

No. S 18

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

SUNGAI LIANG AUTHORITY ACT (REPEAL) ORDER, 2014

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**SCHEDULE – TRANSFER OF PROPERTY ETC. TO BRUNEI ECONOMIC
DEVELOPMENT BOARD**

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SUNGAI LIANG AUTHORITY ACT (REPEAL) 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 Sungai Liang Authority Act (Repeal) Order, 2014 and shall be deemed to have commenced on 29th December 2012.

Repeal of Chapter 200.

2. The Sungai Liang Authority Act is repealed.

Transfer of property etc. to Brunei Economic Development Board.

3. The provisions of the Schedule shall have effect for the purpose of the transfer to the Brunei Economic Development Board of property and for other transitional purposes specified in that Schedule.

SCHEDULE
(section 3)

TRANSFER OF PROPERTY ETC. TO BRUNEI ECONOMIC DEVELOPMENT BOARD

Interpretation.

1. In this Schedule —

“Authority” means the Sungai Liang Authority established by section 3(1) of the repealed Sungai Liang Authority Act (Chapter 200);

“Board” means the Brunei Economic Development Board established by section 3 of the Brunei Economic Development Board Act (Chapter 104).

Dissolution of Authority.

2. On 29th December 2012, the Authority shall be dissolved.

Transfer to Board of property, assets etc. and liabilities.

3. (1) On 29th December 2012, all property vested in the Authority and all assets, rights, interests, privileges, liabilities and obligations of the Authority shall be transferred to and vested in the Board without further assurance.

(2) If any question arises as to whether any particular property, asset, right, interest, privilege, liability or obligation has been transferred to or vested in the Board under sub-paragraph (1), a certificate under the hand of the Minister shall be conclusive evidence that the property, asset, right, interest, privilege, liability or obligation was or was not so transferred or vested.

Transfer of employees.

4. (1) On 29th December 2012, all persons employed immediately before that date by the Authority shall be transferred to the service of the Board on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) Until such time as the scheme and terms and conditions of service are drawn up by the Board, the scheme and terms and conditions of service in the Authority shall continue to apply to every person transferred to the service of the Board under sub-paragraph (1) as if he were still in the service of the Authority.

Existing contracts, agreements etc.

5. All contracts, deeds, bonds, agreements, instruments and working arrangements, subsisting immediately before 29th December 2012 —

(a) affecting any of the property, assets, rights, interests, privileges, liabilities or obligations transferred to or vested in the Board under paragraph 3(1); or

(b) affecting any person transferred to the service of the Board under paragraph 4(1).

shall continue in force on and after that date and shall be enforceable by or against the Board as if, instead of the Authority or a person acting on behalf of the Authority, the Board had been named therein or had been a party thereto.

Pending proceedings.

6. Any proceedings or cause of action pending or existing immediately before 29th December 2012 by or against the Authority or any person acting on behalf of the Authority may be continued and shall be enforced by or against the Board.

Continuation and completion of disciplinary proceedings.

7. (1) Where on 29th December 2012 any disciplinary proceedings were pending against any person of the Authority transferred to the service of the Board under paragraph 4, the proceedings shall be carried on and completed by the Board.

(2) Where on 29th December 2012 any matter was in the course of being heard or investigated or had been heard or investigated by the Government or a committee acting under due authority but no order, ruling or decision had been made thereon, the Government or committee shall complete the hearing or investigation and shall make such order, ruling or direction as it could have made under the authority vested in it before that date.

(3) Any order, ruling or direction made by the Government or committee under this paragraph shall be treated as an order, ruling or direction of the Board and have the same force or effect as if it had been made by the Board pursuant to the authority vested in the Board under the Brunei Economic Development Board Act (Chapter 104).

Misconduct or neglect of duty by employee before transfer.

8. The Board may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person transferred to the service of the Board under paragraph 4 for any misconduct or neglect of duty committed prior to 29th December 2012 which would have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner by the Authority as if this Order had not been made.

Made this 28th. day of Jamadilakhir, 1435 Hijriah corresponding to the 28th. day of April, 2014 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM