMIT</div> <div>Name</div> <div>Passport/travel document —</div> <div>Type of document</div> <div>Number</div> <div>Date of issue</div> <div>Place of issue</div> <div>Name of wife</div> <div>(if accompanying holder)</div> <div><div>PHOTOGRAPH OF HOLDER</div><div>PHOTOGRAPH OF WIFE OF HOLDER</div></div> <div>Issued at on 20</div> <div>Fee \$ paid.</div> <div>.....</div> <div>Controller of Immigration</div>
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FORM 8

Brunei Darussalam

Immigration Regulations

APPLICATION FOR A VISIT PASS TO ENTER
BRUNEI DARUSSALAM

(regulations 9(2) and (5))

To the Controller of Immigration,
Brunei Darussalam.

Application is hereby made for the grant of a Visit Pass to enter Brunei Darussalam to
(full name) Chinese characters
(if applicable)

in respect of whom the following particulars are submitted —

1. Nationality Race Sex
2. Date of birth Place of birth
3. Profession/Occupation
4. Present address (in full)
.....
5. Particulars of passport/travel document —
Type of document Number
Date of issue Place of issue
Date of expiry
6. Purpose of visit (full details to be given)
.....
.....
7. Duration of visit desired
8. Place of residence during proposed visit
.....

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Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 8 — (*continued*)

9. Names and addresses of local sponsors to whom reference may be made —

.....
.....
.....
.....
.....

If a visa is required in addition to a pass to enter, I hereby make application for a visa.

Dated the day of 20

.....
Signature by or on behalf
of Applicant

NOTES —

1. Where this form is completed by or on behalf of an applicant who is resident outside Brunei Darussalam 2 copies of the photograph (passport size, head (full face) and shoulders) of the applicant must accompany the application.
2. It shall be a condition of the issue of a Visit Pass for entry to Brunei Darussalam on a social visit or for the purpose of touring that the holder thereof shall not take up any employment, paid or unpaid, during the validity of such Pass.

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Immigration

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[Subsidiary]

FORM 9
Brunei Darussalam
Immigration Regulations
VISIT PASS
(regulation 9(6))
Outside

<p>Reverse of counterfoil</p>	<p>Page 1 Brunei Darussalam VISIT PASS (Immigration Regulations regulation 9(6))</p> <p>This Pass —</p> <p>(i) permits the holder thereof to enter and remain in Brunei Darussalam until the day of 20 for</p> <p>(ii) is not a travel document and will not be accepted as such;</p> <p>(iii) must be produced to the Immigration Officer on arrival;</p> <p>(iv) is liable to cancellation if used for a purpose other than that stated under (i) above.</p> <p>Issued at this day of 20</p> <p>Controller of Immigration</p>
<p>Inside</p>	
<p>Page 2 Serial No.</p> <p>VISIT PASS</p> <p>Name Sex</p> <p>Particulars of passport/travel document —</p> <p>Type of document</p> <p>Number</p> <p>Date of issue</p> <p>Place of issue</p> <div data-bbox="308 1328 782 1662" style="border: 1px solid black; padding: 20px; text-align: center;"> <p>PHOTOGRAPH OF HOLDER</p> </div>	<p>Page 2 Serial No.</p> <p>VISIT PASS</p> <p>Name Sex</p> <p>Particulars of passport/travel document —</p> <p>Type of document</p> <p>Number</p> <p>Date of issue</p> <p>Place of issue</p> <p>Purpose for which pass issued</p> <p>Issued at on</p> <div data-bbox="810 1417 1284 1724" style="border: 1px solid black; padding: 20px; text-align: center;"> <p>PHOTOGRAPH OF HOLDER</p> </div> <p>Valid until</p> <p>Controller of Immigration</p>

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[Subsidiary]

Immigration

[CAP. 17, Rg 1

FORM 10

Brunei Darussalam

Immigration Regulations

APPLICATION FOR STUDENT'S PASS

(regulation 11(2))

To the Controller of Immigration,
Brunei Darussalam.

I holder of
..... passport No. issued
at on and
valid until, in which my
national status is given as, and
not residing at
....., hereby make application for a
Student's Pass valid until

2. I have been accepted for admission to —
an educational institution, viz
.....
at which I expect to remain as a student for a period of years.

3. I attach the required documentary proof of my acceptance as a student.

Dated the day of 20

.....
Signature of Applicant

FORM 11

Brunei Darussalam

Immigration Regulations

STUDENT'S PASS

(regulation 11(3))

Serial No.

This Pass —

- (i) permits, holder of
..... passport No. issued at
..... on to
enter and remain in Brunei Darussalam as a student for the purpose of studying
at
.....
- (ii) is valid until

Dated the day of 20

.....
Controller of Immigration

Notes —

This Pass will cease to be valid if the holder thereof fails to enter or to be retained as a
student in
.....

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Immigration

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[Subsidiary]

FORM 12

Brunei Darussalam

Immigration Regulations

SPECIAL PASS

(regulation 12(3))

Serial No.

To

Holder of passport No.
issued at on

* (which has been retained).

You are hereby permitted to enter Brunei Darussalam for a period of
days from the date of issue hereof for the purpose of
.....

Date of issue

.....
Controller of Immigration

* Delete where not applicable.

FORM 13

Brunei Darussalam

Immigration Regulations

SEAMEN'S SECURITY BOND

(regulation 20(2))

By this bond, I (we) of acknowledge myself (ourselves jointly and severally) bound to the Government of Brunei Darussalam in the sum of \$ to be paid to the said Government of Brunei Darussalam (by us or someone of us).

Sealed with my (our) seal(s) this day of 20

Whereas the vessel arrived at the port of on the day of 20, having on board seamen, of whom particulars and identification cards have been furnished to the Controller of Immigration by the master of the said vessel in accordance with the provisions of section 22 of the Immigration Act.

And whereas the Controller of Immigration in exercise and by virtue of the provisions of paragraph (1) of regulation 18 of the Immigration Regulations has granted permission to the aforesaid seamen (to the seamen named in the Schedule hereto being in number) to land or disembark from the said vessel on the condition that the said seamen shall re-embark and leave Brunei Darussalam by the said vessel on her sailing from the port of on the day of 20, or so soon thereafter as may be and on the further condition that security for the observance of the first-mentioned condition be furnished in the sum of \$ for every such seaman.

Now the above-written obligation is conditioned to be void in case the said seamen shall each and all of them re-embark and leave Brunei Darussalam on the said vessel on her sailing from the port of on the day of 20, or so soon thereafter as may be.

But in case any of the said seamen shall not so re-embark and leave Brunei Darussalam on the said vessel, then this obligation shall be in full force and effect to the extent of \$ to be paid by the said for each such seaman failing to re-embark and leave Brunei Darussalam.

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Immigration

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[Subsidiary]

FORM 13 — (*continued*)

Provided, nevertheless, that in no case shall the obligation of the said
exceed the sum of \$ in which he (they) are hereby bound.

Signed, sealed and delivered by the
above-named
.....
.....
in the presence of
.....

}

SCHEDULE

FORM 14

Brunei Darussalam

Immigration Regulations

COVENANT BY EMPLOYER

(regulation 21(2))

To all to whom these presents shall come
.....
of sends greeting:

Whereas the said
from time to time enters into contracts for the employment within Brunei Darussalam of
persons from outside Brunei Darussalam (hereinafter referred to as the employees):

And whereas the Controller of Immigration, as a condition precedent to the issue to any
of the employees of a permit to enter Brunei Darussalam has required that the
said shall give a general security in respect of all such
employees:

And whereas the said desires to give such a general security
in order to enable permits to enter Brunei Darussalam to be issued to the employees:

Now these presents witness that in consideration of the issue from time to time to the
employees of permits to enter Brunei Darussalam the said does
for himself and his heirs, executors and administrators covenant with the Minister for and
on behalf of the Government of Brunei Darussalam and his successors in office that the
said will on demand forthwith pay to the said Minister or his successors in
office any charges and expenses which may be incurred by the Government of Brunei
Darussalam in respect of each of the employees (including expenses of repatriation of such
employees and his dependants, if any) within 2 years after the date of issue to him of a permit
to enter Brunei Darussalam but in no case exceeding \$2,000 in respect of each such employee
and his dependants if any.

In witness whereof the said has set his hand
the day of 20

.....
Signature

In the presence of
Witness

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Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 15

Brunei Darussalam

Immigration Regulations

FORM OF UNDERTAKING NOT TO RETURN
TO BRUNEI DARUSSALAM

(regulation 27)

Whereas the Government of Brunei Darussalam has agreed to pay the cost of my repatriation to: Now, I hereby undertake that I will not return to Brunei Darussalam unless I am specially permitted in writing to return by the Controller of Immigration.

Dated at this day of 20

.....
Signature of Repatriate

FORM 16
Brunei Darussalam
Immigration Regulations
CREW LIST
(regulation 28(1))

NOTE — This form is to be used for crew only.

Name of ship Owner or charterers
 Agents Last port of call
 Date of arrival Next port of call
 Date of proposed departure

No.	Name	Nationality	Duties on board	Port where engaged	Date of engagement
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					

I certify that the above information is, to the best of my knowledge and belief, true in every particular.

Date

.....
 Master

[illegible]

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Immigration

[2006 Ed. p. 49

[Subsidiary]

**FORM 17B
Brunei Darussalam
Immigration Regulations
SEAMAN'S IDENTIFICATION CARD**

(regulation 28(2)(b))

(To be used only in respect of seamen employed on vessels of 75 net
registered tons)

Outside cover

Page 4	Page 1 Serial No. Brunei Darussalam Seamen's Identification Card Immigration Regulations regulation 28(2)(b) Name of holder Vessel Note — The holder of this card is permitted to land during the vessel's stay at the last mentioned port endorsed herein by the Immigration Officer. Issued at this day of 20 Controller of Immigration
--------	--

Inside cover

Page 2 PARTICULARS OF HOLDER Nationality Race Age Employment on board Place of engagement Date of engagement <div style="border: 1px solid black; width: 150px; height: 80px; margin: 10px auto; text-align: center; line-height: 80px;"> PHOTOGRAPH OF HOLDER </div> <p style="text-align: center;">Space for right thumb print of holder</p>	Page 3 ENDORSEMENTS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">Port</th> <th style="width: 33%;">Date of Arrival</th> <th style="width: 33%;">Signature of I.O.</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Port	Date of Arrival	Signature of I.O.																														
Port	Date of Arrival	Signature of I.O.																																

NOTE on Form 17B

The card issued to the seaman will be in the Form 17B made up as a booklet with additional pages enclosed to carry endorsements. For counterfoil proposes Form 17B without the extra pages will suffice.

FORM 18A
Brunei Darussalam
Immigration Regulations
PASSENGER LIST (DISEMBARKATION) AT A PORT IN BRUNEI DARUSSALAM
(regulation 29(1))

Name of ship Owners or charterers Agents in port
NOTE — This form shall include all passengers who are finally disembarking at a port in Brunei Darussalam.
Last port of call Date of proposed departure
Next port of call Date of arrival

No.	Name of Passenger (use one line of each passenger do not write Mr. and Mrs. A.B. or Mrs. C.D. and child)	Male or Female	Age	Class 1st, 2nd, etc. or deck	Port of Embarkation	Port of disembarkation in Brunei Darussalam	Nationality	Country of birth	Occupation	Nature of document of identity carried i.e. passport, certificate of nationality etc. If such documents is carried under "nil"	Address in Brunei Darussalam	Remarks
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												

I certify that the above information is, to the best of my knowledge and belief, true in every particular.

Date
..... Master of Purser

Note on Form 18A. — This Form will require a continuation sheet headed "FORM 18A — Continuation Sheet" to carry the names of passengers where their numbers exceed the number which can be entered on the first sheet of the Form.

FORM 18B
Brunei Darussalam
Immigration Regulations
PASSENGER LIST (THROUGH PASSENGERS)
(regulation 29(1))

NOTE — This form shall include all passengers who are proceeding in the same ship to a destination beyond Brunei Darussalam.

Name of ship Owners or charterers Agents in port
 Last port of call Date of arrival
 Next port of call Date of proposed departure

No.	Name of Passenger (use one line of each passenger do not write Mr. and Mrs. A.B. or Mrs. C.D. and child)	Male or Female	Age	Class 1st, 2nd etc. or deck	Port of Embarkation	Port of disembarkation not being in Brunei Darussalam	Nationality	Country of birth	Occupation	Nature of document of identity carried i.e. passport, certificate of nationality etc. If such document is carried under "nil"	Remarks
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											
18											
19											
20											

I certify that the above information is, to the best of my knowledge and belief, true in every particular.

Date

.....
 Master of Purser

Note on Form 18B. — This Form will require a continuation sheet headed "FORM 18B — Continuation Sheet" to carry the names of passengers where their numbers exceed the number which can be entered on the first sheet of the Form.

LAWS OF BRUNEI

p. 52 2006 Ed.]

Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 19

Brunei Darussalam

Immigration Regulations

EMBARKATION/DISEMBARKATION

(regulation 29(2))

1. Name (in full)
Mr. / Mrs. or Miss (in block capitals)
2. Date and Place of birth
3. Sex Marital status (married, divorced, widowed, single)
(cross out those inapplicable).
4. Citizenship Race
5. Occupation
6. Passport No. issued at
on
7. Place of embarkation
8. Method Air / Sea / Road
(cross out those inapplicable).
9. Intended address during stay
.....
10. Purpose of visit
11. Names and ages of accompanying dependants if any —
.....
.....
.....
.....

Date

.....
Signature

For official use —

Identity Card No. Immigration status
.....
Immigration Stamp

FORM 20
Brunei Darussalam
Immigration Regulations
SECURITY BOND
(regulation 30)

By this bond, I (we) of
 acknowledge myself (ourselves jointly and severally)
 bound to the Government of Brunei Darussalam in the sum of \$
 to be paid to the said Government of Brunei Darussalam (by us or someone of us).

Sealed with my (our) seal(s) this day of 20

Whereas the vessel arrived at the port of
 on the day of 20

And whereas the persons mentioned in the Schedule hereto, being passengers on board
 the said vessel, have been refused permission to enter Brunei Darussalam:

And whereas the Controller of Immigration has reasonable ground to believe that the said
 persons are about to disembark in Brunei Darussalam in contravention of the provisions of
 the Immigration Act:

Now the above written obligation is conditioned to be void in case the said persons shall
 each and all of them leave Brunei Darussalam on the said vessel on her sailing from the port
 of on the day of 20,
 or so soon thereafter as may be.

But in case any of the said persons shall not so leave Brunei Darussalam on the said vessel,
 then this obligation to be in full force and effect to the extent of \$ to be
 paid by the said for which such person so failing to leave Brunei
 Darussalam:

Provided, nevertheless, that in no case shall the obligation of the said
 exceed the sum of \$ in which he (they) are hereby bound.

Signed, sealed and delivered by the
 above-named

 in the presence of

}

SCHEDULE

LAWS OF BRUNEI

p. 54 2006 Ed.]
[Subsidiary]

Immigration

[CAP. 17, Rg 1

FORM 21

Brunei Darussalam

Immigration Regulations

ORDER OF DETENTION

(regulation 31)

To

Whereas an order has been made for your removal from Brunei Darussalam under section of the Immigration Act.

And whereas your detention is considered necessary until arrangements can be made for your return to your place of embarkation or country of citizenship:

Now know you that I by virtue of the powers vested in me under subsection (1) of section 34 of the said Act do hereby order that you be detained in
.....
.....

Dated this day of 20

.....
Controller of Immigration

To the Superintendent of Prisons.
Brunei Darussalam.

Pursuant to the provisions of the above order you are hereby required to receive into custody and detain the said until such time as arrangements can be made for his removal from Brunei Darussalam.

Dated this day of 20

.....
Controller of Immigration

LAWS OF BRUNEI

CAP. 17, Rg 1]

Immigration

[2006 Ed. p. 55

[Subsidiary]

FORM 22

Brunei Darussalam

Immigration Regulations

SUMMONS TO A WITNESS

(regulation 32)

To of
.....

Whereas an inquiry is being held by me into
.....
.....

And whereas it appears to me that you are likely to be able to give material evidence respecting the subject of such inquiry:

Now know you that I by virtue of the powers vested in me under subsection (1) of section 39 of the Immigration Act do hereby summon you to appear at the office of on the day of 20, at o'clock to testify what you know concerning the matter of the said inquiry and not to depart thence without leave of and you are hereby warned that if you shall without just excuse neglect or refuse to appear on the said date you will be guilty of an offence against the said Act.

Given under my hand this day of 20

.....
Controller of Immigration

LAWS OF BRUNEI

p. 56 2006 Ed.]

Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 23

Brunei Darussalam

Immigration Regulations

APPLICATION FOR AN EMPLOYMENT PASS

(regulation 15(6))

To: Controller of Immigration,

.....

I/We (name of employer) of
(address of employer) hereby
certify that I/We wish to engage the person whose particulars are given below in the capacity
and on the terms stated below.

I/We hereby certify that the said person is to my/our knowledge qualified and suitable for
the said employment.

I/We undertake to engage the said person in the said employment on his arrival in Brunei
Darussalam and undertake to inform the Controller of Immigration if such person (a) fails to
take up the employment; or (b) is discharged from, or leave, the employment.

I/We further undertake, if required to do so, to deposit/give security in a sum not
exceeding \$2,000 in respect of the said person.

I/We further certify that the attached photographs are a true likeness of the person to be
employed.

A. Information required in respect of intended employee —

1. Full Name

Chinese characters if applicable

2. Nationality Sex

3. Date and place of birth.....

4. Present address

5. Particulars of passport or travel document —

Type of document Number

Date of issue Place of issue

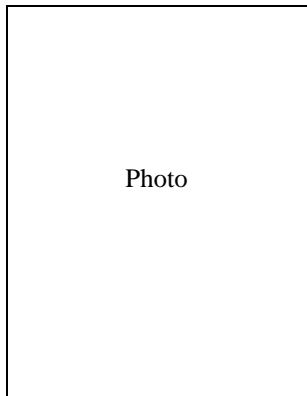
Valid for re-entry to until

FORM 23 — (continued)

6. Present occupation
- B. Information required in respect of employment offered —
1. Nature of employment offered
2. Qualification and experience
-
3. Period of employment offered
4. Cash wages per mensem

Date

Signed

FORM 24**Brunei Darussalam****Immigration Regulations****EMPLOYMENT PASS****(regulation 15(7))**

This Pass permits the holder thereof
 to enter Brunei Darussalam on or before the
 20 and to remain therein for a period not exceeding
 from the date
 of entry for the purpose of working in Brunei Darussalam
 as with
 (insert employer's name)

.....
 Controller of Immigration

Date

LAWS OF BRUNEI

p. 58 2006 Ed.]

Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 25

Brunei Darussalam

Immigration Regulations

APPLICATION FOR DEPENDANT'S PASS

(regulation 16(5))

To: Controller of Immigration,

.....

I being the holder of an Employment Pass hereby
make application for the issue of a Dependant's Pass in respect of
who is my dependant. Particulars are as following —

A. PARTICULARS AS TO DEPENDANT

1. Full Name

Chinese characters if applicable

2. Address

3. Sex Occupation

4. Married/Single

5. Date and place of birth

6. Nationality

7. Relationship to applicant

8. Particulars of passport or travel document —

Type of document Number

Date and Place issue

Valid for re-entry to until

B. PARTICULARS AS TO APPLICANT

1. Full Name

Chinese characters if applicable

2. Address

3. Sex Occupation

FORM 25 — (*continued*)

- 4. Date and place of birth
- 5. Number and date of issue of Employment Pass

- 6. Arrangements for provision of security.....

Date
.....
 Signature of Applicant

FORM 26

Brunei Darussalam

Immigration Regulations

DEPENDANT'S PASS

(regulation 16)

This Pass permits the holder thereof
 and children named below to enter Brunei Darussalam on or before the
 20 and to remain therein for a period not exceeding from
 the date of entry.

This Pass —

- (i) must be produced to an Immigration Officer on arrival and subsequently on demand by an Immigration Officer;
- (ii) does not enable the holder to engage in any form of paid employment, or in any business or professional occupation without the consent in writing of the Controller;
- (iii) is liable to cancellation if the holder fails to comply with any of the conditions subject to which it is issued;
- (iv) ceases to be valid if the Employment Pass held by the husband/parent is expired or cancelled.

LAWS OF BRUNEI

p. 60 **2006 Ed.]**

Immigration

[CAP. 17, Rg 1

[Subsidiary]

FORM 26 — (*continued*)

DETAILS OF CHILDREN

Name	Sex	Age
.....		
.....		
.....		
.....		
.....		

Date

.....
Controller of Immigration

SECOND SCHEDULE

Immigration Regulations

FEES

(regulation 33)

Certificate — regulation 3(4)	(i) For an alien	\$10.00
	(ii) For person who is not an alien	\$3.00
	(iii) By endorsement on a passport or other travel document	no fee
Entry Permit — regulation 4(6)	(i) For an alien	\$50.00
	(ii) For a person who is not an alien	\$5.00
	(iii) By endorsement on a passport or other travel document	no fee
Re-entry Permit or duplicate thereof — regulations 6(5) and 23(2)	(i) For an alien	\$10.00
	(ii) For a person who is not an alien	\$3.00
	(iii) By endorsement on a passport or other travel document	no fee

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION (RESIDENCE PERMIT)
REGULATIONS

S 25/58

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION (RESIDENCE PERMIT) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Application for Residence Permit.
3. Form of Residence Permit.

SCHEDULE — FORMS

SUBSIDIARY LEGISLATION

Regulations under section 53

IMMIGRATION (RESIDENCE PERMIT) REGULATIONS

Commencement: 1st July 1958

[S 41/58]

Citation.

1. These Regulations may be cited as the Immigration (Residence Permit) Regulations.

Application for Residence Permit.

2. (1) An application for a Residence Permit shall be made in accordance with Form 1 in the Schedule and shall give the information required thereby.

(2) The application shall be forwarded to the Controller and shall be accompanied by 2 copies of a recent photograph of the applicant.

Form of Residence Permit.

3. A Residence Permit shall be in accordance with Form 2 in the Schedule.

SCHEDULE

FORMS

FORM 1

Brunei Darussalam

Immigration (Residence Permit) Regulations

APPLICATION FOR A RESIDENCE PERMIT

(regulation 2(1))

To the Controller of Immigration,
Brunei Darussalam,

I, (full name)
Chinese characters
(if applicable)

LAWS OF BRUNEI

p. 4 **2006 Ed.]**

Immigration

[CAP. 17, Rg 2

[Subsidiary]

FORM 1 — (*continued*)

hereby make application for the grant of a permit to reside in Brunei Darussalam and submit the following particulars —

1. Nationality Race Sex
2. Place of birth Date of birth
3. Permanent address in full
.....
4. Profession/Occupation
5. Married or single
Wife's/Husband's name
Present address in full
.....

Childrens' names	Dates of birth	Present address
.....
.....
.....
.....

6. Full details of residence during the 10 years immediately preceding the coming into force of the Immigration Act.

Place of Residence (give address in full)	Dates	
	from	to
.....
.....
.....
.....

(Additional details may be given on a separate sheet if necessary)

7. As proof of the above residence I attach the following documentary evidence —
.....
.....

FORM 1 — (*continued*)

.....
 I hereby declare that all the particulars in this application are true.

Dated the day of 20

.....
 Signature of Applicant

1. The applicant must furnish with this application 2 un-retouched and un-mounted copies (passport, size, head (full face) and shoulders) of a recent photograph of himself.
2. Further questions may be asked in regard to this application and additional documentary evidence must be produced, if required.

FORM 2

Brunei Darussalam

Immigration (Residence Permit) Regulations

RESIDENCE PERMIT

(regulation 3)

Photograph of Holder	Number <p style="text-align: center;">RESIDENCE PERMIT BRUNEI DARUSSALAM Immigration Act Chapter 17</p> Name of Holder Date of birth Place of birth Race/Dialect Nationality Date of issue Controller of Immigration, Brunei Darussalam.
..... (Signature of Holder)	

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION (APEC BUSINESS TRAVEL CARD)
REGULATIONS

S 45/03

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION (APEC BUSINESS TRAVEL CARD)
REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation.
2. Interpretation.
3. Entry into Brunei Darussalam with an ABTC.
4. Application for an ABTC.
5. Issue of an ABTC.
6. Validity.
7. Fees.

SCHEDULE — FEES

SUBSIDIARY LEGISLATION

Regulations under section 53

**IMMIGRATION (APEC BUSINESS TRAVEL CARD)
REGULATIONS**

Commencement: 2nd August 2003

Citation.

1. These Regulations may be cited as the Immigration (APEC Business Travel Card) Regulations.

Interpretation.

2. In these Regulations —

“ABTC” means an APEC Business Travel Card issued by one of the participating countries in the APEC Business Travel Card Scheme including Brunei Darussalam;

“APEC” means the Asia-Pacific Economic Cooperation.

Entry into Brunei Darussalam with an ABTC.

3. (1) Where the holder of an ABTC, not being a citizen of Brunei Darussalam, enters Brunei Darussalam, he shall upon every entry produce his passport and a valid ABTC to the duty Immigration Officer.

(2) Upon such production on first entry into Brunei Darussalam, the holder of the ABTC, subject to the endorsements on his card, may be granted a multiple entry visa notwithstanding any other provisions relating to visa requirements under any other written law and shall render him eligible to a maximum stay of 3 months in Brunei Darussalam for that visit and any subsequent visits thereafter.

Application for an ABTC.

4. A person may apply to the Controller to be a holder of an ABTC subject to the provisions of the Immigration Act (Chapter 17) and any other written law or other obligations that Brunei Darussalam has under any relevant APEC Agreements and it shall be made in a form approved by the Controller.

Issue of an ABTC.

5. Upon an application made under and subject to regulation 4, the Controller may in his discretion approve such application and issue an ABTC to the applicant.

LAWS OF BRUNEI

p. 4 **2006 Ed.]**

Immigration

[CAP. 17, Rg 3

[Subsidiary]

Validity.

6. Where an application for an ABTC made under regulation 4 has been approved by the Controller, the ABTC issued shall be valid for use by the person named as the holder for a period of 3 years from the date of issue and shall be renewable subject to payment of the fees specified in the Schedule.

Fees.

7. The fees payable in respect of an ABTC issued under regulation 5 shall be as specified in the Schedule.

SCHEDULE

(regulations 6 and 7)

FEES

Issue of new card	\$100.00
Renewal	\$ 50.00

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION (PROHIBITION OF ENTRY)
ORDER

S 79/56

Amended by
S 99/59

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION (PROHIBITION OF ENTRY) ORDER

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
2. Interpretation.
3. Prohibition of entry into Brunei Darussalam of certain classes of persons.
4. Nothing in Order to entitle prohibited persons to enter Brunei Darussalam.
5. Onus of proof.
6. Issue of certificates to be at discretion of Controller.
7. Person entitled to enter Brunei Darussalam.

SCHEDULE — CATEGORIES OF PERSONS NOT PROHIBITED

SUBSIDIARY LEGISLATION

Order of prohibition and limitation of entry into Brunei Darussalam
under section 9

IMMIGRATION (PROHIBITION OF ENTRY) ORDER

Commencement: 1st July 1958

[S 41/58]

Citation.

1. This Order may be cited as the Immigration (Prohibition of Entry) Order.

Interpretation.

2. In this Order, “Commonwealth citizen” has the same meaning as in the British Nationality Act 1981.

Prohibition of entry into Brunei Darussalam of certain classes of persons.

3. (1) The entry into Brunei Darussalam from any place outside Brunei Darussalam of the following classes of persons is hereby prohibited —

(a) subject to section 7 persons who are not Commonwealth citizens; or

(b) persons who are Commonwealth citizens, and in the opinion of the Controller, are not within any of the categories of persons set out in the Schedule.

(2) No person described in sub-paragraph (a) or (b) of paragraph (1), who is in possession of a valid Pass entitling him to enter and remain temporarily in Brunei Darussalam, shall remain in Brunei Darussalam after the expiration or cancellation of such Pass.

Nothing in Order to entitle prohibited persons to enter Brunei Darussalam.

4. Nothing in this Order shall be construed to entitle any person to enter Brunei Darussalam who is a member of any of the prohibited classes defined in any of the paragraphs (a) to (o) both inclusive of subsection (2) of section 8 of the Act or is prohibited by name from entering Brunei Darussalam under any order made under section 9 of the Act.

Onus of proof.

5. The burden of proof that any person is not a person prohibited from entering Brunei Darussalam by this Order shall lie upon that person.

LAWS OF BRUNEI

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Immigration

[CAP. 17, O 1

[Subsidiary]

Issue of certificates to be at discretion of Controller.

6. The issue of any certificate referred to in the Schedule shall be at the absolute discretion of the Controller or the Minister, as the case may be.

Person entitled to enter Brunei Darussalam.

7. Nothing in this Order shall be deemed to prohibit the entry of —

- (a) any person specified in subsection (1) of section 7 of the Act;
- (b) any person seeking to enter Brunei Darussalam under and in accordance with any Pass lawfully issued to such person;
- (c) any person entitled to apply under the provisions of subsection (1) of section 11 of the Act for a Re-entry Permit or whose name has been or may be lawfully endorsed on any Re-entry Permit under the provisions of section 12 thereof;
- (d) any person who is exempted from the provisions of section 6 of the Act by an order made under the provisions of section 54 thereof;
- (e) any person who, in the opinion of the Controller, should be permitted to enter Brunei Darussalam on special compassionate grounds;
- (f) the wife or natural born child under 12 years of age of any person lawfully resident in Brunei Darussalam otherwise than on a Pass or by virtue of an order made under section 54 of the Act, who has the means to provide for their maintenance; or
- (g) any person described in sub-paragraph (a) of paragraph (1) of section 3 who —
 - (i) is within any of the categories of persons set out in the Schedule; and
 - (ii) should, in the opinion of the Controller, be permitted to enter and remain in Brunei Darussalam.

SCHEDULE

CATEGORIES OF PERSONS NOT PROHIBITED

(regulation 3(1))

Any person who —

- (a) has professional or specialist qualifications which would enable him to follow his profession or occupation in Brunei Darussalam without prejudicing the interests of persons already resident in Brunei Darussalam and possessing corresponding or similar qualifications;

SCHEDULE — (*continued*)

(b) is an employee of the owner of a substantial or well-established business and holds a contract of service with such owner providing for his employment in Brunei Darussalam on such terms and conditions as to the minimum period of engagement and minimum remuneration as the Minister may from time to time approve;

(c) is in possession of a skilled artisan's certificate issued by the Controller, certifying that —

- (i) he is a skilled artisan;
- (ii) his entry into Brunei Darussalam is in the economic interest of Brunei Darussalam; and
- (iii) there are not available for employment in his trade or occupation sufficient skilled artisans already resident in Brunei Darussalam;

(d) is in possession of a certificate issued by the Minister certifying that his admission would be in the economic interest of Brunei Darussalam;

(e) is a member of the family of any person permitted to enter Brunei Darussalam under paragraph (a), (b), (c) or (d);

(f) is a member of the family of a person lawfully resident in Brunei Darussalam otherwise than on a Pass or by virtue of an order made under section 54 of the Act, who has the means to provide for his maintenance.

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION (EXEMPTION) ORDER

S 78/56

REVISED EDITION 2006

SUBSIDIARY LEGISLATION
IMMIGRATION (EXEMPTION) ORDER

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
 2. Fishermen to be exempted.
 3. Exempted persons to be liable for examination.
 4. Onus of proof.
-

SUBSIDIARY LEGISLATION

Order of exemption under section 54

IMMIGRATION (EXEMPTION) ORDER

Commencement: 1st July 1958

[S 41/58]

Citation.

1. This Order may be cited as the Immigration (Exemption) Order.

Fishermen to be exempted.

2. The following persons shall be exempt from the provisions of section 6 of the Act —

Members of the crew of any fishing vessel registered or licensed in Brunei Darussalam and engaged exclusively in fishing, who, having left the territorial waters of Brunei Darussalam in such vessel, return to Brunei Darussalam in the course of the same voyage without having entered any foreign territory.

Exempted persons to be liable for examination.

3. Nothing in this Order shall be construed to exempt any person from examination under section 24 or 26 of the Act, as the case may be.

Onus of proof.

4. The burden of proof that any person is a person to whom paragraph 2 applies shall lie upon that person.

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION CONTROL POSTS (NO. 1)
NOTIFICATION

S 55/89

Amended by
S 26/04

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION CONTROL POSTS (NO. 1) NOTIFICATION

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
 2. Declaration under section 5.
-

SUBSIDIARY LEGISLATION

Declaration under sections 5(1) and (2)

IMMIGRATION CONTROL POSTS (NO. 1) NOTIFICATION

*Commencement: 1st November 1989***Citation.**

1. This Notification may be cited as the Immigration Control Posts (No. 1) Notification.

Declaration under section 5.

2. The immigration control posts at —

- (a) Brunei International Airport;
- (b) Sungai Tujuh, Kuala Belait;
- (c) *(Deleted)*;

[S 26/04]

- (d) Muara Port;
- (e) Anduki Airport, Seria;
- (f) Kuala Belait Wharf;
- (g) Puni, Temburong; and
- (h) Kuala Lurah, Brunei and Muara District,

are declared to be immigration control posts authorised landing places, airports or points of entry to enter Brunei Darussalam from any place outside Brunei Darussalam and to be immigration control posts, places of embarkation, authorised airports, authorised points of departure or authorised departing places to leave Brunei Darussalam, for the purposes of the Act.

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION CONTROL POST (NO. 2)
NOTIFICATION

S 2/92

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION CONTROL POST (NO. 2) NOTIFICATION

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
 2. Declaration under section 5.
-

SUBSIDIARY LEGISLATION

Declaration under sections 5(1) and (2)

IMMIGRATION CONTROL POST (NO. 2) NOTIFICATION

Commencement: 1st January 1992

Citation.

1. This Notification may be cited as the Immigration Control Post (No. 2) Notification.

Declaration under section 5.

2. The immigration control post at Sub-Post Kuala Lurah, Brunei and Muara District is declared to be immigration control post, authorised point of entry to enter Brunei Darussalam from any place outside Brunei Darussalam and to be immigration control post, authorised point of departure or authorised departing place to leave Brunei Darussalam, for the purposes of the Act.

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION CONTROL POST (NO. 3)
NOTIFICATION

S 5/97

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION CONTROL POST (NO. 3) NOTIFICATION

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
 2. Declaration under section 5.
-

SUBSIDIARY LEGISLATION

Declaration under sections 5(1) and (2)

IMMIGRATION CONTROL POST (NO. 3) NOTIFICATION

Commencement: 1st December 1996

Citation.

1. This Notification may be cited as the Immigration Control Post (No. 3) Notification.

Declaration under section 5.

2. The immigration control post at Serasa Ferry Terminal, Muara, is declared to be immigration control post, authorised landing place or point of entry to enter Brunei Darussalam from any place outside Brunei Darussalam and to be immigration control post, authorised point of departure or authorised departing place to leave Brunei Darussalam, for the purposes of the Act.

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION CONTROL POST (NO. 4)
NOTIFICATION

S 89/00

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION CONTROL POST (NO. 4) NOTIFICATION

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
 2. Declaration under section 5.
-

SUBSIDIARY LEGISLATION

Declaration under sections 5(1) and (2)

IMMIGRATION CONTROL POST (NO. 4) NOTIFICATION

Commencement: 1st November 2000

Citation.

1. This Notification may be cited as the Immigration Control Post (No. 4) Notification.

Declaration under section 5.

2. The immigration control post at the Temporary Labu Control Post in Temburong District is declared to be immigration control post, authorised point of entry to enter Brunei Darussalam from any place outside Brunei Darussalam and to be immigration control post, authorised point of departure or authorised departing place to leave Brunei Darussalam, for the purposes of the Act.

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION CONTROL POST (NO. 5)
NOTIFICATION

S 58/03

REVISED EDITION 2006

SUBSIDIARY LEGISLATION

IMMIGRATION CONTROL POST (NO. 5) NOTIFICATION

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
 2. Declaration under section 5.
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SUBSIDIARY LEGISLATION

Declaration under sections 5(1) and (2)

IMMIGRATION CONTROL POST (NO. 5) NOTIFICATION

Commencement: 1st December 2003

Citation.

1. This Notification may be cited as the Immigration Control Post (No. 5) Notification.

Declaration under section 5.

2. The immigration control post at the Putat Control Post, Lumapas is declared to be immigration control post and an authorised point of entry and to be an authorised point of departure or an authorised departing place, as the case may be, for the purposes of the Act.

Available from
Attorney General's Chambers
The Law Building, Jalan Tutong
Bandar Seri Begawan BA1910
Brunei Darussalam

\$35.00
SUBSIDIARY LEGISLATION
CAP. 17, 2006 Ed.

Printed by
The Government Printing Department
Brunei Darussalam