

LAWS OF BRUNEI

CHAPTER 15

BRUNEI NATIONALITY

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CHAPTER 15

BRUNEI NATIONALITY

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BRUNEI NATIONALITY ACT

An Act to make provision for the status of a subject of His Majesty the Sultan and Yang Di-Pertuan, for the acquisition and loss of such status and for Brunei Darussalam and foreign honours, and for other purposes connected therewith

[S 55/02]

Commencement: 1st January 1962

Citation.

1. This Act may be cited as the Brunei Nationality Act.

Interpretation.

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

“appointed day” means the 1st day of January 1962;

“Brunei Darussalam honour” means an order, decoration, award or honour referred to in section 17B;

[S 55/02]

“child” includes any child whose adoption has been registered in accordance with any written law in force in Brunei Darussalam;

“citizen of the United Kingdom and Colonies” means a person who is a citizen of the United Kingdom and Colonies under the British Nationality Act 1948;

“foreign honour” means an order, decoration, award or honour referred to in section 17A(1)(a);

[S 55/02]

“minor” means a person who has not attained the age of 18 years reckoned according to the Gregorian calendar.

- (2) A person shall for the purposes of this Act be of full capacity if he has attained the age of 18 years reckoned according to the Gregorian calendar and is of sound mind.

(3) For the purposes of this Act, any reference therein to a woman who is, or has been, married shall be deemed to refer only to a woman whose marriage has been registered in accordance with any written law in force in Brunei Darussalam or in accordance with any regulations made under this Act.

(4) Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father, be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after the appointed day, the status or description which would have been applicable to the father had he died after the appointed day shall be deemed to be the status or description applicable to him at the time of his death.

National status.

3. A subject of His Majesty the Sultan and Yang Di-Pertuan shall have the status of a national of Brunei Darussalam.

Subject of His Majesty by operation of law.

4. (1) On and after the appointed day the following persons, and no others, shall be subjects of His Majesty the Sultan and Yang Di-Pertuan by operation of law —

(a) any person born in Brunei Darussalam before, on or after the appointed day who is commonly accepted as belonging to one of the following indigenous groups of the Malay race, namely, Belait, Bisayah, Brunei, Dusun, Kedayan, Murut or Tutong and any person born outside Brunei Darussalam before, on or after the appointed day, whose father was, at the time of birth of such person, a subject of His Majesty the Sultan and Yang Di-Pertuan by operation of law under this paragraph or paragraph (c)(i) and was employed outside Brunei Darussalam in the service of the Government, by any company registered in Brunei Darussalam or in such special circumstances as His Majesty the Sultan and Yang Di-Pertuan thinks fit, if the birth of such person was registered at a Brunei Darussalam Consulate or in Brunei Darussalam within 6 months of its occurrence, or such longer

period as His Majesty the Sultan and Yang Di-Pertuan may in any particular case allow;

[S 43/00]

(b) any person born in Brunei Darussalam before, on or after the appointed day whose father and mother were both born in Brunei Darussalam and are members of any of the groups of people specified in the First Schedule and any person born outside Brunei Darussalam before, on or after the appointed day, whose father was, at the time of birth of such person, a subject of His Majesty the Sultan and Yang Di-Pertuan by operation of law under this paragraph or paragraph (c)(ii) and was employed outside Brunei Darussalam in the service of the Government, by any company registered in Brunei Darussalam or in such special circumstances as His Majesty the Sultan and Yang Di-Pertuan thinks fit, if the birth of such person was registered at a Brunei Darussalam Consulate or in Brunei Darussalam within 6 months of its occurrence, or such longer period as His Majesty the Sultan and Yang Di-Pertuan may in any particular case allow;

[S 43/00]

(c) any person born outside Brunei Darussalam before, on or after the appointed day —

- (i) whose father was, at the time of birth of such person, a person born in Brunei Darussalam before, on or after the appointed day and was a person commonly, accepted as belonging to one of the following indigenous groups of the Malay race, namely, Belait, Bisayah, Brunei, Dusun, Kedayan, Murut or Tutong; or
- (ii) whose father and mother were both born in Brunei Darussalam and were members of any of the groups specified in the First Schedule;

(d) any person born in Brunei Darussalam on or after the appointed day whose father was, at the time of the birth of such person, a subject of His Majesty the Sultan and Yang Di-Pertuan and any person born outside Brunei Darussalam before, on or after the

appointed day, whose father was, at the time of birth of such person, a subject of His Majesty the Sultan and Yang Di-Pertuan and was employed outside Brunei Darussalam in the service of the Government, by any company registered in Brunei Darussalam or in such special circumstances as His Majesty the Sultan and Yang Di-Pertuan thinks fit, if the birth of such person was registered at a Brunei Darussalam Consulate or in Brunei Darussalam within 6 months of its occurrence, or such longer period as His Majesty the Sultan and Yang Di-Pertuan may in any particular case allow; and

[S 43/00]

(e) any person born outside Brunei Darussalam on or after the appointed day whose father was at the time of birth of such person a subject of His Majesty the Sultan and Yang Di-Pertuan by registration under section 5 or 6 or by naturalisation under section 8, if the birth was registered at a Brunei Darussalam Consulate or in Brunei Darussalam within 6 months of its occurrence, or such longer period as His Majesty the Sultan and Yang Di-Pertuan may in any particular case allow.

[S 43/00]

(2) His Majesty the Sultan and Yang Di-Pertuan may from time to time by notification in the *Gazette* amend, repeal, add to or vary the First Schedule.

Subject of His Majesty by registration.

5. (1) Subject as hereinafter provided a person, not being a minor, born in Brunei Darussalam before, on or after the appointed day, who is not a subject of His Majesty the Sultan and Yang Di-Pertuan, shall be eligible on making application in the prescribed manner to be registered as a subject of His Majesty the Sultan and Yang Di-Pertuan if he satisfies His Majesty the Sultan and Yang Di-Pertuan that he —

(a) has within the period of 15 years immediately preceding the date of his application for registration resided in Brunei Darussalam for periods amounting in the aggregate to not less than 12 years; and

(b) has resided in Brunei Darussalam throughout the 2 years immediately preceding the date of his application.

(2) In calculating the period of residence in Brunei Darussalam for the purposes of subsection (1), any period of absence from Brunei Darussalam —

(a) for purposes of education of such kinds in such countries and during such periods as may from time to time be either generally or specially approved by His Majesty the Sultan and Yang Di-Pertuan in Council* for the purposes of such subsection;

(b) while on duty in the service of His Majesty the Sultan and Yang Di-Pertuan, where His Majesty the Sultan and Yang Di-Pertuan is satisfied that such period is consistent with essential continuity of residence;

(c) between the 1st day of July 1941 and the 31st day of December 1946, in the case of a person who was residing in Brunei Darussalam for a period of 5 years immediately preceding such absence; or

(d) for reasons of health or any other cause prescribed generally or specially by His Majesty the Sultan and Yang Di-Pertuan in Council*,

shall be treated as residence in Brunei Darussalam.

(3) In calculating the period of residence in Brunei Darussalam for the purposes of subsection (1), any period of residence in Brunei Darussalam —

(a) during which a person was not lawfully resident in Brunei Darussalam;

(b) spent as an inmate of any prison or as a person detained in lawful custody in any place other than in a mental hospital under the provisions of any written law in Brunei Darussalam; or

* Transferred to His Majesty the Sultan and Yang Di-Pertuan — [S 29/95]

(c) during which a person is allowed to remain temporarily in Brunei Darussalam under the authority of any pass or permit issued under the provisions of any written law in Brunei Darussalam,

shall not be treated as residence in Brunei Darussalam:

Provided that the period mentioned in paragraph (c) may be treated as residence with the consent of His Majesty the Sultan and Yang Di-Pertuan in Council*.

(4) For the purposes of this Act, a person shall be deemed to be resident in Brunei Darussalam on a particular day if he had been resident in Brunei Darussalam before that day and that day is included in any such period of absence as is referred to in subsection (2).

(5) No person shall be eligible to be registered under subsection (1) unless —

(a) His Majesty the Sultan and Yang Di-Pertuan is satisfied that he has been examined by a Language Board and such Board has advised His Majesty the Sultan and Yang Di-Pertuan that he —

- (i) has a knowledge of the Malay language to such a degree of proficiency as may be prescribed; and
- (ii) is able to speak the Malay language with proficiency or is unable to speak such language with proficiency by reason of a physical impediment or an impediment of speech or hearing;

(b) His Majesty the Sultan and Yang Di-Pertuan is satisfied that he is of good character; and

(c) he has taken the oath in the form set out in the Second Schedule.

* Transferred to His Majesty the Sultan and Yang Di-Pertuan — [S 29/95]

(6) Subject as hereinafter provided a woman who —

(a) is not a subject of His Majesty the Sultan and Yang Di-Pertuan; and

(b) is or has been married to a subject of His Majesty the Sultan and Yang Di-Pertuan,

shall, on making application therefor to His Majesty the Sultan and Yang Di-Pertuan in the prescribed manner, be eligible to be registered as a subject of His Majesty the Sultan and Yang Di-Pertuan, whether or not she is of full capacity:

Provided that no woman shall be eligible to be registered under this subsection —

(A) unless she —

(i) satisfies His Majesty the Sultan and Yang Di-Pertuan that she is of good character; and

(ii) has taken the oath in the form set out in the Second Schedule; or

(B) if at the time of her application she has ceased to be married to a subject of His Majesty the Sultan and Yang Di-Pertuan and has married a man who is not a subject of His Majesty the Sultan and Yang Di-Pertuan.

(7) A person who has renounced, or has been deprived of, the status of a subject of His Majesty the Sultan and Yang Di-Pertuan conferred by or under this Act, shall not be eligible to be registered as a subject of His Majesty the Sultan and Yang Di-Pertuan under this section, but may be so registered with the approval of His Majesty the Sultan and Yang Di-Pertuan.

Registration of minors.

6. (1) His Majesty the Sultan and Yang Di-Pertuan may cause the minor child of any subject of His Majesty the Sultan and Yang Di-Pertuan to

be registered as a subject of His Majesty the Sultan and Yang Di-Pertuan upon application made in the prescribed manner by a parent or guardian of the child.

(2) His Majesty the Sultan and Yang Di-Pertuan may, in such special circumstances as he thinks fit, cause any minor to be registered as a subject of His Majesty the Sultan and Yang Di-Pertuan.

(3) For the purposes of this section, “parent” in relation to a child whose adoption has been registered means the adopter.

Effect of registration as subject of His Majesty.

7. A person registered under section 5, 6 or 9(4) shall be a subject of His Majesty the Sultan and Yang Di-Pertuan as from the date on which he is registered.

Subject of His Majesty by naturalisation.

8. (1) His Majesty the Sultan and Yang Di-Pertuan may, if application therefor is made to him in the prescribed manner by any person who is not a subject of His Majesty the Sultan and Yang Di-Pertuan and who is of full capacity, grant to such person a certificate of naturalisation if he satisfies His Majesty the Sultan and Yang Di-Pertuan that he —

(a) has within the period of 25 years immediately preceding the date of his application resided in Brunei Darussalam for periods amounting in the aggregate to not less than 20 years;

(b) has resided in Brunei Darussalam throughout the 2 years immediately preceding the date of his application;

(c) is of good character;

(d) is not likely to become a charge on Brunei Darussalam;

(e) has been examined by a Language Board and such Board is satisfied that he —

(i) has a knowledge of the Malay language to such a degree of proficiency as may be prescribed; and

(ii) is able to speak the Malay language with proficiency or is unable to speak such language with proficiency by reason of a physical impediment or an impediment of speech or hearing; and

(f) has made a declaration that he intends, in the event of a certificate being granted to him, to settle permanently in Brunei Darussalam.

(2) In calculating the period of residence in Brunei Darussalam for the purposes of subsection (1), any period of absence from Brunei Darussalam —

(a) for purposes of education of such kinds in such countries and during such periods as may from time to time be either generally or specially approved by His Majesty the Sultan and Yang Di-Pertuan in Council* for the purposes of such subsection;

(b) while on duty in the service of His Majesty the Sultan and Yang Di-Pertuan, where His Majesty the Sultan and Yang Di-Pertuan is satisfied that such period is consistent with essential continuity of residence;

(c) between the 1st day of July 1941 and the 31st day of December 1946, in the case of a person who was residing in Brunei Darussalam for a period of 5 years immediately preceding such absence; or

(d) for reasons of health or any other cause prescribed generally or specially by His Majesty the Sultan and Yang Di-Pertuan in Council*,

shall be treated as residence in Brunei Darussalam.

* Transferred to His Majesty the Sultan and Yang Di-Pertuan — [S 29/95]

(3) In calculating the period of residence in Brunei Darussalam for the purposes of subsection (1), any period of residence in Brunei Darussalam —

(a) during which a person was not lawfully resident in Brunei Darussalam;

(b) spent as an inmate of any prison or as a person detained in lawful custody in any other place other than in a mental hospital under the provisions of any written law in Brunei Darussalam; or

(c) during which a person is allowed to remain temporarily in Brunei Darussalam under the authority of any pass or permit issued under the provisions of any written law in Brunei Darussalam,

shall not be treated as residence in Brunei Darussalam:

Provided that the period mentioned in paragraph (c) may be treated as residence with the consent of His Majesty the Sultan and Yang Di-Pertuan in Council*.

(4) For the purposes of this Act, a person shall be deemed to be resident in Brunei Darussalam on a particular day if he had been resident in Brunei Darussalam before that day and that day is included in any such period of absence as is referred to in subsection (2).

(5) The person to whom a certificate of naturalisation is granted under this section shall, on taking the oath in the form set out in the Second Schedule, be a subject of His Majesty the Sultan and Yang Di-Pertuan by naturalisation as from the date on which that certificate is granted.

Loss of status of subject of His Majesty.

9. (1) Subject as hereinafter provided, where a person who is a subject of His Majesty the Sultan and Yang Di-Pertuan has, at any time after the appointed day, absented himself from Brunei Darussalam, for a continuous period of 5 years and is unable to provide proof to the satisfaction of His Majesty the Sultan and Yang Di-Pertuan that he has maintained substantial

* Transferred to His Majesty the Sultan and Yang Di-Pertuan — [S 29/95]

connection with Brunei Darussalam during that period, such person shall cease to be a subject of His Majesty the Sultan and Yang Di-Pertuan.

(2) A person who has absented himself from Brunei Darussalam for the aforesaid period of 5 years but who, before the expiration thereof, has made application in the prescribed manner to His Majesty the Sultan and Yang Di-Pertuan for a certificate that such person is maintaining substantial connection with Brunei Darussalam shall not, because of his absence during that period, cease to be a subject of His Majesty the Sultan and Yang Di-Pertuan unless and until he has been notified that such application has been refused. The grant of any such certificate shall be at the absolute discretion of His Majesty the Sultan and Yang Di-Pertuan.

(3) A person who is a subject of His Majesty the Sultan and Yang Di-Pertuan under section 4(1)(a), (b), (c), (d) or (e) shall not cease to be a subject of His Majesty the Sultan and Yang Di-Pertuan under this section if, on such cesser, he would have no national status.

(4) If any person who has ceased to be a subject of His Majesty the Sultan and Yang Di-Pertuan under this section, resumes residence within Brunei Darussalam, he may apply to His Majesty the Sultan and Yang Di-Pertuan, in the prescribed manner and subject to any conditions that may be prescribed, for registration as a subject of His Majesty the Sultan and Yang Di-Pertuan and His Majesty the Sultan and Yang Di-Pertuan may, in his discretion, cause him to be registered as such.

(5) A person who has the status of a subject of His Majesty the Sultan and Yang Di-Pertuan shall cease to have such status if —

(a) he voluntarily acquires the nationality or citizenship of any State or country outside Brunei Darussalam; or

(b) being a woman who has acquired such status by registration under proviso (B) to section 5(6), she acquires by reason of her subsequent marriage the nationality or citizenship of her husband being the nationality or citizenship of any State or country outside Brunei Darussalam.

Renunciation of status of subject of His Majesty.

10. If any person of full capacity who is a subject of His Majesty the Sultan and Yang Di-Pertuan makes a declaration, in the prescribed manner, of renunciation of the status of a subject of His Majesty the Sultan and Yang Di-Pertuan, His Majesty the Sultan and Yang Di-Pertuan shall cause the declaration to be registered; and, upon the registration, that person shall cease to be a subject of His Majesty the Sultan and Yang Di-Pertuan:

Provided that His Majesty the Sultan and Yang Di-Pertuan may withhold registration of any such declaration if it is made during a period of emergency declared as such, at or after its commencement, by His Majesty the Sultan and Yang Di-Pertuan in Council for the purposes of this section.

Deprivation of status of subject of His Majesty.

11. (1) A subject of His Majesty the Sultan and Yang Di-Pertuan shall cease to have such status if he is deprived of that status by an order of His Majesty the Sultan and Yang Di-Pertuan in Council made under this section.

(2) Subject to the provisions of this section, His Majesty the Sultan and Yang Di-Pertuan in Council may by order deprive any person who is a subject of His Majesty the Sultan and Yang Di-Pertuan —

(a) by registration; or

(b) by naturalisation,

of that status if he is satisfied that the registration of such person or the certificate of naturalisation granted to him under this Act was obtained by means of fraud, false representation or by concealment of any material fact or was made or granted by mistake:

Provided that no person shall be deprived, under the provisions of this section, of the status of a subject of His Majesty the Sultan and Yang Di-Pertuan on the grounds of mistake unless notice of the intention to do so has been served on him or published in the *Gazette* within 24 months of the date of registration or the grant of a certificate, as the case may be.

(3) Subject to the provisions of this section, His Majesty the Sultan and Yang Di-Pertuan in Council may by order deprive any person who is a subject of His Majesty the Sultan and Yang Di-Pertuan —

(a) by registration; or

(b) by naturalisation,

of that status if he is satisfied that, subsequent to registration or subsequent to the grant of a certificate of naturalisation under this Act, that person —

(a) has shown himself by act or speech to have the intent to be disloyal or disaffected towards His Majesty the Sultan and Yang Di-Pertuan;

(b) has exercised any right, power or privilege to which he may be eligible by reason of any nationality or citizenship;

(c) has, during any war in which His Majesty the Sultan and Yang Di-Pertuan is engaged, unlawfully traded or communicated with an enemy or been engaged in or associated with any business that was to his knowledge carried on in such manner as to assist an enemy in that war; or

(d) has within 5 years after registration or becoming naturalised, been sentenced in any other country to death or to imprisonment, by whatever name called, for a term exceeding 12 months and has not received a free pardon:

Provided that no order shall be made on any of the grounds specified in this subsection in the case of a subject of His Majesty the Sultan and Yang Di-Pertuan who would, on being deprived of such status, have no national status; unless His Majesty the Sultan and Yang Di-Pertuan in Council, in the exercise of his discretion, is satisfied that such a person is in a position effectively to enjoy the protection of some other State and to proceed thereto if he so wishes without thereby endangering his personal safety.

(4) Before making an order under this section, His Majesty the Sultan and Yang Di-Pertuan in Council shall cause to be given to the person

against whom the order is proposed to be made a notice in writing informing him of the ground on which it is proposed to be made and of his right to an inquiry under this section.

(5) If the person against whom the order is proposed to be made applies in the prescribed manner for an inquiry, His Majesty the Sultan and Yang Di-Pertuan in Council shall refer the case to a Committee of Inquiry consisting of a chairman, being a person possessing judicial experience, appointed by His Majesty the Sultan and Yang Di-Pertuan, and of such other members appointed by His Majesty the Sultan and Yang Di-Pertuan as he thinks proper.

(6) His Majesty the Sultan and Yang Di-Pertuan in Council shall not make an order under this section unless he is satisfied that it is not conducive to the public good that the person against whom the order is proposed to be made should continue to be a subject of His Majesty the Sultan and Yang Di-Pertuan.

Saving of obligations incurred before loss of national status.

12. Where a subject of His Majesty the Sultan and Yang Di-Pertuan ceases to be a subject of His Majesty the Sultan and Yang Di-Pertuan, he shall not thereby be discharged from any obligations, duty or liability in respect of any act done before he ceased to be a subject of His Majesty the Sultan and Yang Di-Pertuan.

Decision of His Majesty not subject to appeal or review.

13. His Majesty the Sultan and Yang Di-Pertuan shall not be required to assign any reason for the grant or refusal of any application under this Act, and the decision of His Majesty the Sultan and Yang Di-Pertuan on any such application shall not be subject to appeal to or review in any court.

Birth on ship.

14. (1) Birth on board a ship registered or belonging to the Government of Brunei Darussalam shall be deemed to be birth in Brunei Darussalam.

(2) A person born on board a registered ship or on board an unregistered ship of any country shall be deemed to have been born in the place in which the ship was registered or, as the case may be, in that country.

Language Board.

15. (1) There shall be one or more Language Boards, each of which shall consist of a chairman and 2 other members appointed by His Majesty the Sultan and Yang Di-Pertuan in Council*. Any such Board may act by a majority of the members thereof.

(2) It shall be the duty of a Language Board to advise His Majesty the Sultan and Yang Di-Pertuan in accordance with such regulations as may be prescribed whether any person applying for registration or naturalisation under the Act has a knowledge of the Malay language to such a degree of proficiency as may be prescribed and is able to speak that language with proficiency or is unable to speak such language with proficiency by reason of a physical impediment or impediment of speech or hearing.

Evidence.

16. (1) Every document purporting to be a notice, certificate, order or declaration, or an entry in a register or a subscription of an oath, given, granted or made under this Act shall be received in evidence, and shall, unless the contrary is proved, be deemed to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

(2) *Prima facie* evidence of any such document as aforesaid may be given by production of a document purporting to be certified as a true copy thereof by such person and in such manner as may be prescribed.

Offences.

17. Any person who, for the purpose of procuring anything to be done or not to be done under this Act, makes any statement which he knows to be false in any material particular, or recklessly makes any statement which is false in any material particular, is guilty of an offence and liable on conviction to a fine of \$10,000 and imprisonment for 3 years.

* Transferred to His Majesty the Sultan and Yang Di-Pertuan — [S 29/95]

Foreign honours. [S 55/02]

17A. (1) No person, being a subject of His Majesty the Sultan and Yang Di-Pertuan —

(a) shall, without the prior consent of His Majesty the Sultan and Yang Di-Pertuan, receive or accept any order, decoration, award or honour from any country or territory outside Brunei Darussalam, or from any part of such as a country or territory, or from any person in such a country or territory or in any part thereof; or

(b) who, having received such consent, shall fail to observe any condition imposed on the grant of such consent.

(2) Any such person who has received or accepted a foreign honour before the 9th October 2002, being the date of commencement of the Brunei Nationality Act (Amendment) Order, 2002 (S 55/02), without the prior consent of His Majesty the Sultan and Yang Di-Pertuan may at any time apply to His Majesty the Sultan and Yang Di-Pertuan for his consent to such receipt or acceptance.

(3) Any such person who has received or accepted a foreign honour with the consent of His Majesty the Sultan and Yang Di-Pertuan under subsection (1)(a) or (2) shall not use or wear such foreign honour within or outside Brunei Darussalam.

(4) Any such person who has received or accepted a foreign honour with the consent of His Majesty the Sultan and Yang Di-Pertuan shall not use or wear such foreign honour within or outside Brunei Darussalam in contravention of any condition imposed on the grant of such consent.

(5) Any such person who contravenes or fails to comply with the provisions of subsection (1), (3) or (4) is guilty of an offence and liable on conviction to a fine not exceeding \$3,000, imprisonment for a term not exceeding 6 months or both.

(6) No prosecution for any offence punishable under this section shall be instituted except with the written sanction of the Public Prosecutor.

(7) His Majesty the Sultan and Yang Di-Pertuan may make such regulations as he considers necessary or expedient for carrying into effect the provisions of this section.

False pretences in relation to Brunei Darussalam honour. [S 55/02]

17B. Any person, being a subject of His Majesty the Sultan and Yang Di-Pertuan, who, within or outside Brunei Darussalam, wilfully or falsely pretends to be a recipient of any order, decoration, award or honour from His Majesty the Sultan and Yang Di-Pertuan or who uses any name, title, addition or description in respect of any Brunei Darussalam honour —

(a) implying in itself or in the circumstances in which it is used;

or

(b) calculated to induced any person to believe,

that he has received or accepted such a Brunei Darussalam honour is guilty of an offence and liable on conviction to a fine not exceeding \$3,000, imprisonment for a term not exceeding 6 months or both.

Power of His Majesty in Council* to make regulations.

18. His Majesty the Sultan and Yang Di-Pertuan in Council* may by regulations make provision generally for carrying into effect the purposes of this Act, and in particular —

(a) for prescribing, anything which under this Act may be prescribed;

(b) for the registration of anything required or authorised under this Act to be registered;

(c) for prescribing forms of declaration, the administration and taking of oaths, the time within which such oaths shall be taken and the registration of such oaths;

* Transferred to the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan — [S 29/95]

(d) for the giving of any notice required or authorised to be given to any person under this Act;

(e) for the procedure to be followed by a Language Board for ascertaining the ability of any person to speak the Malay language with proficiency or by persons applying for registration or for certificates of naturalisation under this Act, the evidence to be required from such person as to their qualifications for the status of a subject of His Majesty the Sultan and Yang Di-Pertuan, including evidence of ability to speak the Malay language with proficiency, and for imposing penalties for requiring any consideration for supplying any reference that may be required by any prescribed form;

(f) for the issue of certified copies of documents made, and extracts from registers kept, under this Act, for the cancellation and amendment of entries in a register and of certificates and of certified copies of entries in a register and of certificates prepared under this Act and relating to persons who lose the status of a subject of His Majesty the Sultan and Yang Di-Pertuan under this Act, and for requiring such documents to be delivered up for those purposes;

(g) for the imposition and recovery of fees in respect of any application made under this Act or in respect of any registration, or the making of any declaration, or the grant of any certificates, or the taking of any oath, authorised to be made, granted or taken by or under this Act, and in respect of supplying a certified or other copy of any notice, certificate, order, declaration or entry given, granted or made as aforesaid; and for the application of any such fees;

(h) for the issue of certificates that a person has produced *prima facie* proof that he is a subject of His Majesty the Sultan and Yang Di-Pertuan by operation of law;

(i) for the delegation of any of the powers conferred by this Act;

(j) for the practice and procedure to be followed in connection with references under this Act to a Committee of Inquiry; and in particular for conferring on any such committee any powers, rights or

privileges of any court and for enabling any powers so conferred to be exercised by one or more members of the committee;

(k) for prescribing penalties for the breach of any of the provisions of such regulations; and

(l) for providing for the publication by persons applying for certificates of naturalisation under section 8 of notice of intention to apply for such certificates, and for the hearing and disposal of any objections lodged in respect of any such notices.

FIRST SCHEDULE

(section 4)

MEMBERS OF GROUPS OF PEOPLE WHO ARE CONSIDERED TO BE
INDIGENOUS TO BRUNEI DARUSSALAM WITHIN THE MEANING OF
THIS ACT

Bukitans

Dayaks (sea)

Dayaks (land)

Kalabits

Kayans

Kenyahs (including Sabups and Sipengs)

Kajangs (including Sekapans, Kejamans, Lahanans, Punans, Tanjongs and
Kanowits)

Lugats

Lisums

Melanaus

Penans

Sians

Tagals

Tabuns

Ukits

and any admixture of the above with each other, or with a subject under section 4(1)(a).

SECOND SCHEDULE

(section 5(5)(c), proviso (A)(ii) of section 5(6) and section 8(5))

OATHS OF ALLEGIANCE

I of
hereby declare on oath that I will not exercise the rights, powers and privileges to which I may be eligible by reason of any nationality or citizenship, and that I absolutely and entirely renounce and abjure all loyalty to any country, state or sovereign, and I do swear that I will truly give wholehearted affection to Brunei Darussalam and do swear that I will be faithful and bear true allegiance to His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam and His Successors according to the law.