

No. S 14

**CONSTITUTION OF BRUNEI DARUSSALAM
(Order made under Article 83(3))**

SYARIAH COURTS ACT (AMENDMENT) ORDER, 2014

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Amendment of section 15 of Chapter 184.
 3. Amendment of section 16.
 4. Amendment of section 17.
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(Order made under Article 83(3))

SYARIAH COURTS ACT (AMENDMENT) ORDER, 2014

In exercise of the power conferred by Article 83(3) of the Constitution of Brunei Darussalam, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Order —

Citation and commencement.

1. This Order may be cited as the Syariah Courts Act (Amendment) Order, 2014 and shall commence on 1st May 2014.

Amendment of section 15 of Chapter 184.

2. Section 15 of the Syariah Courts Act, in this Order referred to as the Act, is amended by deleting paragraph (a) and by substituting the following new paragraph therefor —

“(a) in its criminal jurisdiction, try any offence punishable under —

- (i) the Syariah Penal Code Order, 2013 (S 69/2013);
- (ii) any written law which provides for syariah criminal offences;
- (iii) any written law relating to Islamic family law; or
- (iv) any other written law which confers on the Syariah High Court jurisdiction to try any offence,

and may impose any punishment provided therefor; and”.

Amendment of section 16.

3. Section 16 of the Act is amended, in subsection (1), by deleting paragraph (a) and by substituting the following new paragraph therefor —

“(a) in their criminal jurisdiction —

- (i) try any offence punishable under the Syariah Penal Code Order, 2013 (S 69/2013) where the maximum punishment provided for does not exceed \$28,000, imprisonment for a term not exceeding 7

years or both, and to whipping, and may impose any punishment provided therefor; or

- (ii) try any offence punishable under any written law which provides for syariah criminal offences, under any written law relating to Islamic family law or under any other written law which confers on the Syariah Subordinate Courts jurisdiction to try any offence, where the maximum punishment provided for does not exceed \$10,000, imprisonment for a term not exceeding 7 years or both, and may impose any punishment provided therefor;”.

Amendment of section 17.

4. Section 17 of the Act is amended by deleting subsection (2) and by substituting the following new subsection therefor —

“(2) In its criminal jurisdiction, an appeal may be made by a Syar’ie Prosecutor or by an accused person and such appeal may be made against an acquittal, or against a conviction or sentence or both, or any part of it, or against any order of the trial Court.”.

Made this 26th. day of Jamadilakhir, 1435 Hijriah corresponding to the 26th. day of April, 2014 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM