

SUBSIDIARY LEGISLATION

Regulations under section 24

BUSINESS NAMES REGULATIONS

S.4/58

S.81/58

Commencement: 1st March 1958

1. These regulations may be cited as the Business Names Regulations Citation
2. In these regulations — Interpretation
 - “the Registrar” means the person appointed as Registrar under section 3 of the Act.
3. The following additional particulars shall be furnished upon the registration of a firm, individual, or corporation within the provisions of section 5 of the Act — Additional particulars to be furnished under section 5
 - (a) the full names of the individual or of each partner in the firm, or the name of the corporation on whose behalf the business is carried on;
 - (b) the usual residence of the individual or of each partner in the firm or the registered office of the corporation;
 - (c) the business name and address of the foreign firm as general agent for which the business is carried on.
4. The signatures of all persons signing a statement or notice for registration under the Act shall, if made in Brunei, be attested by the Registrar or by a magistrate; if made elsewhere, by a Brunei Consul exercising his function in that place, a Justice of the Peace, a Commissioner for taking affidavits, a notary public, or any person authorised by the law of that place to administer an oath. Attestation of signatures
5. The register directed to be kept under the Act may be kept in a book whether loose-leaf or otherwise, or in any system of card record which the Registrar may deem appropriate. Register
6. (1) The forms set out in the First Schedule hereto, or forms to the like effect, shall be the forms to be used for the several purposes for which the same are appropriate. Forms

LAWS OF BRUNEI

24

CAP. 92

Business Names

[Subsidiary]

(2) The Registrar may, of his own motion, add to any form prescribed by these regulations such notes and directions as he may think fit for the guidance of persons using such forms, and in particular for directing attention to such provisions of the Act as affect the subject matter of such forms respectively.

Fees

7. The fees set out in the Second Schedule hereto shall be paid to the Registrar for the several matters referred to in such Schedule.

FIRST SCHEDULE

(Regulation 6 (1))

FORM I

BUSINESS NAMES ACT (CAP. 92)

(Section 6)

Registration of a Firm, Individual, or Corporation carrying on business under a Business Name

Business Name

General Nature of Business

Place or place of business including the particular address or addresses at which the business is carried on, (indicating the principal place of business, if more than one). {

Date of commencement

Full name and other particulars of the individual, or of each individual and of every corporation carrying on the business.

Full names of the individuals and names of corporations.	Usual residences of the individuals or the registered offices in Brunei, of the corporations.	Other business occupation (if any) of the individuals.

Signed at on the day of, 19.....

(Usual signature)

Before me

Signed at on the day of, 19.....

(Usual signature)

Before me

Signed by a Director of
the Secretary of

.....Company Berhad, on the.....day of, 19.....

(Usual signature)

Before me

LAWS OF BRUNEI

26

CAP. 92

Business Names

[Subsidiary]

FORM II
BUSINESS NAMES ACT (CAP. 92)
(Section 5)

Statement of additional particulars to be furnished on the registration of a firm, individual, or corporation having a place of business within Brunei and carrying on business wholly or mainly as attorney, nominee or trustee of or for another firm, individual, or corporation or acting as general agent for any foreign firm.

(Business name)

Full names of the individual or of each partner of the firm, or the name of the corporation on whose behalf business is carried on. Usual residence of the individual or of each partner in the firm, or the registered office of the corporation.

Business name of the foreign firm as general agent for whom the business is carried on. Address of such foreign firm.

Signed at on the day of, 19
(Usual signature)

Before me

Signed at on the day of, 19
(Usual signature)

Before me

Signed by a Director of
the Secretary
.....Company Berhad, on theday of, 19.....

(Usual signature)

Before me

FORM III

BUSINESS NAMES ACT (CAP. 92)

(Section 10)

STATEMENT OF CHANGE IN REGISTERED PARTICULARS

ITEMS 1 TO 8 SHOULD BE COMPLETED ONLY WHERE A CHANGE AS INDICATED HAS TAKEN PLACE; IF INSUFFICIENT SPACE IS AVAILABLE AN ANNEXURE SHOULD BE USED.

This statement should be posted or delivered to the Registrar, accompanied by the prescribed fee as shown below, within 14 days of the date of the change.

THE FOLLOWING IS A STATEMENT OF THE CHANGE/S IN THE PARTICULARS REGISTERED IN RESPECT OF

(Business name of the individual, firm or corporation as already registered)

CARRIED ON AT

(Place or places of business)

1. THE BUSINESS NAME HAS BEEN CHANGED TO

Date of change.....

The certificate of registration should be produced.

FEE.—\$10 if furnished within 14 days of the change, or \$20 if furnished after that period. If any other change/s took place at the same time, a total of \$25 if furnished within 14 days of the change, or \$50 if furnished after that period

2. THE GENERAL NATURE OF THE BUSINESS HAS BEEN CHANGED TO.....

Date of change.....

FEE:—\$5

3. (a) THE BUSINESS ADDRESS HAS BEEN CHANGED TO

Date of change.....

LAWS OF BRUNEI

28

CAP. 92

Business Names

[Subsidiary]

(b) THE BUSINESS IS BEING CARRIED ON AT THE ADDITIONAL ADDRESS

Date of change.....

(c) THE FOLLOWING BUSINESS ADDRESSES HAS BEEN ABANDONED

Date of abandonment.....

(d) THE PRINCIPAL PLACE OF BUSINESS HAS BEEN CHANGED TO

Date of change..... **FEE:—\$5**

4. OWNERSHIP OF THE BUSINESS HAS BEEN TRANSFERRED TO

Full Names	Occupation	Residential Address
.....
.....

If any person is a minor the date of his birth should be given.

AND/OR

Name of Corporation	Registered Office in Brunei
.....
.....

Date of transfer.....

FEE.—\$10 if furnished within 14 days of the date of transfer, or \$20 if furnished after that period

5. (a) THE FOLLOWING PERSONS OR CORPORATIONS HAVE RETIRED FROM THE BUSINESS

Full Names	Name of Corporation
.....
.....

Date of retirement

[Subsidiary]

(b) THE FOLLOWING PERSONS HAVE BEEN ADMITTED AS PARTNERS

Full Names	Occupation	Residential Address
.....
.....

If any person is a minor the date of his birth should be given.

Date of admission

(c) THE FOLLOWING CORPORATIONS HAVE BEEN ADMITTED AS PARTNERS

Name of Corporation	Registered Office in Brunei
.....
.....

Date of admission

FEE.—\$10 if furnished within 14 days of the date of the retirement and/or admission, or \$20 if furnished after that period

6. THE RESIDENTIAL ADDRESS (IN CASE OF A CORPORATION, THE REGISTERED OFFICE IN BRUNEI) OF HAS BEEN CHANGED TO
(full name of proprietor or partner)

.....
Date of change..... **FEE:—\$5**

7. THE NAME OF..... HAS BEEN CHANGED TO
(full name of proprietor or partner)

.....
Date of change..... **FEE:—\$5**

8. THE OCCUPATION OF..... HAS BEEN CHANGED TO
(full name of proprietor and partner)

.....
Date of change..... **FEE:—\$5**

LAWS OF BRUNEI

30

CAP. 92

Business Names

[Subsidiary]

IMPORTANT

1. THIS STATEMENT SHOULD BE SIGNED BY ALL RETIRING, CONTINUING AND NEW PARTNERS AND BY A DIRECTOR OR THE SECRETARY OF EACH CORPORATION WHICH IS A PARTNER, OR IN THE CASE OF A CHANGE OF OWNERSHIP BY ALL THE FORMER AND NEW OWNERS:

OR

BY ANY ONE CONTINUING OR NEW PARTNER, DIRECTOR OR SECRETARY, OR NEW OWNER, PROVIDED THAT SUCH PERSON ALSO MAKES THE STATUTORY DECLARATION HEREUNDER.

2. IF ANY SIGNATURE IS BY AN ATTORNEY THE POWER OF ATTORNEY SHOULD BE PRODUCED.

Signed at on the day of
....., 19

(Usual Signature)

* Before me

....., 19

Signed at on the day of
....., 19

(Usual Signature)

* Before me

Signed at on the day of
....., 19

(Usual Signature)

* Before me

Signed by a Director
..... the Secretary
of Company Berhad on
the day of, 19

(Usual Signature)

* Before me

* If signed in Brunei the witness must be the Registrar or a magistrate; if signed elsewhere, a Brunei Consul exercising his function in that place, a Justice of the Peace, a Commissioner for taking affidavits, a Notary Public, or any persons authorised by the law of that place to administer an oath.

STATUTORY DECLARATION

I, of
do hereby solemnly and sincerely declare that all the particulars contained in this
Statement, signed by me on the day
of, 19....., are true.

And I make this solemn declaration conscientiously believing the same to be
true and by virtue of the provisions of the †Statutory Declarations Act (Chapter 12).

Subscribed and solemnly declared by
the above-named
in Brunei this
day of, 19.....

Before me.....
Magistrate

† If made elsewhere than in Brunei, the declaration should be made according to the law of
that place and the form suitably amended.

LAWS OF BRUNEI

32

CAP. 92

Business Names

[Subsidiary]

Statement No.

Packet No.

BUSINESS NAMES ACT
CHANGE IN REGISTERED PARTICULARS

Filed in the Office of the Registrar General of Brunei the
..... day of, 19

.....
REGISTRAR

Presented for filing by
.....

FORM IV

BUSINESS NAMES ACT (CAP. 92)

(Section 11)

Notice of Cessation of Business or Abandonment of the use of a Business Name

Notice is hereby given that the firm, individual, or corporation registered under the business name of

*has ceased to carry on business

*has abandoned the use of such business name

Signed at on the day of, 19

(Usual signature)

Before me

Signed at on the day of, 19

(Usual signature)

Before me

Signed by a Director of the Secretary

..... Company Berhad, on the day of, 19

(Usual signature)

Before me

*Strike out inappropriate clause.

LAWS OF BRUNEI

34

CAP. 92

Business Names

[Subsidiary]

FORM V

BRUNEI

BUSINESS NAMES ACT (CAP. 92)

(Section 16)

Certificate of Registration

I hereby certify that registration pursuant to the Business Names Act (Chapter 92) has been effected in respect of a business carried on at (place of business)

..... under

the business name of

Given under my hand this..... day of

one thousand nine hundred and

.....
Registrar

SECOND SCHEDULE

(Regulation 7)

	\$	¢
(a) Upon furnishing a statement pursuant to section 6 of the Act —		
(i) in the case of a statement furnished by or on behalf of a firm, individual, or corporation who or which has been carrying on business before the commencement of the Act —		
if furnished within the time prescribed by the proviso to subsection (1) of section 8 of the Act	25	00
if furnished after that time	50	00
(ii) in the case of a statement furnished by or on behalf of a firm, individual, or corporation who or which commences business after the commencement of the Act —		
if furnished before the business is commenced	25	00
if furnished after the commencement of the business	50	00
(b) Upon furnishing a statement of change of particulars pursuant to section 10 of the Act —		
(i) in respect of the business name or the proprietorship of the business carried on thereunder —		
if furnished within 14 days of the change	10	00
if furnished after the expiration of that period.....	20	00
(ii) in respect of change of business name and any other changes which took place at the same time —		
if furnished within 14 days of the change	25	00
if furnished after the expiration of that period.....	50	00
(iii) relating to any other registered particular	5	00
(c) Upon furnishing a statement of change of particulars pursuant to section 22 of the Act.....	5	00

LAWS OF BRUNEI

36

CAP. 92

Business Names

[Subsidiary]

(d) Upon filing any statutory declaration (other than by way of verification of a statement lodged in pursuance of the Act).....	25 00
(e) Upon production of any power of attorney.....	5 00
(f) For search in the register and index (when no other fee is at the same time paid).....	2 50
(g) For inspecting or making extracts from, or a copy of any statement furnished in pursuance of the Act.....	2 50
(h) For certified copy of, or extract from, any statement furnished in pursuance of the Act not exceeding 10 folios.....	25 00
for each additional folio.....	2 50
(i) For certificate of registration, or non-registration under section 17 (2) of the Act	25 00
(j) Upon every inquiry by letter in reference to any registration under the Act, including any necessary search	5 00
(k) For certificate of registration altered to meet the circumstances of the case under section 22(2) of the Act.....	5 00
(l) For a search as to whether a name proposed to be adopted as a business name is available —	
for each name.....	5 00