

No. S 42

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

HALAL CERTIFICATE AND HALAL LABEL (AMENDMENT) ORDER, 2020

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HALAL CERTIFICATE AND HALAL LABEL (AMENDMENT) ORDER, 2020

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 Halal Certificate and Halal Label (Amendment) Order, 2020 and shall commence on a date to be appointed by the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan, by notification published in the *Gazette*.

Amendment of section 2 of S 39/2005

2. Section 2 of the Halal Certificate and Halal Label Order, 2005, in this Order referred to as the principal Order, is amended, in the definition of “product processing facility”, by deleting “to wholesalers and retailers or for export” from the last two lines.

Amendment of section 10

3. Section 10 of the principal Order is amended by repealing subsection (3) and by substituting the following new subsection therefor —

“(3) The applicant shall be required to make —

(a) in the case of a business with 4 employees or less, one application for each type of product;

(b) in the case of a business with 5 employees or more, one application for every 20 types of product.”.

Amendment of section 12

4. Section 12 of the principal Order is amended by inserting the following new subsection immediately after subsection (1) —

“(1A) The permit, unless sooner suspended or revoked, shall be valid for 3 years from the date of issue.”.

Insertion of new section 12A

5. The principal Order is amended by inserting the following new section immediately after section 12 —

“Renewal of permit

12A. (1) The permit holder shall apply to renew his permit not less than 30 days prior to its expiry.

(2) The permit may be renewed for further periods not exceeding 3 years in respect of each renewal.

(3) Sections 10, 11 and 12 apply, with the necessary modifications, to the renewal of a permit.”

Amendment of section 43

6. Section 43 of the principal Order is amended by repealing subsection (5) and by substituting the following new subsection therefor —

“(5) Where the application is with respect to changes in the ingredient or the material used in the preparation of the product in respect of which a permit has been issued, on being satisfied that the applicant has complied with any requirement as the Majlis may think fit, the Majlis may authorise the applicant to use the label on the package of the product subject to such conditions as the Majlis may think fit.”

Amendment of section 45

7. Section 45 of the principal Order is amended —

(a) in the section heading, by inserting “or permit” immediately after “certificate”;

(b) by inserting “or permit” immediately after “certificate” in the second line;

(c) by inserting “or permit” immediately after “certificate” in the third line;

(d) by deleting “Fourth” from the sixth line;

(e) by inserting “or permit” immediately after “certificate” in the last line.

Substitution of Schedule

8. The Schedule to the principal Order is repealed and the following new Schedule substituted therefor —

“SCHEDULE
(sections 6(1), 12(1), 45, 46(1) and 50)

FEEES

(a) Issue or renewal of Halal Certificate	\$90
(b) Replacement of Halal Certificate or permit	\$10
(c) Issue or renewal of permit for each place of business —	
(i) with 4 employees or less	\$5 for each type of product
(ii) with not less than 5 employees and not more than 19 employees	\$150 for every 20 types of products
(iii) with not less than 20 employees and not more than 99 employees	\$300 for every 20 types of products
(iv) with not less than 99 employees	\$700 for every 20 types of products
(v) of a multinational company	\$1,000 for every 20 types of products”.

Savings and transitional provision

9. Any permit issued under section 12 of the principal Order and in force before or on the date of commencement of this Order shall continue to be in force until such time as the Majlis may think fit, unless it is earlier suspended or revoked under section 12(2) of the principal Order.

Made this 9th. day of Rabiulawal, 1442 Hijriah corresponding to the 27th. day of October, 2020 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN,
BRUNEI DARUSSALAM.