

LAWS OF BRUNEI

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LAWS OF BRUNEI

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CHAPTER 17

IMMIGRATION

ARRANGEMENT OF SECTIONS

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IMMIGRATION ACT**An Act to regulate immigration into Brunei Darussalam**

Commencement: 1st July 1958
[S 41/1958]

PART I

PRELIMINARY

Citation.

1. This Act may be cited as the Immigration Act.

Interpretation.

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

“aircraft” includes flying boat;

“authorised airport” means respectively an airport, a landing place or a point of entry declared to be an authorised airport, landing place or point of entry, as the case may be, under section 5(1);

“authorised landing place” means respectively an airport, a landing place or a point of entry declared to be an authorised airport, landing place or point of entry, as the case may be, under section 5(1);

“authorised point of entry” means respectively an airport, a landing place or a point of entry declared to be an authorised airport, landing place or point of entry, as the case may be, under section 5(1);

“Controller” means the Controller of Immigration appointed under section 3;

“crew” includes every seaman on a vessel, and every person employed in the operation of an aircraft or in any service rendered to the crew or passengers of such aircraft while in flight;

“employ” means to engage or use the service of any person, whether under a contract of service or otherwise, with or without remuneration;

“entry” means —

(a) in the case of a person arriving by sea, disembarking in Brunei Darussalam from the vessel in which he arrives;

(b) in the case of a person arriving at an authorised airport by air, leaving the precincts of such airport;

(c) in the case of a person who enters by land and proceeds to an immigration control post in accordance with section 26(1), leaving the precincts of such post for any purpose other than that of departing from Brunei Darussalam by an approved route for some place outside Brunei Darussalam; and

(d) in any other case, any entry into Brunei Darussalam by land, sea or air:

Provided that it shall not include in any case an entry made for the purpose of complying with this Act or an entry expressly or impliedly sanctioned by an Immigration Officer for the purpose of an enquiry, proceeding or detention under the provisions of this Act;

“Entry Permit” means a Permit to enter and includes a Permit to remain in Brunei Darussalam issued under the provisions of section 10(2);

“family” means wife and children under 18 years of age;

“flying boat” means any aircraft designed to alight, and alighting on water;

“harbour” includes the giving of food or shelter and the act of assisting a person in any way to evade apprehension;

“immigration control post” means a post established as such by the Controller at a place declared to be an immigration control post under section 5(1);

“immigration depot” means any place designated or authorised by the Controller for the examination, inspection or detention of persons under this Act;

“Immigration Officer” means the Controller and any person appointed under section 3 and includes a Senior Immigration Officer;

“immigration signal” means such signal as may be prescribed for vessels which arrive in Brunei Darussalam;

“master” means in relation to a vessel, any person having command thereof and in relation to an aircraft, the captain thereof;

“officer of customs” has the same meaning as in the Customs Act (Chapter 36);

“pass” means any pass issued under the provisions of any regulations made under this Act entitling the holder thereof to enter and remain temporarily in Brunei Darussalam;

“passenger” means any person carried in a vessel or aircraft, other than any member of the crew;

“permit” includes an Entry Permit and Re-entry Permit;

“Port Officer” includes any shipping master or other officer discharging the duties of a shipping master;

“prohibited immigrant” means a person declared to be a prohibited immigrant under section 8(1);

“Re-entry Permit” means a Permit to re-enter Brunei Darussalam issued under the provisions of section 11(2);

“Residence Permit” means a permit issued under the provisions of section 67(1) of the Immigration Enactment, 1956 (Enactment No. 23 of 1956);

“seaman” includes the master and any person carried in a vessel as a *bona fide* member of the staff employed in the operation or service of such vessel and, if such vessel has articles, entered on such articles;

“Senior Immigration Officer” means a Senior Immigration Officer and any other person of or above the rank of Assistant Controller appointed under section 3;

“stowaway” means a person who goes to sea secreted in a vessel without the consent of the master or other person in charge of the vessel or of a person entitled to give such consent and includes a person arriving in Brunei Darussalam on board any aircraft who is on board without the consent of the master or of a person entitled to give such consent;

“through passenger” means any passenger who arrives in Brunei Darussalam by a vessel or aircraft and who is continuing his journey in the same vessel or aircraft to a place outside Brunei Darussalam;

“transportation company” means any government, municipality, body corporate, or organisation, firm or person carrying or providing for the transit of passengers, whether by vessel, aircraft, railway, highway or otherwise, and includes any two or more such transporting companies co-operating in the business of carrying passengers;

“travel document” includes an internationally recognised passport, a certificate of identity and any similar document, issued by an authority recognised by the Controller.

Appointment of Controller and other officers.

3. His Majesty the Sultan and Yang Di-Pertuan may appoint a Controller of Immigration and such Deputy Controllers, Assistant Controllers, Senior Immigration Officers and other officers as he may consider necessary for the proper carrying out of the provisions of this Act.

Exercise of powers.

4. The powers and discretions vested in the Controller by this Act and the duties required to be discharged by him may, subject to such limitations as may be prescribed by regulations made under section 53, be exercised and discharged by a Deputy Controller, and by an Assistant Controller or a Senior Immigration Officer duly authorised in writing in that behalf by the Controller.

PART II

ADMISSION INTO BRUNEI DARUSSALAM

Entry into Brunei Darussalam.

5. (1) The Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan,* may by notification published in the *Gazette*, prescribe approved routes and declare such immigration control posts, landing places, airports or points of entry, as he may consider to be necessary for the purposes of this Act to be immigration control posts, authorised landing places, airports or points of entry, as the case may be; and no person shall, unless compelled by accident or other reasonable cause, enter Brunei Darussalam from any place outside Brunei Darussalam except at an authorised landing place, airport or point of entry.

(2) The Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan,* may by notification published in the *Gazette*, prescribe approved routes and declare such immigration control posts, places of embarkation, authorised airport, authorised points of departures or authorised departing place, as the case may be; and no person shall, unless compelled by accident or other reasonable cause, leave Brunei Darussalam except at an authorised place of embarkation, airport, point of departure or place of departure.

(3) Any person who contravenes the provisions of subsection (1) or (2) is guilty of an offence.

Control of entry into Brunei Darussalam.

6. (1) No person other than a citizen of Brunei Darussalam shall enter Brunei Darussalam from any place outside Brunei Darussalam unless —

(a) he is in possession of a valid Entry Permit or Re-entry Permit lawfully issued to him under the provisions of section 10(2) or 11(2);

(b) his name is endorsed upon a valid Entry Permit or Re-entry Permit in accordance with the provisions of section 12 and that he is in the company of the holder of such permit;

* Transferred from His Majesty the Sultan and Yang Di-Pertuan in Council to the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan, with effect from 1st November 1989 — [S 54/1989]

(c) he is in possession of a valid pass lawfully issued to him to enter Brunei Darussalam;

(d) he is in possession of a valid Residence Permit lawfully issued to him; or

(e) he is exempted from the provisions of this section by an order made under section 54.

(2) Any person who has entered or remained in Brunei Darussalam in accordance with a pass lawfully issued under this Act shall complete an embarkation form and submit it together with his passport or other travel document for examination by an Immigration Officer at the time he leaves Brunei Darussalam.

(3) Any person who contravenes the provisions of subsection (1) or (2) is guilty of an offence and —

(a) in the case of an offence under subsection (1), is liable on conviction to imprisonment for a term of not less than 3 months and not more than 2 years and whipping with not less than 3 strokes cumulatively:

Provided that no sentence of whipping shall be imposed on any person charged in court before 12th June 2004;

(b) in the case of an offence under subsection (2), is liable on conviction to a fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both.

(4) The burden of proof that a person entered Brunei Darussalam without contravening subsection (1) shall lie upon that person, and in any prosecution for an offence against subsection (1), it shall not be necessary to specify in the charge the date, time, place or manner of the entry of such person into Brunei Darussalam, or the means of travel used for such entry.

Right of entry.

7. (1) A citizen of Brunei Darussalam shall be entitled to enter Brunei Darussalam without having obtained a permit or pass in that behalf under this Act.

(2) The burden of proof that any person is a citizen of Brunei Darussalam shall lie upon that person.

Prohibited immigrants.

8. (1) Any person who in the opinion of the Controller —

(a) is not a citizen of Brunei Darussalam; and

(b) is a member of any of the prohibited classes as defined in subsection (2),

is a prohibited immigrant and, subject to any exemption granted under the provisions of section 54, it shall be unlawful for him to enter Brunei Darussalam from any place outside Brunei Darussalam by land, sea or air unless he is in possession of a valid pass in that behalf issuable to a prohibited immigrant under the provisions of any regulations made under this Act.

(2) The following persons are members of the prohibited classes —

(a) any person who is unable to show that he has the means of supporting himself or his dependents, if any, or that he has definite employment awaiting him or who is likely to become a pauper or a charge on the public;

(b) any person suffering from mental disorder or being a mental defective;

(c) any person —

(i) who refuses to submit to a medical examination after being required to do so under the provisions of section 29; or

(ii) certified by a Government medical officer or a medical practitioner, after examination under the provisions of section 29, to be suffering from a contagious or infectious disease which makes his presence in Brunei Darussalam dangerous to the community;

(d) any person who —

- (i) has been convicted in any country or state of an offence for which a sentence of imprisonment has been passed for any term;
- (ii) has not received a free pardon; and
- (iii) by reason of the circumstances connected with such conviction is deemed by the Controller to be an undesirable immigrant;

(e) any prostitute, or any person, who is living on or receiving, or who, prior to entering Brunei Darussalam, lived on or received, the proceeds of prostitution;

(f) any person who procures or attempts to bring into Brunei Darussalam prostitutes or women or girls for the purpose of prostitution or other immoral purposes;

(g) vagrants or habitual beggars;

(h) any person whose entry into or presence in Brunei Darussalam is, or at the time of his entry was, unlawful under this or any other written law for the time being in force;

(i) any person who believes in or advocates the overthrow by force or violence of the Government of Brunei Darussalam or of the government of any territory within the Commonwealth or of constituted law or authority or who disbelieves in or is opposed to organised government, or who advocates the assassination of public officials, or who advocates or teaches the unlawful destruction of property;

(j) any person who is a member of or affiliated with any organisation entertaining or teaching disbelief in or opposition to organised government or advocating or teaching the duty, necessity or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or officers generally, of the government of Brunei Darussalam or of the government of any territory within the Commonwealth or of any other organised government, because of his or their official character, or advocating or teaching the unlawful destruction of property;

(k) any person who, in consequence of information received from any source deemed by the Controller to be reliable, or from any government, through official or diplomatic channels, is deemed by the Controller to be an undesirable immigrant;

(l) any person who has been removed from any country or state by the government of such country or state on repatriation for any reason whatever and who, by reason of the circumstances connected therewith, is deemed by the Controller to be an undesirable immigrant;

(m) any person who, being required by any written law for the time being in force to be in possession of valid travel documents, is not in possession of such documents or is in possession of forged or altered travel documents which do not fully comply with any such written law;

(n) any person other than a citizen of Brunei Darussalam who is unable to show that he is willing and can, of right, return to some country outside Brunei Darussalam;

(o) the family and dependants of a prohibited immigrant; and

(p) any person prohibited by order made under section 9(1) from entering Brunei Darussalam.

(3) The burden of proof that any person seeking to enter Brunei Darussalam is not a prohibited immigrant shall lie upon that person.

(4) In any case where the Controller refuses to allow any person to enter Brunei Darussalam on the ground that such person is a prohibited immigrant, the Controller shall if so requested by the person, inform him of the class of prohibited immigrant of which, in the opinion of the Controller, he is a member.

(5) Subject to any exemption granted under section 54, if any prohibited immigrant enters Brunei Darussalam otherwise than in accordance with a valid pass lawfully issued to him, he is guilty of an offence.

(6) Any person in possession of an Entry Permit or Re-entry Permit, issued to him under the provisions of this Act and who, upon his arrival in Brunei Darussalam, is refused permission to enter upon the ground that he is a prohibited immigrant, may appeal against such refusal within such time and in such manner as may be prescribed, to the Minister whose decision shall be final:

[S 34/2007]

Provided that, notwithstanding the provisions of sections 24, 25 and 26, any person who appeals against such refusal shall be permitted to disembark and shall be detained in an immigration depot pending the determination of his appeal, unless released on a pass issued at the discretion of the Controller of such conditions as to furnishing security or otherwise as the Controller may deem fit.

Power to prohibit or limit entry into Brunei Darussalam.

9. (1) The Minister of Home Affairs, with the approval of His Majesty the Sultan and Yang Di-Pertuan, may by order —

(a) where he deems it expedient so to do in the interests of public security or by reason of any economic, industrial, social, educational or other conditions in Brunei Darussalam —

- (i) prohibit, either for a stated period or permanently, the entry or re-entry into Brunei Darussalam of any person or class or persons;
- (ii) limit the number of persons of any class who may enter Brunei Darussalam within any period specified in the order; and
- (iii) limit the period during which any person or class of persons entering or re-entering Brunei Darussalam may remain therein:

Provided always that no order made under the provisions of this paragraph, except an order made in the interests of public security, shall apply to any person outside Brunei Darussalam at the time when such order is made and who is in possession of a valid Residence Permit or Re-entry Permit lawfully issued to him; and

(b) prohibit the entry into Brunei Darussalam of passengers brought to Brunei Darussalam by any transportation company which refuses or neglects, or has refused or neglected, to comply with the provisions of this Act.

(2) An order under subsection (1) shall not apply to any citizen of Brunei Darussalam.

(3) Every order made under subsection (1)(a) which relates to a class of persons, and every order made under paragraph (b), shall be published in the *Gazette*.

(4) Any person who enters or re-enters, or remains in, Brunei Darussalam in contravention of any order made under subsection (1) is guilty of an offence.

PART III

ENTRY AND RE-ENTRY PERMITS

Entry Permits.

10. (1) Any person seeking to —

(a) enter Brunei Darussalam —

(i) who is not entitled so to enter under the provisions of section 7(1); or

(ii) by virtue of a valid pass to enter Brunei Darussalam lawfully issued to him; or

(b) remain in Brunei Darussalam after the expiration of such a pass,

may make application in that behalf in the manner prescribed to the Controller or to such other person whether within or outside Brunei Darussalam as may be prescribed or as the Controller may appoint for such purpose.

(2) Upon application made under subsection (1) and upon payment of the prescribed fees, the Controller shall, if satisfied that the applicant is not a prohibited immigrant, issue to such applicant an Entry Permit in the prescribed form:

Provided that the Controller may in any case in which he is satisfied that it would be prejudicial to public security in Brunei Darussalam to permit the applicant to enter or remain in Brunei Darussalam, refuse to issue an Entry Permit.

(3) Any person aggrieved by the refusal of the Controller to issue to him an Entry Permit under the provisions of the proviso of subsection (2) may within 30 days of the notification of such refusal to him, appeal by petition in writing to the Minister whose decision thereon shall be final.

[S 34/2007]

Re-entry Permits.

11. (1) Any person lawfully resident in Brunei Darussalam not being —

- (a) the holder of a valid pass; or
- (b) a citizen of Brunei Darussalam,

who seeks to leave Brunei Darussalam temporarily may make application to the Controller in the prescribed manner for the issue to him of a Re-entry Permit authorising him to re-enter Brunei Darussalam.

(2) Upon application being made under subsection (1) and upon payment of the prescribed fees, the Controller shall, if satisfied that the applicant is not a prohibited immigrant and that it would not be prejudicial to public security in Brunei Darussalam to do so, issue to such applicant a Re-entry Permit in the prescribed form.

(3) Any person aggrieved by the refusal of the Controller to issue to him a Re-entry Permit under the provisions of this section may within 30 days of the notification of such refusal to him, appeal by petition in writing to the Minister whose decision thereon shall be final.

[S 34/2007]

Endorsement of name of wife and children on Entry and Re-entry Permits.

12. Subject to such conditions as may be prescribed, it shall be lawful for the Controller, on application made in that behalf in the prescribed form by the holder of, or by an applicant for, an Entry Permit or a Re-entry Permit, to endorse upon the permit issued to such person the name or names of the members of the family of such person.

Power to make enquiries.

13. The Controller may before the issue of an Entry Permit or Re-entry Permit under this Act, or before making any endorsement thereon under the provisions of section 12, make such enquiries or require the production of such evidence as he may think fit in order to satisfy himself as to the truth of any statement made in the application for the permit.

Cancellation of permits.

14. (1) When the holder of any Entry Permit or Re-entry Permit seeks to enter Brunei Darussalam accompanied by any child whose name is not endorsed upon the permit under the provisions of section 12 and who is not otherwise entitled to enter Brunei Darussalam under the provisions of this Act, the Controller may cancel the permit issued to such person.

(2) When upon the arrival in Brunei Darussalam of any person to whom an Entry Permit or Re-entry Permit has been issued, the Controller is satisfied, as a result of enquiries made under section 24, 25 or 26, or from other information, that any permit was issued as a result of any false representation or concealment of a material fact, the Controller may cancel the permit.

(3) When at any time, during the period of validity of an Entry Permit or Re-entry Permit, the Controller is satisfied that the holder of such Entry Permit or Re-entry Permit is a prohibited immigrant, the Controller shall cancel the permit.

(4) Where any person has entered Brunei Darussalam by virtue of an Entry Permit or a Re-entry Permit and the Controller is satisfied that —

(a) any material statement made in or in connection with the application for the permit was false or misleading; or

(b) the person is a member of any of the prohibited classes defined in section 8(2),

the Controller may, unless the person was entitled at the time of the entry, or has subsequently become entitled to enter Brunei Darussalam under the provisions of section 7(1), declare at any time within 2 years after the date of the entry, that the presence of the person in Brunei Darussalam is unlawful.

(5) On making any cancellation under subsection (2) or (3), or on making any declaration under subsection (4), the Controller shall, by notice which, if the address of the person is known, shall be sent to him at such address and otherwise shall be published in such manner as the Controller deems fit, inform the person affected thereby of the grounds on which such cancellation or declaration has been made and such person may appeal against the cancellation or declaration, as the case may be, within such time and such manner as may be prescribed to the Minister, whose decision shall be final.

[S 34/2007]

Effect of cancellation or expiry of permit or pass.

15. (1) It shall be unlawful for any person to remain in Brunei Darussalam after —

- (a) the cancellation of any Entry Permit or Re-entry Permit;
- (b) the making of a declaration under section 14(4); or
- (c) the expiration or cancellation of any pass relating to or issued to him,

unless he is otherwise entitled or authorised to remain in Brunei Darussalam under the provisions of this Act or of any regulations made thereunder.

(2) Any person who without reasonable cause contravenes the provisions of subsection (1) is guilty of an offence and —

- (a) in the case where he remains unlawfully for a period not exceeding 90 days, is liable on conviction to a fine not exceeding \$4,000, imprisonment for a term not exceeding 6 months or both;

(b) in the case where he remains unlawfully for a period exceeding 90 days, is liable on conviction to imprisonment for a term of not less than 3 months and not more than 2 years and whipping with not less than 3 strokes cumulatively:

Provided that no sentence of whipping shall be imposed on any person charged in court before 12th June 2004.

PART IV

PROCEDURE ON ARRIVAL IN AND DEPARTURE FROM BRUNEI DARUSSALAM

Immigration signal.

16. (1) Subject to the provisions of subsection (2), the master of every vessel which arrives in or is about to leave Brunei Darussalam shall hoist the prescribed immigration signal and shall exhibit such signal until authorised by a Senior Immigration Officer to haul it down.

(2) The provisions of subsection (1) shall not apply to any vessel which plies solely between ports in Brunei Darussalam.

(3) The master of any vessel who contravenes or fails to comply with any of the provisions of subsection (1) is guilty of an offence.

Vessel or flying boat to proceed to Immigration Anchorage or other place ordered by Immigration Officer.

17. (1) The Controller may, by notification published in the *Gazette*, declare any place in any river or within the territorial waters of Brunei Darussalam to be an Immigration Anchorage, either for vessels generally or for vessels of a class specified in the notification or for flying boats; and the master of any vessel or flying boat which arrives at or is about to leave a place where an Immigration Anchorage, either for vessels generally or for vessels of a class to which such vessel belongs or for flying boats, has been declared shall, subject to any directions given under subsection (3), forthwith navigate his vessel or flying boat to such anchorage and shall remain there until an Immigration Officer gives him permission to leave.

(2) No vessel or flying boat carrying passengers, other than a vessel which plies solely between ports in Brunei Darussalam, shall proceed to any place in Brunei Darussalam other than a place within which an Immigration Anchorage has been declared under subsection (1).

(3) The master of every vessel or flying boat which arrives in or is about to leave Brunei Darussalam shall, if so ordered by an Immigration Officer, anchor or tie up his vessel or flying boat at such place as may be ordered, and shall remain there until an Immigration Officer gives him permission to leave.

(4) The master of any vessel or flying boat who, without reasonable cause, contravenes or fails to comply with any provisions of this section or any order made or direction given thereunder is guilty of an offence.

Aircraft arriving in or departing from Brunei Darussalam.

18. (1) The captain of every aircraft which arrives in or leaves Brunei Darussalam shall land his aircraft at, or fly his aircraft away from, an authorised airport.

(2) The captain of any aircraft who, without reasonable cause, contravenes or fails to comply with the provisions of subsection (1) is guilty of an offence.

(3) In this section, “land” includes alight on water.

Persons not to board or leave vessel or flying boat until examination completed.

19. (1) Save under and in accordance with any authority granted by a Senior Immigration Officer, no person other than —

(a) the pilot of the vessel;

(b) any Government officer boarding the vessel or flying boat on duty;

(c) the owner, charterer or agent of the vessel or flying boat; or

(d) a Consular representative to Brunei Darussalam of the country or state to which the vessel or flying boat belongs, or if the vessel or flying boat belongs to a country within the Commonwealth, an accredited representative in Brunei Darussalam of the government of such country,

shall leave or board a vessel or flying boat arriving in Brunei Darussalam, nor may any person (other than the crew of a vessel carrying any such person) approach within 30 feet of the vessel or flying boat, until the vessel or flying boat has been examined by a Senior Immigration Officer and, in the case of a vessel, the immigration signal has been hauled down.

(2) Any person who contravenes any of the provisions of subsection (1) is guilty of an offence, and every such person leaving a vessel or flying boat in contravention of subsection (1) shall if so required by an Immigration Officer return forthwith to such vessel or flying boat and remain thereon and the master of the vessel or flying boat shall be bound to re-embark such person or board a vessel departing from Brunei Darussalam after it has been examined by an Immigration Officer just before its departure.

Prohibition on disembarking from vessels or flying boats without permission of Immigration Officer.

20. (1) It shall be the duty of the master, owner, charterer or agent of every vessel or flying boat which arrives in Brunei Darussalam to prevent any person on board other than a person specified in section 19(1)(a), (b), (c) or (d) from disembarking from such vessel or flying boat until such disembarkation has been authorised by a Senior Immigration Officer, and for such purpose any means reasonably necessary may be used.

(2) When any person disembarks from any vessel or flying boat before such disembarkation has been authorised by a Senior Immigration Officer, such person, the master, owner, charterer or agent of such vessel or flying boat shall each be guilty of an offence and liable on conviction to a fine of \$4,000 and imprisonment for one year and —

(a) it shall be no defence to a prosecution under this section that the master, owner, charterer or agent did not permit or do anything to facilitate the disembarkation of any such person; and

(b) it shall be a good defence to a prosecution under this section that the master, owner, charterer or agent took every reasonable precaution to prevent the disembarkation of any such person.

(3) The master of the vessel or flying boat from which any person has disembarked before such disembarkation has been authorised by a Senior Immigration Officer shall be bound to re-embark such person and any master refusing to re-embark such person is guilty of an offence and liable on conviction to a fine of \$4,000 and imprisonment for one year.

Prohibition of removal of articles before examination.

21. (1) Except with the authority of a Senior Immigration Officer, no article or thing shall be removed or taken from, or put on board, any vessel or flying boat until such vessel or flying boat has been examined by a Senior Immigration Officer under section 19(1).

(2) Any person who contravenes the provisions of subsection (1) is guilty of an offence.

Production of certain lists and persons by masters of vessels.

22. (1) The master of every vessel arriving in or leaving Brunei Darussalam shall, whenever required to do so by a Senior Immigration Officer —

(a) exhibit to the officer a complete list of the members of the crew in such form, and containing such particulars, as may be prescribed;

(b) produce to the officer for inspection and interrogation all the members of the crew;

(c) furnish to the officer, in triplicate, identification cards of each member of the crew in such form as may be prescribed;

(d) submit to such search of his vessel as may be necessary to establish the presence or absence of other persons on board;

(e) produce his ship's papers; and

(f) report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on his removal from any other state or country by the competent authorities of the state or country.

(2) In the case of vessels carrying passengers, the master shall, in addition, produce —

(a) a complete list of all the passengers in such form, and containing such particulars, as may be prescribed;

(b) in relation to every passenger disembarking in or embarking from Brunei Darussalam, such particulars in such form as may be prescribed; and

(c) all passengers for inspection and interrogation.

(3) The master of any vessel who contravenes or fails to comply with any of the provisions of subsection (1) or (2), and any person who hinders or obstructs any search of a vessel under subsection (1)(d) is guilty of an offence.

(4) If any person is found on board a vessel whose presence should have, but has not, been reported in accordance with subsection (1)(f), the master of such vessel is guilty of an offence and liable on conviction to a fine of \$1,000 in respect of each such person.

(5) In any proceedings under this section, the certificate in writing of a Senior Immigration Officer who boards or examines any particular vessel to the effect that the vessel carried, on arrival in Brunei Darussalam, a total number of seamen corresponding in description to the particulars on the identification cards furnished under subsection (1)(c) shall be conclusive proof that such vessel did on arrival carry such number of seamen.

Production of lists and persons by captain of aircraft.

23. (1) The captain of every aircraft arriving in or leaving Brunei Darussalam, shall whenever required to do so by a Senior Immigration Officer —

(a) produce a passenger list as prescribed under the provisions of section 22(2)(a) or in accordance with the provisions of Annex 9 to the Convention on International Civil Aviation;

(b) produce in relation to every passenger landing in or are departing from Brunei Darussalam, such particulars in such form as may be prescribed;

(c) produce a complete list of the members of the crew of his aircraft as prescribed under the provisions of section 22(1)(a) or in accordance with the provisions of Annex 9 to the Convention on International Civil Aviation;

(d) produce the members of the crew and passengers of such aircraft for inspection and interrogation as directed either generally or specifically by a Senior Immigration Officer;

(e) submit to such search of his aircraft as may be necessary to establish the presence or absence of such other persons as have not been produced under this subsection; and

(f) report the presence on board of any stowaway or any unauthorised person or any person proceeding to any state or country on his removal from any other state or country by the competent authorities of the state or country.

(2) The captain of any aircraft who contravenes or fails to comply with any of the provisions of subsection (1), and any person who hinders or obstructs any search of an aircraft under subsection (1)(e), is guilty of an offence.

(3) If any person is found on board an aircraft whose presence should have, but has not, been reported in accordance with subsection (1)(f), the captain of the aircraft is guilty of an offence and liable on conviction to a fine of \$1,000 in respect of each such person.

(4) In any proceedings under this section, the certificate in writing of a Senior Immigration Officer who boarded or examined any particular aircraft to the effect that the aircraft carried, on arrival in Brunei Darussalam, a total number of crew corresponding in description to the particulars on the list produced under subsection (1)(c), shall be conclusive proof that the aircraft did on arrival carry such number of crew.

Examination of persons arriving by sea.

24. (1) Every person arriving by sea intending to disembark in Brunei Darussalam shall appear before a Senior Immigration Officer at such time and place as the officer may direct, and the officer, after such examination as he may consider necessary, shall inform any person whom he considers to be prohibited from entering Brunei Darussalam under the provisions of this Act or of any regulations made thereunder of his finding, and such person, if still aboard the vessel, shall not disembark in Brunei Darussalam or, if disembarked for the purposes of the examination, shall return forthwith to the vessel and remain thereon; and the master of the vessel shall likewise forthwith be informed in writing by the Senior Immigration Officer of his finding and the master shall not permit such person to disembark in Brunei Darussalam, or, if such person has disembarked, whether for the purpose of examination or otherwise, shall be bound to re-embark him.

(2) Any person who —

(a) refuses or neglects to appear before a Senior Immigration Officer as required by subsection (1) or who leaves the place of examination without or otherwise than in accordance with the authorisation of the officer;

(b) after having been informed by a Senior Immigration Officer that he is prohibited from entering Brunei Darussalam, either disembarks in Brunei Darussalam or refuses or neglects to return forthwith to his vessel, as the case may be; or

(c) being the master of a vessel, permits any person to disembark in Brunei Darussalam, or refuses to re-embark any person, after being informed by a Senior Immigration Officer that such person is prohibited from entering Brunei Darussalam or that such person has refused or neglected to appear before a Senior Immigration Officer as required by subsection (1) or that he has left the place of examination without or otherwise than in accordance with the authorisation of the officer,

is guilty of an offence.

(3) When any person either disembarks in Brunei Darussalam or refuses or neglects to return to his vessel, in contravention of the provisions of this section, an Immigration Officer may require such person to return to his vessel and may take such action, including the use of force, as may be reasonably necessary to compel such return, and the master of such vessel shall be bound to re-embark such person and to remove him from Brunei Darussalam.

(4) The master of a vessel may use such force as may be reasonably necessary to enable him to comply with the provisions of subsections (1) and (3).

Examination of persons arriving at authorised airport.

25. (1) Every person arriving by air at any authorised airport in Brunei Darussalam and intending to leave the precincts of such airport shall appear before a Senior Immigration Officer at such time and place as the officer may direct, and the officer, after such examination as he may consider necessary, shall inform any person whom he considers to be prohibited from entering Brunei Darussalam under the provisions of this Act or of any regulations made thereunder of his finding, and such person shall not leave the precincts of such airport except for a place approved by the officer, and shall leave and depart from Brunei Darussalam for a place outside Brunei Darussalam by the first available means in accordance with the instructions of the officer. The captain of the aircraft in which such person arrived shall, if so required by the officer, remove such person from Brunei Darussalam by the same aircraft.

(2) Any person who —

(a) refuses or neglects to appear before a Senior Immigration Officer as required by subsection (1) or who leaves the place of examination without or otherwise than in accordance with the authorisation of the officer;

(b) after having been informed by a Senior Immigration Officer that he is prohibited from entering Brunei Darussalam, leaves the precincts of an airport without the permission of the officer, or refuses or neglects to proceed to or remain at a place approved by the officer;

(c) refuses or fails to leave Brunei Darussalam in accordance with the instructions of a Senior Immigration Officer given under subsection (1); or

(d) being the captain of the aircraft in which any person arrived in Brunei Darussalam, refuses or neglects to remove such person from Brunei Darussalam after being informed by a Senior Immigration Officer that such person is prohibited from entering Brunei Darussalam or that such person has refused or neglected to appear before a Senior Immigration Officer as required by subsection (1) or that he has left the place of examination without or otherwise than in accordance with the authorisation of the officer,

is guilty of an offence.

(3) When any person leaves the precincts of an airport in contravention of the provisions of this section or refuses to leave and depart from Brunei Darussalam in accordance with the instructions of the Senior Immigration Officer given under the provisions of subsection (1), the Senior Immigration Officer may take such action, including the use of force, as may be reasonably necessary to compel such person to return to the precincts of the airport or to comply with such instructions, as the case may be.

Examination of persons entering Brunei Darussalam by land or at place other than authorised airport.

26. (1) Every person who from a place outside Brunei Darussalam enters Brunei Darussalam by land shall enter at an authorised point of entry and shall proceed therefrom by an approved route, prescribed under section 5, to the nearest immigration control post and shall appear before the Senior Immigration Officer in charge of the post and shall if so required by the Senior Immigration Officer, furnish particulars about himself in such form as may be prescribed.

(2) Every person who from a place outside Brunei Darussalam arrives by sea or air in Brunei Darussalam at any place other than an authorised landing place or airport shall forthwith proceed to and appear before the nearest Senior Immigration Officer.

(3) The Senior Immigration Officer before whom any person appears in accordance with the provisions of this section shall, if he considers that such person is prohibited from entering Brunei Darussalam under the provisions of this Act or of any regulations made thereunder,

inform such person of his finding and such person shall in accordance with the instructions of the officer forthwith leave and depart from Brunei Darussalam for a place outside Brunei Darussalam.

(4) Any person who contravenes or fails to comply with any of the provisions of this section is guilty of an offence.

Power to send person to immigration depot.

27. (1) When a Senior Immigration Officer is in doubt as to the right of any person to enter Brunei Darussalam, it shall be lawful for the officer to direct such person to an immigration depot and, in such case, such person shall proceed forthwith to the depot and shall remain there until permitted to leave by the officer:

Provided that such person shall not, except on the written order of the Controller, be so detained for any period exceeding 7 days:

And provided further that the Controller may, in his discretion, and pending the completion of enquiries regarding such person, release such person from the immigration depot on such terms and conditions as the Controller may deem fit, and for such purpose the Controller may issue to such person a pass in the prescribed form.

(2) Any person who refuses or neglects to comply with directions given by a Senior Immigration Officer under subsection (1) or who leaves an immigration depot in contravention of the provisions of that subsection, is guilty of an offence.

Interrogation of travellers.

28. (1) Any person who arrives in Brunei Darussalam from any place outside Brunei Darussalam or who is about to leave Brunei Darussalam by sea, land or air for any place outside Brunei Darussalam, shall fully and truthfully answer all questions and enquiries put to him by a Senior Immigration Officer tending directly or indirectly to establish his identity, nationality or occupation or bearing on any of the restrictions contained in this Act or in any regulations made thereunder or any absolute or conditional liability on his part to any military, naval or air force service under any state or country whatsoever, and shall disclose and produce to any such officer on demand all documents in his possession relating to those matters.

(2) Notwithstanding the provisions of section 117 of the Criminal Procedure Code (Chapter 7) or of any law relating to evidence, all the answers and documents, and any statement made by any such person to a Senior Immigration Officer, whether the officer is a police officer or not, shall be admissible in evidence in any proceedings under this Act against the person making, disclosing or producing the same:

Provided that nothing in this section shall be construed as rendering any such answer inadmissible in any other proceedings in which they would otherwise be admissible.

(3) Any such person who —

(a) refuses to answer any question or enquiry put to him under subsection (1);

(b) knowingly gives any false or misleading answer to any such question or enquiry or knowingly makes a false or misleading statement to a Senior Immigration Officer;

(c) refuses or fails to produce any document in his possession when required to do so under subsection (1); or

(d) knowingly produces any false or misleading document,

is guilty of an offence.

Medical examination.

29. For the purpose of exercising his powers and carrying out his functions and duties under this Act or any regulations made thereunder, a Senior Immigration Officer may require any person who desires to enter Brunei Darussalam to submit to examination by a Government medical officer.

Immigration Officer may give instructions to prevent evasion of examination.

30. (1) An Immigration Officer may give such instructions as may be reasonably necessary to ensure that no passenger or member of a crew evades examination either of his person or effects.

(2) Any person who without reasonable cause refuses or fails to comply with any instruction given under subsection (1) is guilty of an offence.

PART V

REMOVAL FROM BRUNEI DARUSSALAM

Removal of prohibited immigrants from Brunei Darussalam.

31. If during the examination of any person arriving in Brunei Darussalam or after such enquiry as may be necessary, such person is found to be a prohibited immigrant the Controller shall, subject to the provisions of any regulations made under this Act, prohibit such person from disembarking or may, in his discretion, detain him at an immigration depot or other place designated by the Controller until an opportunity arises to return him to his place of embarkation or to the country of his birth or citizenship.

Removal of illegal immigrants.

32. (1) Any person who is convicted of an offence under section 5, 6, 8 or 9 shall be liable to be removed from the State by order of the Controller:

Provided that no person entitled to enter Brunei Darussalam under the provisions of section 7(1) convicted of an offence under section 5 shall be ordered to be removed from Brunei Darussalam under the provisions of this subsection.

(2) Nothing in this section shall be deemed to prevent the removal of any person to any place outside Brunei Darussalam under any law in force relating to fugitive offenders.

Removal of persons unlawfully remaining in Brunei Darussalam.

33. (1) When the presence of any person in Brunei Darussalam is unlawful by reason of the provisions of section 15, such person shall, whether or not any proceedings are taken against him in respect of any offence against this Act under that section, be liable to be removed from Brunei Darussalam by order of the Controller.

(2) Any person in respect of whom an order of removal has been made under the provisions of subsection (1) on the ground that his presence in Brunei Darussalam is unlawful by reason of the cancellation of an Entry Permit, Re-entry Permit or pass may, on payment of the prescribed fee, appeal to the Minister whose decision shall be final, in such manner and within such time as may be prescribed.

[S 34/2007]

Detention of persons ordered to be removed.

34. (1) When any person is ordered to be removed from Brunei Darussalam under the provisions of this Act, it shall be lawful for the Controller to order such person to be detained in custody for such period as may be necessary for the purpose of making arrangements for his removal:

Provided that any person detained under this subsection who appeals under the provisions of section 33(2) against the order of removal may, in the discretion of the Controller, be released pending the determination of his appeal, on such conditions as to furnishing security or otherwise as the Controller may deem fit.

(2) Subject to the determination of any appeal under section 33, any person who is ordered to be removed from Brunei Darussalam may be placed on board a suitable vessel or aircraft by any police officer or Immigration Officer and may be lawfully detained on board such vessel or aircraft so long as the vessel or aircraft is within the limits of Brunei Darussalam.

(3) Any person who is detained in custody in pursuance of an order made by the Controller under subsection (1) may be so detained either in any prison, police station or immigration depot, or in any other place appointed for the purpose by the Controller.

Power to arrest person liable to removal.

35. Any person reasonably believed to be a person liable to removal from Brunei Darussalam under any of the provisions of this Act may be arrested without warrant by any Immigration Officer or police officer generally or specially authorised by the Controller in that behalf or by a police officer not below the rank of Inspector, and may be detained in any prison, police station or immigration depot for a period not exceeding 14 days pending a decision as to whether an order for his removal should be made.

Unlawful return after removal.

36. Any person who, having been removed or otherwise lawfully sent out of Brunei Darussalam under the provisions of this Act and any person, other than a person entitled to enter Brunei Darussalam under the provisions of section 7(1), having been removed or otherwise lawfully sent out of any territory within the Commonwealth, enters or resides in Brunei Darussalam without the written authority of the Controller under this section is guilty of an offence and liable on conviction to a fine of \$6,000 and imprisonment for not less than one year and not more than 3 years, and shall, in addition to any penalty for such offence, be liable to be removed or again removed, as the case may be, from Brunei Darussalam.

PART VI

GENERAL

Performance of duties of Immigration Officers.

37. (1) Immigration Officers appointed under this Act shall perform the duties imposed on them by this Act or any regulations made thereunder, and shall also perform such duties as are required of them by the Controller, either directly or through any other officer; and no action taken by any such officer under or for any purpose of this Act shall be deemed to be invalid or unauthorised by reason only that it was not taken by the officer specially appointed or detailed for the purpose.

(2) Every Immigration Officer shall be deemed to be a public servant within the meaning of the Penal Code (Chapter 22).

Authority of Immigration Officer to arrest.

38. (1) Every Immigration Officer appointed under this Act shall have the authority and powers of a police officer to enforce any of the provisions of this Act relating to arrest, detention or removal.

(2) Every Immigration Officer shall have the authority to appear in court and conduct any prosecution in respect of any offence against this Act or any regulations made thereunder.

(3) In any case relating to the commission of any offence against this Act, any immigration officer shall have the same power of investigation of a police officer under Chapter XIII of the Criminal Procedure Code (Chapter 7) in respect of a seizable offence.

Power to summon witnesses etc.

39. (1) The Controller may, for the purpose of any inquiry or appeal under this Act, summon and examine witnesses on oath or affirmation, and may require the production of documents relevant to the inquiry or appeal.

(2) Any person summoned as a witness under the provisions of subsection (1) who —

(a) without reasonable excuse fails to attend at the time and place mentioned in the summons; or

(b) having attended, refuses to answer any question that may lawfully be put to him or to produce any document which it is in his power to produce,

is guilty of an offence.

Duty of police officers to execute orders.

40. All police officers shall, when so directed by a Senior Immigration Officer, receive and execute according to the tenor thereof any written order of the Controller, and any warrant of the Controller for the arrest, detention or removal of any person under the provisions of this Act.

Departure of vessel or aircraft for Brunei Darussalam to be reported.

41. (1) On the departure of any vessel or aircraft from any place outside Brunei Darussalam on a voyage or flight to any place in Brunei Darussalam, the owner, charterer, agent or consignee within Brunei Darussalam of such vessel or aircraft shall forthwith inform a Senior Immigration Officer of —

(a) the place and approximate date and time of arrival in Brunei Darussalam of such vessel or aircraft; and

(b) the approximate number of passengers in such vessel or aircraft.

(2) Any such owner, charterer, agent or consignee who without reasonable cause fails to comply with the provisions of subsection (1) is guilty of an offence.

Restriction of discharge of member of crew.

42. (1) When any seaman is about to be or is discharged or paid off in Brunei Darussalam, the master, owner, charterer or agent shall as soon as practicable notify the Controller; and any such master, owner, charterer or agent who without reasonable cause fails to comply with the provisions of this subsection is guilty of an offence.

(2) No member of a crew who has been discharged or paid off shall be left in Brunei Darussalam unless either —

(a) he is a citizen of Brunei Darussalam; or

(b) he is in possession of a valid Entry Permit or Re-entry Permit or of a valid pass.

(3) In any instance of contravention of the provisions of subsection (2), the master, owner, charterer, agent or consignee of the vessel or aircraft in which the person concerned was employed shall be liable for the maintenance of such person and for the cost of his repatriation to his place of birth or citizenship or, if the master, owner, charterer, agent or consignee so elects, to such other place as may be approved by the Controller.

Signing on or bring as one of crew any person with intent to land contrary to Act.

43. Any transportation company and any person, including the master and the owner of a vessel or aircraft arriving in Brunei Darussalam, who has knowingly signed on the ship's articles or brought to Brunei Darussalam as a member of the crew of such vessel or aircraft any person with intent to permit such person to enter Brunei Darussalam contrary to the provisions of this Act or of any regulations made thereunder, or who represents to an Immigration Officer that any such person is a *bona fide* member of the crew of such vessel or aircraft, is guilty of an offence and liable on conviction to a fine not exceeding \$4,000 and not less than \$200 in respect of each such person.

Security to prevent unlawful landing.

44. (1) A Senior Immigration Officer may —

(a) demand security, whether by deposit or otherwise, from the master, owner, charterer, agent or consignee of any vessel or aircraft from which he has reasonable grounds to believe that any person is about to disembark in or enter Brunei Darussalam in contravention of the provisions of this Act or of any regulations made thereunder; and

(b) refuse to release the vessel or aircraft from examination until the security is furnished.

(2) The Controller may, if satisfied that any person has disembarked in or entered Brunei Darussalam from any vessel or aircraft, in respect of which security has been furnished under subsection (1), in contravention of any provisions of this Act or of any regulations made thereunder, direct the forfeiture of such security or any part thereof:

Provided that the Controller shall not direct the forfeiture of any security under this subsection if he is satisfied that the master, owner, charterer, agent or consignee took every reasonable precaution to prevent any person from so disembarking in or entering Brunei Darussalam.

(3) When a Senior Immigration Officer *in lieu* of requiring a deposit under the provisions of subsection (1) requires security by a bond with or without sureties, such bond shall be in the prescribed form.

Reports as to persons failing to continue their journey.

45. (1) When any through passenger in or member of the crew of any vessel or aircraft fails to continue his journey in such vessel or aircraft in circumstances from which it may reasonably be inferred that the passenger or member of the crew has remained in Brunei Darussalam, the master of the vessel or aircraft, as the case may be, shall, as soon as practicable, notify a Senior Immigration Officer or a police officer of or above the rank of Corporal of the failure of such passenger or member of the crew to continue his journey.

(2) Any master who fails to comply with the provisions of subsection (1) is guilty of an offence.

Repatriation.

46. (1) Any person residing in Brunei Darussalam who —

(a) is not a citizen of Brunei Darussalam;

(b) is by reason of destitution, infirmity or mental incapacity, unable to obtain employment or to support himself and his family, if any;

(c) is unable to pay the cost of his passage and of the passages of the members of his family, if any, to the country of his birth or citizenship; and

(d) is or is likely to become a charge upon the public or a charitable institution,

may apply to the Controller for the repatriation of himself and his family, if any, at the cost of the Government.

(2) Upon such application, if the Controller is satisfied, after such enquiry as he deems necessary, that such person has or is about to become a charge on the public or on a charitable institution and is unable to pay the cost of the repatriation of himself and his family, if any, and that no government, organisation, company or person is liable or willing to pay such cost of repatriation, the Controller may authorise the payment of such cost subject to the condition specified in subsection (3).

(3) Any person repatriated at the cost of the Government shall enter into an undertaking in such form as may be prescribed, that he will not return to Brunei Darussalam without the consent in writing of the Controller. The consent shall be conditional upon such person refunding to the Controller all costs and charges incurred in the repatriation of such person and his family, if any, and shall be subject to such other conditions as the Controller may deem expedient.

(4) Any person who has been repatriated at the cost of the Government under this section who enters or attempts to enter Brunei Darussalam without the consent of the Controller under subsection (3), or who having entered Brunei Darussalam with such authority, fails or neglects to comply with any condition upon which the consent was given, is guilty of an offence.

Masters and others liable for expenses.

47. If any person —

(a) enters Brunei Darussalam from any vessel or aircraft contrary to the provisions of this Act or of any regulations made thereunder;

(b) disembarks from any vessel or aircraft on which he has been re-embarked or to which he has been returned under the provisions of section 19, 20, 24 or 25,

the master, owner, charterer and agent thereof shall be jointly and severally liable for all expenses incurred by the Government in respect of the detention and maintenance of such person and his removal from Brunei Darussalam and such expenses shall be recoverable as a debt due to Government from the master, owner, charterer and agent of such vessel or aircraft jointly and severally.

Obligation to afford free passage.

48. (1) When an order of removal is made under the provisions of this Act in respect of any person who has entered Brunei Darussalam contrary to the provisions of this Act or of any regulations made thereunder, and such person was brought to Brunei Darussalam in a vessel or aircraft, the master of the vessel or aircraft, and also the master of any vessel or aircraft belonging to the same owners or chartered by the same charterers, shall, if required in writing by the Controller, receive such person on board his vessel or aircraft and afford him free of charge a passage to the port or place at which such person embarked and proper accommodation and maintenance during the voyage or flight:

Provided that no such master shall be liable as aforesaid unless the order of removal has been made by the Controller within 3 months from the date upon which such person entered Brunei Darussalam.

(2) The master of any vessel or aircraft who fails to comply with the provisions of this section is guilty of an offence.

Power to detain vessel or aircraft.

49. (1) The Controller may, by writing under his hand, authorise any Port Officer to detain any vessel or aircraft in connection with which an offence against this Act is reasonably believed to have been or about to be

committed, and the vessel or aircraft may then be detained either at the place where it is found or at any place to which the Controller may order it to be brought. The Controller shall give notice to the master, owner, charterer or agent of the vessel or aircraft of the detention thereof.

(2) For the purposes of the detention and other lawful dealing with the vessel or aircraft, the Port Officer shall have power to muster the crew and may, if he considers it necessary so to do, place a police guard on board.

(3) The detention shall be for safe custody only and shall cease if a bond with two sufficient sureties to the satisfaction of the Controller be given by the master, owner, charterer or agent of the vessel or aircraft for the payment of any fine, costs and charges incurred under this Act in respect of any offence or default thereunder.

(4) If default is made in the payment of any such fine, costs or charges, the Port Officer or the Director of Civil Aviation or any person authorised by him in that behalf may seize the vessel or aircraft and such vessel or aircraft shall be declared forfeited to the Government by order of a court of competent jurisdiction upon the application of the Attorney General. Any vessel or aircraft so forfeited shall be sold.

(5) The proceeds of sale of a vessel or aircraft under this section shall be applied first in payment of any fine, costs or charges incurred under this Act and of any costs incurred in and about the sale and the proceedings leading thereto and the balance shall be paid to the owners of or other persons lawfully entitled to the vessel or aircraft before sale.

(6) For the purpose of this section, vessel shall be deemed to include any motor vehicle.

Powers of arrest and search.

50. (1) Any Senior Immigration Officer or any police officer of or above the rank of Inspector, or any police officer or officer of customs generally or specially authorised by the Controller in that behalf may without a warrant and with or without assistance —

(a) enter and search any premises; and

(b) stop and search any vessel, vehicle or person, or search any aircraft, whether in a public place or not,

if he has reason to believe that any evidence of the commission of an offence against this Act or any regulations made thereunder is likely to be found on the premises or person or in the vessel, vehicle or aircraft, and may seize any evidence so found.

(2) No woman shall be searched under this section except by a woman.

(3) Any police officer, Immigration Officer or officer of customs may arrest without warrant any person who he reasonably believes has committed an offence against this Act or any regulations made thereunder.

(4) When any person is arrested by an Immigration Officer or officer of customs, the officer shall comply with the provisions of section 33 of the Criminal Procedure Code (Chapter 7) as if he were a police officer.

Registration of particulars for purposes of identification.

51. (1) Every person in respect of whom an order of removal from Brunei Darussalam has been made under the provisions of this Act shall be legally bound to submit to the taking of his photograph and finger impressions in the manner provided by the Criminals Registration Act (Chapter 202), and an Immigration Officer shall endorse particulars of the order upon the sheet upon which such finger impressions have been made, authenticating such endorsement with his signature, and the provisions of that Act relating to the registration, recording and admissibility in evidence thereof shall apply to every such photograph, finger impression and particulars so taken.

(2) Any person who being legally bound under subsection (1) to submit to the taking of his photograph or finger impressions, refuses or fails to submit thereto on demand by an Immigration Officer is guilty of an offence and liable on conviction to a fine of \$250 and imprisonment for one month.

Counterfoils and counterparts to be *prima facie* evidence.

52. In any proceedings under this Act or at the hearing of any charge for an offence against this Act, any counterfoil or counterpart of any permit, pass or other document issued under this Act or any regulations made thereunder and purporting to be signed by the Controller or by a Deputy Controller, Assistant Controller or Senior Immigration Officer, as the case may be, may be produced in evidence without further proof and shall as against the person

relying upon such permit, pass or other document be *prima facie* evidence of the facts therein stated and shall unless the contrary be proved be presumed to be a true and complete statement of the facts in the permit, pass or other document to which it relates.

Regulations.

53. The Minister may, with the approval of His Majesty the Sultan and Yang Di-Pertuan,* make regulations not inconsistent with the provisions of this Act for all or any of the following purposes —

- (a) prescribing anything which is to be or may be prescribed under the provisions of this Act;
- (b) prescribing the forms to be used for the purposes of this Act;
- (c) prescribing —
 - (i) the period for which permits shall be valid;
 - (ii) the terms and conditions subject to which any person may be granted a permit and the person who may issue permits; and
 - (iii) the terms and conditions subject to which any person may be granted a pass entitling him to enter and remain temporarily within Brunei Darussalam, the period for which any such pass may be granted, the classes of such passes and the person who may issue such passes;
- (d) providing for the payment and recovery of any expenses incurred by the Government in connection with the detention, maintenance, medical treatment and removal from Brunei Darussalam of any person under the provisions of this Act;
- (e) prescribing the place where, the person to whom and the manner in which application to enter Brunei Darussalam shall be made;

* Transferred from His Majesty the Sultan and Yang Di-Pertuan in Council to the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan, with effect from 1st November 1989 — [S 54/1989]

(f) prescribing the procedure to be followed by persons entering Brunei Darussalam;

(g) prescribing the procedure to be followed by authorities in the exercise of their functions under this Act;

(h) governing the procedure to be followed and the fees and costs to be paid on any appeal;

(i) prescribing the deposit or security, if any, to be made or given by or in respect of any person granted an Entry Permit, Re-entry Permit or pass and the conditions subject to which such deposit or security may be forfeited;

(j) prescribing the fees, if any, to be charged upon the issue of any Entry Permit, Re-entry Permit or pass;

(k) prescribing the penalties a fine of \$2,000 and not exceeding imprisonment for 6 months for the breach of any such regulations;

(l) prescribing the precincts of authorised airports; and

(m) generally for the better carrying into effect of the purposes and provisions of this Act.

Power to exempt from provisions of Act.

54. (1) Notwithstanding anything contained in this Act, the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan,* may by order exempt, absolutely or conditionally, any person or class of persons from all or any of the provisions of this Act.

(2) Every order made under this section which relates to a class of persons shall be published in the *Gazette*.

Offences.

55. (1) Any person who —

(a) attempts unlawfully to enter Brunei Darussalam;

* Transferred from His Majesty the Sultan and Yang Di-Pertuan in Council to the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan, with effect from 1st November 1989 — [S 54/1989]

(b) abets any person to enter or leave Brunei Darussalam in contravention of the provisions of this Act or of any regulations made thereunder;

(c) engages in the business or trade of conveying to Brunei Darussalam in or on any vessel, aircraft or vehicle any person whom he knows or has reasonable grounds for believing is a prohibited immigrants;

(d) harbours any person who has acted in contravention of the provisions of this Act or of any regulations made thereunder;

(e) employs any person who has acted in contravention of the provisions of section 6, 15 or 36 or of any regulations made under this Act;

(f) makes or causes to be made any false report, false statement or false representation in connection with any obligation imposed by the provision of this Act or of any regulations made thereunder;

(g) resists or obstructs, actively or passively, any Immigration Officer in the execution of his duty;

(h) without lawful excuse hinders or obstructs any removal under the provisions of this Act;

(i) gives, sells or parts with possession of any Entry Permit, Re-entry Permit, pass or certificate in order that it may be used in contravention of the provisions of paragraph (j);

(j) uses any Entry Permit, Re-entry Permit, pass or certificate issued to any other person as if it had been lawfully issued to himself;

(k) by making a false statement obtains or attempts to obtain an Entry Permit, Re-entry Permit, pass or certificate for himself or for any other person; or

(l) uses or without lawful authority has in his possession any forged, unlawfully altered or irregular Entry Permit, Re-entry Permit, pass or certificate or other document issued under this Act or any regulations made thereunder, or any permit, pass or certificate or other document so issued on which any endorsement has been forged or unlawfully altered,

is guilty of an offence: Penalty —

- (i) in the case of an offence against paragraph (a), a fine not exceeding \$4,000 and imprisonment for a term of not less than 3 months and not more than 2 years and cumulatively;
- (ii) in the case of an offence against paragraph (b) or (c), imprisonment for a term of not less than 2 years and not more than 7 years and whipping with not less than three strokes cumulatively:

Provided that no sentence of whipping shall be imposed on any person charged in court before 12th June 2004.

- (iii) in the case of an offence against paragraph (d) or (e), in respect of each person harboured or employed, a fine of not less than \$3,000 but not exceeding \$6,000, imprisonment for a term not exceeding 2 years or both, and in the case of a second or subsequent offence, a fine of not less than \$6,000 but not exceeding \$12,000, imprisonment for a term not exceeding 4 years or both;
- (iv) in the case of an offence against paragraph (f), (g), (h), (i), (j), (k) or (l), a fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both.

(2) Where a body corporate is guilty of an offence against this Act and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any act or default on the part of, a director, manager, secretary or other similar officer of that body corporate, or of a person purporting to act in any such capacity, he, as well as the body corporate, is also guilty of that offence and liable to be proceeded against and punished accordingly.

(3) Where a body corporate is guilty of an offence against this Act for which a period of mandatory imprisonment is prescribed, the body corporate shall, *in lieu* of imprisonment, be liable on conviction to a fine of not less than \$30,000 and not more than \$100,000.

(3A) Where a person is guilty of an offence against this Act for which a mandatory sentence of whipping is prescribed and by virtue of section 258 of the Criminal Procedure Code (Chapter 7) he shall not be punishable with whipping, that person shall, *in lieu* of whipping, be liable on conviction to a fine of not exceeding \$6,000.

(4) Where in any proceedings under this Act or any regulations made thereunder, it is proved that the defendant has failed to produce on demand by an Immigration Officer or a police officer —

(a) any valid permit, pass or certificate issued to him under this Act or any regulations made thereunder;

(b) any other document accepted by the Controller as evidence that the defendant has entered or remained in Brunei Darussalam lawfully; or

(c) any other evidence showing to the satisfaction of the Controller that the defendant is exempted from section 6(1),

it shall be presumed, until the contrary is proved, that he has, as the case may be, entered or re-entered or remained in Brunei Darussalam unlawfully.

(5) Where in any proceedings for an offence under subsection (1)(c), it is proved that the defendant has conveyed any prohibited immigrant in any vehicle, vessel or aircraft, it shall be presumed, until the contrary is proved, that he is engaged in the business or trade of conveying to Brunei Darussalam in or on that vehicle, vessel or aircraft that prohibited immigrant knowing him to be, or having reasonable grounds for believing him to be, a prohibited immigrant.

(6) Where in any proceedings for an offence under subsection (1)(d), it is proved that the defendant has given shelter to any person who has remained in Brunei Darussalam unlawfully for a period exceeding 90 days after the expiration of any pass issued to him or who has entered Brunei Darussalam in contravention of section 5(1) or 6(1), it shall be presumed, until the contrary is proved, that the defendant has harboured him knowing him to be a person who has acted in contravention of the provision of this Act or of any regulations made thereunder.

(7) Where an immigration offender is found at any premises or place, other than premises used solely for residential purposes, the occupier of the premises or place shall be presumed, until the contrary is proved to have employed him knowing that he is an immigration offender.

(8) In any proceedings for an offence under subsection (1)(d) or (e), it shall not be a defence for the defendant to prove that the person harboured or employed by him was in possession of a permit or pass issued to the person under this Act or any regulations made thereunder unless the defendant further proves that he had exercised due diligence to ascertain that the permit or pass was at the material time valid under this Act or any regulations made thereunder.

(9) For the purposes of subsection (8), a defendant shall not be deemed to have exercised due diligence unless he had personally checked the passport or other travel document of the person whom he had harboured or employed and had reasonable ground to believe that —

(a) the person harboured or employed by him had, at the material time, in force a permit or pass issued under this Act or any regulations made thereunder; and

(b) where such person is the holder of a Visit Pass, that person had, at the material time, obtained the written consent of the Director to work in Brunei Darussalam.

(10) In this section and section 55B, “immigration offender” means a person who acted in contravention of the provisions of section 6, 15 or 36 or of any regulations made under this Act.

Offences by owners and tenants etc.

55A. (1) No person being the owner, tenant or occupier of any premises or place referred to in section 55(7) shall knowingly permit or suffer such premises or place, or any part thereof, to be kept or used as a place or premises in which any person is employed in contravention of section 55(1)(e).

(2) Any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding \$6,000 and imprisonment for a term of not less than 6 months and not more than 2 years cumulatively.

Prohibition of immigration offender entering or remaining at work place.

55B. (1) No occupier of a work place who has control of access to the work place shall permit any immigration offender to enter or remain at the work place.

(2) Where an immigration offender is found at a work place, it shall be presumed, until the contrary is proved, that the occupier of the work place —

(a) had control of access to the work place;

(b) had permitted the immigration offender to enter or remain at the work place; and

(c) had knowledge that he is an immigration offender.

(3) The presumptions provided for in subsection (2)(b) and (c) shall not be rebutted unless the defendant proves that he had exercised due diligence to prevent the immigration offender from entering or remaining at the work place.

(4) For the purposes of subsection (3), a defendant shall not be presumed to have exercised due diligence unless he had taken all reasonable measures to prevent any immigration offender from entering or remaining at the work place, including all the measures prescribed under subsection (5) in respect of the work place.

(5) For the purposes of subsection (4), the Minister may, by notification in the *Gazette*, prescribe the measures that are required to be taken by the occupier of a work place.

(6) Any person who contravenes subsection (1) is guilty of an offence and is liable on conviction to a fine of not less than \$6,000 and not more than \$12,000, imprisonment for a term not exceeding one year or both for each immigration offender found at the work place, and in the case of a second or subsequent conviction, to a fine of not less than \$12,000 and not more than \$24,000, imprisonment for a term not exceeding 2 years and or both for each immigration offender found at the work place.

(7) In this section —

“construction works” means construction, reconstruction, maintenance, repair, alteration, or demolition of any building, harbour, dock, pier, canal, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gasworks, waterworks or other work of construction, as well as the preparation for or laying the foundation of any such work or structure;

“occupier”, in relation to a work place, means the principal contractor who undertakes any construction works at the work place and includes such other person as the Minister may, by notification published in the *Gazette*, specify to be the occupier of the work place;

“principal contractor” means a person who has entered into a contract with an owner, developer or lessee of a property or his agent for the purpose of carrying out any construction works on the property;

“work place” means any place or premises where any construction works are being carried out and includes —

(a) all the land within the vicinity of the work place which are owned by the person for whom the construction works are being carried out and to which the principal contractor has control of access;

(b) any canteen, sleeping quarters, office and other structures or buildings erected on the work place; and

(c) such other place or premises as the Minister may, by notification published in the *Gazette*, specify to be a work place.

Proceedings not to affect liability to removal.

56. Any person unlawfully entering or attempting unlawfully to enter Brunei Darussalam shall whether or not any proceedings are taken against him in respect of such offence be liable to be removed from Brunei Darussalam by order of the Controller.

Presumption regarding certain offences.

56A. (1) Where a person who has acted in contravention of the provisions of section 6, 15 or 36 or of any regulations made under this Act is found at any premises or place and is in possession of any tools or other implements or is engaged in any activity which may give rise to the inference that he is doing any work, the occupier of such premises or place shall, until the contrary is proved, be presumed to have employed him knowing that he is a person who has acted in contravention of the provisions of those sections or regulations.

(2) In this section, “occupier”, in relation to any premises or place, includes —

(a) the person having the charge, management or control of either the whole or part of the premises or place, either on his own account or as an agent; and

(b) a contractor who is carrying out building operations or construction works at the premises or place on behalf of some other person.

When clearance of vessel or aircraft may be refused.

57. When the master of any vessel or aircraft is charged with an offence against this Act, the clearance of the vessel or aircraft may be refused until the charge has been heard and the fine imposed, if any, has been paid.

General penalty.

58. Any person guilty of an offence against this Act for which no special penalty is provided is liable on conviction to a fine of \$2,000 and imprisonment for 6 months.

Power to compound offences.

58A. (1) The Controller and any Immigration Officer not below the rank of Senior Immigration Officer specially authorised by name or by office by the Minister by notification published in the *Gazette* for the purpose, may in his discretion —

(a) in relation to any offence under sections 5(3) and 15(2) or any regulations made under this Act, if he is satisfied that any person has committed such offence, compound the offence by collecting from that person a sum not exceeding \$600;

(b) in relation to any offence under this Act or any regulations made thereunder which has been prescribed as an offence which may be compounded by the Controller and any such Immigration Officer, if he is satisfied that any person has committed such offence, compound the offence by collecting from that person a sum of money not exceeding \$600.

(2) Any sum of money collected under this section shall be dealt with as if it were a fine imposed by a Court.

(3) The Minister may make rules to prescribe the offence under this Act or under any regulations made thereunder which may be compounded under subsection (1)(b) and the procedure to be followed in the exercise of the powers conferred by subsection (1).

Courts of Magistrates to have full jurisdiction.

59. (1) A conviction for any offence against this Act may be had before the Court of a Magistrate which shall have jurisdiction to impose any penalty provided by this Act.

(2) When any person is charged before a Court with any offence against this Act, no further proceedings in respect thereof shall be taken against him without the consent in writing of the Controller, the Public Prosecutor or a Deputy Public Prosecutor, except such as the Court may think necessary by remand, whether in custody or on bail, or otherwise to secure the due appearance of the person charged.

Recovery of debts etc.

60. Any sum due under a bond or other security or as a debt to the Government under the provisions of this Act may be claimed and recovered in the appropriate court by civil suit by and in the name of the Controller on behalf of the Government.

Saving.

61. For the avoidance of doubt, it is hereby declared that the provisions of this Act shall be without prejudice to the provisions of the Passport Act (Chapter 146) or any other written law relating to passports for the time being in force in Brunei Darussalam.

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IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION REGULATIONS

S 80/1956

Amended by

S 99/1959

S 125/1967

S 155/1967

S 6/1997

1984 Edition

Amended by

S 44/2007

REVISED EDITION 2014

SUBSIDIARY LEGISLATION

IMMIGRATION REGULATION

ARRANGEMENT OF REGULATIONS

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FIRST SCHEDULE — FORMS

SECOND SCHEDULE — FEES

SUBSIDIARY LEGISLATION**Regulations made under section 53****IMMIGRATION REGULATIONS**

Commencement: 1st July 1958
[S 41/1958]

Citation.

1. These Regulations may be cited as the Immigration Regulations.

Interpretation.

2. In these Regulations —

“alien” means a person who is not a Commonwealth citizen;

“Commonwealth citizen” has the same meaning as in the British Nationality Act 1981;

“Controller” includes an Immigration Officer, or other person, authorised by the Controller to act generally on his behalf under the provisions of these Regulations, and where the Controller authorises an Immigration Officer or other person to act on his behalf for the purpose of one or more but not all of these Regulations, includes, for the purposes of such regulation or regulations, the Immigration Officer or other person so authorised;

“unberthed passage” means a ship’s passenger for whom no accommodation in any cabin, stateroom or saloon is reserved.

Application for and issue of certificate entitling entry under section 7(1).

3. (1) In order to facilitate the entry into Brunei Darussalam of any person who is outside Brunei Darussalam and who is entitled to enter under the provisions of section 7(1), such person may apply to the Controller in Form 1 set out in the First Schedule for the issue to him of a certificate in the Form 2 set out in the First Schedule. Every such application shall be accompanied by two recent photographs of the applicant for the purposes of Form 1.

(2) Where an application under this regulation is sought to be made by a member of the family of a person resident in Brunei Darussalam, such person so resident may complete and sign Part I of Form 1 on behalf of the applicant and shall complete and sign Part II thereof.

[Subsidiary]

(3) An applicant may apply in accordance with Part I of Form 1 for the inclusion in the certificate to be issued to him of the name of any child under the age of 16 years accompanying him who is entitled to enter Brunei Darussalam under the provisions of section 7(1), and shall furnish with the application two recent photographs of the child.

(4) The Controller shall, upon being satisfied that the applicant is entitled to enter Brunei Darussalam under the provisions of section 7(1) and upon payment of the prescribed fee, issued to the applicant a certificate in Form 2 set out in the First Schedule and, if satisfied that any child accompanying the applicant and included in the application is so entitled to enter, shall include the name of the child in the certificate.

(5) Upon application being made in that behalf in Form 3 set out in the First Schedule by a person resident in Brunei Darussalam, the Controller shall, upon being satisfied that the applicant is a person entitled to enter Brunei Darussalam under the provisions of section 7(1), make an endorsement to that effect on the passport or other travel document of the applicant.

(6) A certificate issued or endorsement made under the provisions of sub-regulation (1) or (5) respectively shall have validity only so long as the holder of the certificate, passport or other travel document so endorsed continues to be entitled to enter under the provisions of section 7(1).

(7) The burden of proof that any person is a person to whom the provisions of section 7(1) apply shall lie upon that person.

(8) Where the Controller is satisfied that the holder of a certificate granted under the provisions of sub-regulation (1) or of a passport or other travel document endorsed under the provisions of sub-regulation (5) has obtained the certificate or endorsement by misrepresentation or fraud or is not a person entitled to enter Brunei Darussalam under the provisions of section 7(1), he may cancel the certificate or endorsement, and the holder shall, on being so required by the Controller, forthwith deliver to him the certificate, passport or other travel document for such purpose.

Entry Permits.

4. (1) Every application for an Entry Permit shall be made in accordance with Part I of Form 4 set out in the First Schedule and shall be forwarded to the Controller. The application shall be accompanied by two recent photographs of the applicant, endorsed by the applicant for the purposes of Form 4:

Provided that any such application or photographs may be completed or endorsed, as the case may be, by a husband on behalf of his wife, or by a parent on behalf of a child under 16 years of age or by a son or daughter over 21 years of age on behalf of a parent whose entry is sought on compassionate grounds.

(2) An applicant may apply in accordance with Part II of Form 4 for the inclusion in the Entry Permit to be issued to him of the names of his wife and of his children under 16 years of age accompanying him, and shall furnish with such application two recent photographs of his wife and of each such child for the purposes of Form 4.

(3) Every application for an Entry Permit shall be supported by a declaration in the form set out in Part III of Form 4, made by a person resident in Brunei Darussalam.

(4) Notwithstanding the provisions of sub-regulations (1), (2) and (3), any person who at the time of his arrival in Brunei Darussalam —

(a) is in possession of a valid passport and, if an alien, of a valid entry visa, where such visa is required;

(b) is, in the opinion of the Controller, within any of the categories of person set out in the Schedule to the Immigration (Prohibition of Entry) Order (O 1);

(c) intends to enter Brunei Darussalam otherwise than for the purpose of remaining temporarily therein; and

(d) is not, in the opinion of the Controller, a member of any of the prohibited classes defined in any of the paragraphs (a) to (o) both inclusive of section 8(2) or a person who is prohibited by name from entering Brunei Darussalam under any order made under section 9, may on his arrival, unless the Senior Immigration Officer examining him under the provisions of section 24, 25 or 26 otherwise directs, make oral application for the issue to him of an Entry Permit and for the inclusion in the permit of the names of his wife and his children under 16 years of age accompanying him.

(5) Where in the case of any person applying for an Entry Permit under the provisions of the preceding sub-regulations, the Senior Immigration Officer is of the opinion that further enquiries are necessary, he may issue to such person a Special Pass in accordance with the provisions of regulation 12.

(6) Every Entry Permit shall be in the Form 5 set out in the First Schedule:

Provided that the Controller may, in his discretion, in the case of an Entry Permit granted to a person making application therefor under the provisions of sub-regulation (4), make an appropriate endorsement on the passport or other travel document held by such person, and such endorsement shall be deemed to be an Entry Permit for the purposes of these Regulations.

(7) Except in the case of a person described in sub-regulation (4) or of a person seeking to remain in Brunei Darussalam after the expiration of a pass issued to him,

[Subsidiary]

every application for an Entry Permit shall be made before the arrival in Brunei Darussalam of the person making the application, and no Entry Permit shall be issued to any such person except prior to his arrival in Brunei Darussalam.

Security in respect of Entry Permits.

5. (1) The Controller may, in his discretion, require in respect of any applicant for an Entry Permit such security, whether by deposit or otherwise, as he may think necessary for all costs, charges and expenses which may be incurred in the maintenance and repatriation or removal from Brunei Darussalam of such applicant in the event of his being required to be repatriated or removed from Brunei Darussalam at any time within 2 years from the date of his entry into Brunei Darussalam.

(2) Where any person in respect of whom security has been furnished under the provisions of sub-regulation (1) is required to be repatriated or removed from Brunei Darussalam at any time within 2 years from the date of his entry into Brunei Darussalam, the total amount of all costs, charges and expenses incurred in the repatriation or removal of such person and his dependants, if any, shall be certified in writing by the Controller, whose certificate shall be conclusive evidence thereof, and such amount, or so much thereof as the security will cover, shall be recovered out of the security.

(3) Subject to the provisions of sub-regulation (2), the security, or the balance thereof, if any, as the case may be, shall be returned to the person who furnished the security at the expiration of the period for which the security was furnished, or of such lesser period as the Controller may think fit.

Re-entry Permits.

6. (1) Every application for a Re-entry Permit shall be made in accordance with Part I of Form 6 set out in the First Schedule and shall be forwarded to the Controller. The application, unless the Controller otherwise directs, shall be accompanied by two recent photographs of the applicant, endorsed by the applicant for the purposes of Form 6.

(2) An applicant, resident in Brunei Darussalam, may apply in accordance with Part II of Form 6 for the inclusion in the Re-entry Permit to be issued to him of the names of his wife and of his children under 16 years of age, who are then resident in Brunei Darussalam and who it is intended shall accompany him on his re-entry to Brunei Darussalam and shall, where the Controller so requires, furnish with the application two recent photographs of his wife and of each child.

(3) The Controller may require the appearance in person before him of any applicant resident in Brunei Darussalam and of his wife and any child in respect of whom an application is made under sub-regulation (2).

(4) Every application for a Re-entry Permit made under the provisions of sub-regulation (1) shall be accompanied by satisfactory evidence that the person making the application is in possession of a valid passport or other travel document, provided such passport or other travel document is required under the provisions of the Passport Regulations (Chapter 146) or of any other written law relating to passports for the time being in force in Brunei Darussalam.

(5) Every Re-entry Permit shall be in Form 7 set out in the First Schedule:

Provided that the Controller may, in his discretion, in the case of a Commonwealth citizen make an appropriate endorsement on the passport or other travel document held by such person, and the endorsement shall be deemed to be a Re-entry Permit for the purposes of these Regulations.

Validity of Entry and Re-entry Permits.

7. (1) An Entry Permit shall be valid for a single entry into Brunei Darussalam and shall cease to be valid if the holder of the Entry Permit being out of Brunei Darussalam at the date of issue thereof, has not entered Brunei Darussalam within 6 months after such date:

Provided that the Controller may, in his absolute discretion, extend such period by a further period or periods not exceeding in the aggregate 6 months.

(2) A Re-entry Permit shall be valid for such period not exceeding one year from the date of issue thereof as may be specified in the Permit and, if so endorsed thereon by the Controller, for any number of re-entries during the period of its validity, and, if not so endorsed, for one re-entry only:

Provided that the Controller may, in his absolute discretion, extend the validity of any Re-entry Permit for such period or periods as the Controller may think fit.

Passes.

8. (1) The following classes of passes may be issued under these Regulations for the purpose of entitling a person to enter and remain temporarily within Brunei Darussalam —

- (a) Visit Pass;
- (b) Transit Pass;
- (c) Student's Pass;
- (d) Special Pass;

[Subsidiary]

- (e) Landing Pass;
- (f) Employment Pass;
- (g) Dependant's Pass.

(2) Subject to the provisions of these Regulations, the issue of any pass shall be in the absolute discretion of the Controller.

(3) Any pass shall be subject to such special conditions, not inconsistent with the provisions of the Act, as the Controller may think fit to impose.

Visit Passes.

9. (1) A Visit Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he wishes to enter Brunei Darussalam —

- (i) on a social, business or professional visit; or
- (ii) as a tourist.

(2) The Controller may, in his discretion, require any person applying for a Visit Pass to make application therefor in Form 8 set out in the First Schedule and to furnish the Controller with two recent photographs for the purposes of Form 8.

(3) A Visit Pass shall authorise the holder thereof to enter Brunei Darussalam within the period and subject to the conditions stated in the pass and to remain in Brunei Darussalam for such period as may be stated in the pass:

Provided that the Controller may, in his discretion, extend such period for any further period or periods.

(4) Every Visit Pass issued to any person as a tourist or for the purpose of a social visit shall be subject to the condition that the holder shall not engage in any form of employment, paid or unpaid, during the validity of the pass without the consent in writing of the Controller.

(5) The Controller shall cancel a Visit Pass if he is satisfied that the holder thereof is a prohibited immigrant and may cancel such a pass if at any time the holder thereof fails to comply with any condition subject to which was issued.

(6) A Visit Pass may be in Form 9 set out in the First Schedule or may be granted by an endorsement made in the passport or other travel document of the visitor, as the Controller may determine.

Transit Passes.

10. (1) A Transit Pass may be issued by the Controller to any person on arrival in Brunei Darussalam who satisfies him that he desires to enter Brunei Darussalam for the purpose of passing through Brunei Darussalam to a destination outside Brunei Darussalam and that he is in possession of or in a position to obtain such valid documents as will permit him to enter the country of his destination and is otherwise qualified under the law in force in that country to enter the country.

(2) A Transit Pass shall entitle the holder thereof to enter Brunei Darussalam and remain therein for such period not exceeding 28 days as may be stated in the pass:

Provided that the Controller may, in his discretion, extend such period.

(3) A Transit Pass shall be in the form of an endorsement on the passport or other travel document held by the person to whom it is issued.

Student's Passes.

11. (1) A Student's Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he is in possession of a certificate issued by the Director of Education to the effect that it is desirable that he should be accepted as a student at a specified educational institution in Brunei Darussalam and that he has been so accepted.

(2) Every application for a Student's Pass shall be in Form 10 set out in the First Schedule and shall be made to the Controller.

(3) A Student's Pass shall be in Form 11 set out in the First Schedule and shall permit the holder thereof to enter Brunei Darussalam and remain therein for such period and subject to such conditions as may be stated in the pass.

(4) The Controller may cancel a Student's Pass if the person to whom such pass is issued fails within a reasonable time to enter the educational institution designed in any certificate issued by the Director of Education or, having entered such educational institution, fails to remain or ceases to be retained as a student therein or fails to comply with any condition or conditions which may be endorsed in the pass.

Special Passes.

12. (1) A Special Pass may be issued by the Controller to any person if the Controller considers the issue of such a pass desirable —

[S 44/2007]

[Subsidiary]

(a) in order to afford an opportunity of making enquiry for the purpose of determining whether such person is entitled to an Entry Permit or is otherwise entitled to enter Brunei Darussalam under the provisions of the Act or of these Regulations, or whether such person is a prohibited immigrant;

(b) in order to afford such person a reasonable opportunity of prosecuting an appeal under the provisions of the Act against any decision of the Controller; or

(c) for any other special reason.

(2) A Special Pass shall entitle the holder thereof to enter Brunei Darussalam or remain therein for such period, not exceeding 42 days, as may be stated in the pass:

[S 44/2007]

Provided that the Controller may, in his discretion, extend such period.

(3) A Special Pass shall be in such form or may be granted by an endorsement on a passport or other travel document of the applicant as the Controller may determine.

[S 44/2007]

(4) A Special Pass may at any time be cancelled by the Controller in his discretion:

Provided that the Controller shall not cancel a pass issued under the provisions of sub-regulation (1)(b) otherwise than for breach of any conditions imposed in respect thereof until the appeal, in respect of which the pass has been issued, has been determined.

(5) Where a Special Pass is to be issued in such form, the applicant shall, if so required, furnish to the Controller one recent photograph of himself for the purpose of such form.

[S 44/2007]

Landing Pass.

13. (1) A Landing Pass may be issued by the Controller to any through passenger travelling in or any member of crew of any vessel or aircraft on arrival in any port or airport, as the case may be, in Brunei Darussalam.

(2) A Landing Pass shall entitle the holder thereof to enter Brunei Darussalam and remain therein during the stay in Brunei Darussalam of such vessel or aircraft.

(3) Subject to the provisions of regulation 14, a Landing Pass shall take the form of an endorsement on the passport or other travel document of the passenger.

Seaman's Identification Card deemed to be Landing Pass.

14. (1) Where any member of a crew is in possession of —

- (a) (i) a seaman's identification card furnished under the provisions of section 22; or
 - (ii) any identification card issued to him by the master of the vessel on which he is employed or by the owners or agents of such vessel, and
- (b) such card in the opinion of a Senior Immigration Officer sufficiently identifies him,

it shall, subject to the provisions of regulation 18 and unless the Controller otherwise directs generally or in any particular case or cases, be deemed to be a valid Landing Pass issued to him under the provisions of regulation 13.

(2) Every seaman's identification card, which is deemed by virtue of the provisions of sub-regulation (1) to be a Landing Pass, shall be deemed to have been issued subject to such conditions as the Controller may have notified in writing to the master of the vessel to which the holder thereof belongs.

Employment Pass.

15. (1) An Employment Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he wishes to enter Brunei Darussalam in order to take up work or employment in Brunei Darussalam and that —

- (a) he is qualified to work or undertake employment in the trade, business or calling in respect of which the application is made;
- (b) there is not already unemployment in Brunei Darussalam of person skilled in that class of trade, business or calling; and
- (c) his taking up such work or employment will be to the benefit generally of Brunei Darussalam.

(2) Subject to the conditions stated in the pass and to these Regulations, an Employment Pass shall authorise the holder thereof to enter Brunei Darussalam within the period stated in the pass and to remain therein for the purpose of working or engaging in employment in Brunei Darussalam as specified in the pass for such period not exceeding 5 years as shall be stated in the pass, and the pass may specify the employer or proposed employer by whom such person may only be employed:

[Subsidiary]

Provided that the Controller may, in his discretion extend the period of validity of an Employment Pass for any period not exceeding 5 years at any one time.

(3) Every Employment Pass issued to any person under this regulation shall be subject to the conditions that the holder shall take up the work or employment specified in the pass and shall continue therein during the validity of the pass.

(4) Where a person is specified in an Employment Pass as the employer or proposed employer of the holder, that person shall —

(a) ensure that the holder of such pass shall only take up the work or employment specified in the pass during the validity of the pass; and

(b) forthwith inform the Controller if the holder —

(i) fails to take up employment; or

(ii) is discharged from, or leaves, the employment.

[S 44/2007]

(5) An Employment Pass may at any time be cancelled by the Controller, and shall be cancelled if the holder does not observe the conditions required by sub-regulation (3).

(6) The Controller may require any person applying for an Employment Pass to make application therefor in the Form 23 set out in the First Schedule, and to furnish the Controller with two recent photographs of the person to be employed.

(7) An Employment Pass shall be in the Form 24 set out in the First Schedule or in the form of an endorsement on the passport or travel document of the employee as the Controller may determine.

Dependant's Pass.

16. (1) A Dependant's Pass may be issued by the Controller to any person other than a prohibited immigrant, being the wife or dependant child of the holder of a valid Employment Pass, to enable the wife or child to accompany or join the holder and remain with him in Brunei Darussalam.

(2) Subject to the conditions stated in the pass and to these Regulations, a Dependant's Pass shall authorise the holder thereof to enter Brunei Darussalam on or before such date as may be stated in the pass and to remain therein for such period as may be so stated but not exceeding the period for which any Employment Pass has been issued to the husband or parent of the holder of the Dependant's Pass:

Provided that, subject to these Regulations, the Controller may by endorsement on such pass make it valid for any number of entries or extend the period of its validity or alter, add to or delete any conditions stated in the pass.

(3) Every Dependant's Pass issued under sub-regulation (1) shall be subject to the condition that the wife or child in respect of whom it is issued shall not engage in any form of paid employment in Brunei Darussalam without the consent in writing of the Controller.

(4) If the Controller is satisfied that the holder of a Dependant's Pass is a prohibited immigrant or that his presence in Brunei Darussalam would be prejudicial to the public security in Brunei Darussalam, he shall cancel such pass.

(5) Every application for a Dependant's Pass shall be in the Form 25 set out in the First Schedule.

(6) The issue of every Dependant's Pass shall be subject to the provisions of adequate security.

Holders of passes to report.

17. Every holder of a Pass issued under these Regulations may be required by the Controller as a condition of the issue thereof —

(a) to report to an Immigration Officer immediately prior to leaving Brunei Darussalam;

(b) to comply with any instructions endorsed upon such pass by the Controller regarding the marking of reports as to himself and his whereabouts during his stay in Brunei Darussalam.

Security in respect of passes.

18. The Controller may, as a condition of the issue of any pass under these Regulations, require such security, whether by deposit or otherwise, as he may think necessary, to be furnished by or on behalf of the applicant for such pass, as a guarantee that the person to whom the pass is issued will comply with the provisions of the Act and of any regulations made thereunder and with any conditions imposed in respect of or instructions endorsed upon the pass:

Provided that no person in respect of whom security has been given under the provisions of regulation 21 shall be required to give security under this regulation.

[Subsidiary]

Cancellation of pass and forfeiture of security.

19. (1) The Controller may, if satisfied that the holder of any pass issued under these Regulations has contravened or failed to comply with any provisions of the Act or of any of these Regulations or with any condition imposed in respect of or instruction endorsed on the pass, in his absolute discretion —

(a) forthwith cancel the pass; and

(b) in any case where security has been deposited under regulation 18 and whether or not the pass is cancelled, direct the forfeiture of such security or any part thereof.

(1A) Notwithstanding sub-regulation (1) and any other written law, the Controller may, for any reason, cancel any pass issued under these Regulations and in such case, any security which has been deposited under regulation 18 shall be returned.

[S 44/2007]

(1B) Any person aggrieved by the decision of the Controller under sub-regulations (1) or (1A) may within 7 days of such decision appeal to the Minister, whose decision thereon shall be final.

[S 44/2007]

(1C) Any appeal made under sub-regulation (1B) shall not in itself be a bar for the repatriation of the aggrieved person from Brunei Darussalam.

[S 44/2007]

(2) The cancellation of a pass or forfeiture of any security under this regulation shall be without prejudice to the taking of proceedings against any person for any offence against the Act or these Regulations.

(3) Notification of the cancellation of any pass or of the forfeiture of any security or any part thereof shall be given to the holder of the pass:

Provided that it shall be sufficient if such notification is forwarded by registered post to the last known address of the holder.

Security in respect of seamen.

20. (1) Where under the provisions of regulation 14 a seaman's identification card is deemed to be a Landing Pass issued to a member of the crew of any vessel, the Controller may require the master, owner, agent or charterer of such vessel to give security, whether by deposit or otherwise, that such member of the crew will comply with the provisions of the Act and of any regulations made thereunder and with any conditions subject to which the Landing Pass is deemed to have been issued.

(2) Where the Controller requires security by bond under this regulation, the bond shall be in Form 13 set out in the First Schedule.

(3) Notwithstanding the provisions of regulation 14, no seaman's identification card shall be deemed to be a Landing Pass issued to a member of a crew in any case in which security, having been required under this regulation, is not given in accordance with such requirement.

Employers' general security.

21. (1) Where any employer enters into a contract for the employment within Brunei Darussalam of a person resident outside Brunei Darussalam, the Controller may require the employer as a condition precedent to the issue to any such person of an Entry Permit or pass, to furnish a general security in respect of all such charges and expenses, which may be incurred by the Government in respect of the maintenance, repatriation or removal from Brunei Darussalam of such person or his dependants in the event of his repatriation or removal from Brunei Darussalam at any time within 2 years from the date of his entry into Brunei Darussalam.

(2) A security under the provisions of this regulation shall be in Form 14 set out in the First Schedule.

Surrender of travel documents. [S 44/2007]

22. (1) For the purpose of exercising his powers and carrying out his functions and duties under the Act or any regulations made thereunder, the Controller may by written notice order any person to forthwith surrender any travel documents in his possession or any permit or pass which has been issued to him.

(2) A notice under sub-regulation (1) shall be served personally on the person to whom it is addressed.

(3) A person on whom a notice has been served under sub-regulation (1) shall comply with such notice forthwith.

(4) If a person on whom a notice under sub-regulation (1) has been served fails to comply with the notice forthwith, he is guilty of an offence.

(5) A travel document which is surrendered to the Controller under this regulation may be detained for such period as he may require.

(6) Any person aggrieved by any order under sub-regulation (1) may, within 7 days from service of the order on him appeal to the Minister, whose decision shall be final.

[Subsidiary]

(7) Any appeal made under sub-regulation (6) shall not in itself be a bar for the repatriation of the aggrieved person from Brunei Darussalam.

(8) In this regulation, “travel document” means a passport or other document establishing the identity or nationality of a holder.

Issue of duplicate of Re-entry Permit.

23. (1) Any person whose Re-entry Permit has been lost, stolen or destroyed, may apply to the Controller for the issue of a duplicate of such permit.

(2) Every application made under the provisions of sub-regulation (1) shall be supported by a statutory declaration as to the facts relied on and shall be accompanied, unless the Controller otherwise directs, by two recent photographs of the applicant, one of which shall be endorsed with the applicant’s signature, and the Controller may thereupon, if he is satisfied that the applicant’s Re-entry Permit has been lost, stolen or destroyed and on payment of the prescribed fee, issue a duplicate thereof.

Liability of master etc. for payment of expenses in respect of persons detained in immigration depot.

24. (1) Where any person is detained in an immigration depot under the provisions of section 27(1), the master, owner, charterer and agent of the vessel or aircraft which brought such person to Brunei Darussalam shall be jointly and severally liable for all expenses incurred in the detention and maintenance of such person:

Provided that where any person so detained is permitted to enter Brunei Darussalam, no such liability shall be incurred.

(2) Any expenses leviable under the provisions of sub-regulation (1) shall be recoverable as a debt due to Government from the master, owner, charterer and agent of such vessel or aircraft jointly and severally.

Recovery of expenses incurred in respect of prohibited immigrants.

25. (1) A prohibited immigrant shall be liable to pay to the Government a sum sufficient to cover all expenses incurred by the Government in connection with the detention, maintenance, medical treatment and removal from Brunei Darussalam of himself and his dependants.

(2) A Magistrate who is satisfied that any expenses have been or are likely to be incurred by the Government in connection with the detention, maintenance, medical treatment or removal of any prohibited immigrant and his dependants, may issue a warrant for the levy of an amount sufficient to cover such expenses by distress and sale of any moveable property belonging to the prohibited immigrant.

(3) Such warrant may be executed in the same manner as a warrant for the levy of the amount of a fine under section 253(1)(b) of the Criminal Procedure Code (Chapter 7).

(4) Where any sum recovered under any warrant issued under sub-regulation (2) is in excess of the total amount of the expenses for which the prohibited immigrant is liable under sub-regulation (1), the balance shall be returned to him.

(5) The partial recovery of expenses under the provisions of this regulation shall not prejudice the liability of any surety or of any other person for the balance, nor shall the issue or execution of a warrant under this regulation be a condition precedent to the liability of a surety or such other person.

Appeal.

[S 44/2007]

26. (1) Any person wishing to appeal under the provisions of section 8(6) against refusal of permission to enter Brunei Darussalam or under section 14(5) against cancellation of an Entry Permit or Re-entry Permit may, within 7 days of receiving notification of such refusal or cancellation, as the case may be, appeal to the Minister.

[S 44/2007]

(2) Any person wishing to appeal under the provisions of section 33(2) against an order of removal made by the Controller shall, within 7 days of receiving notification of the order of removal, appeal to the Minister.

[S 44/2007]

(3) Any appeal made under this regulation shall be lodged with the Controller who shall thereupon issue a written acknowledgement of the receipt thereof.

Form of undertaking under section 46(3).

27. Every undertaking given under the provisions of section 46(3) shall be in Form 15 set out in the First Schedule.

Particulars of crew and Seaman's Identifications Card.

28. (1) The list of members of a crew required under section 22(1)(a) of the Act or under section 23(1)(c) shall be in Form 16 set out in the First Schedule, and shall contain the particulars mentioned in Form 16.

(2) The seaman's identification card required under section 22(1)(c) shall be —

(a) in respect of a seaman employed on a vessel of 75 net registered tons or over, in Form 17A set out in the First Schedule; and

(b) in respect of a seaman employed on a vessel of below 75 net registered tons, in Form 17B set out in the First Schedule.

[Subsidiary]

(3) No seaman's identification card shall be required in respect of any seaman employed on any vessel, who is in possession of a Seaman's Certificate of Nationality and Identity issued by the Controller or a valid Re-entry Permit.

Particulars of passengers landing in Brunei Darussalam and Passengers Embarkation and Disembarkation Card.

29. (1) The list of passengers required under section 22(2)(a) shall be in Forms 18A and 18B set out in the First Schedule as may be appropriate, and shall contain the particulars mentioned therein.

(2) The particulars required under section 22(2)(b) and section 23(1)(b) shall be supplied in accordance with Form 19 set out in the First Schedule.

Security bond.

30. Where an Immigration Officer requires under the provisions of section 44(1) security by a bond, the bond shall be in Form 20 set out in the First Schedule.

Order of detention.

31. An order of detention made under the provisions of section 34(1) shall be in Form 21 set out in the First Schedule.

Summons to witness.

32. A summons to a witness issued under the provisions of section 39(1) shall be in Form 22 set out in the First Schedule.

Fees.

33. There shall be payable to the Controller in respect of every document mentioned in first column of the Second Schedule the respective fee mentioned in last column of that Schedule.

Immigration signals to be hoisted.

34. The immigration signal required under section 16(1) shall be —

(a) by day, the flags in the International Code of Signals corresponding to —

- (i) the numerals 25 in respect of vessels not carrying passengers; and
- (ii) the numerals 34 in respect of vessels carrying passengers; and

(b) by night, in every case, two white lights mounted vertically, 6 feet apart, visible through 360 degrees for a distance of 2 miles.

Offences.

35. (1) Any person who without reasonable cause contravenes or fails to comply with or abets the contravention or failure to comply by any person of any provision of regulation 9, 11, 15 or 16 is guilty of an offence and liable on conviction to a fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.

[S 44/2007]

(2) Any —

(a) holder of any pass issued under these Regulations who without reasonable cause contravenes or fails to comply with —

(i) any provisions of the Act or of these Regulations;

(ii) any condition imposed in respect of, or instruction endorsed on, such pass; or

(b) person who abets such contravention or failure,

is guilty of an offence and liable on conviction to a fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.

[S 44/2007]

FIRST SCHEDULE

(regulations 3, 4, 6, 9, 11, 15, 16, 20, 21, 27, 28, 29, 30, 31 and 32)

FORMS

FORM 1

Brunei Darussalam

Immigration Regulations

APPLICATION FOR CERTIFICATE

(regulation 3(1))

(To be used only by or on behalf of an applicant who is outside Brunei Darussalam at the time of application).

To the Controller of Immigration,
Brunei Darussalam.

PART I

I hereby make application for the grant of a Certificate under regulation 3(1) of the Immigration Regulations, to*/myself on the ground that *he/she is/I am entitled to enter Brunei Darussalam under the provisions of section 7 of the Immigration Act. (The burden of proving such entitlement shall lie upon the applicant).

2. Here state full reasons on which claim is based —

.....
.....
.....
.....
.....
.....

* Delete where not applicable.

FORM 1 — (continued)

3. Particulars of person requiring the Certificate are as follows —

(1) Full Name Chinese characters
(if applicable)

(2) Nationality Race Sex

(3) Date of birth Place of birth

(4) Present address in full

(5) Whether married or single

(6) If married —

(a) Wife/husband
(Full Name) (Age)

(b) Full name(s), sex(es), date(s) and place(s) of birth of child(ren) under the
age of 16 years —

Full Name	Sex	Date and Place of Birth
.....
.....
.....
.....

(7) Particulars of passport or other travel document, if held —

Type of document Number

Date of issue Place of issue

Date of expiry

(8) If formerly resident in Brunei Darussalam, give in chronological order —

Dates of Arrival	Date of Departure
.....
.....
.....
.....

[Subsidiary]

FORM 1 — (continued)

- (9) Names of children under 16 years of age to be included in the Certificate for the purpose of accompanying applicant at the time of entry —

.....

.....

.....

.....

.....

- (10) Full names and addresses of two persons resident in Brunei Darussalam to whom reference may be made (not required where the application is made on behalf of the applicant).

.....

.....

.....

.....

Date

.....
Signed by or on behalf of Applicant

NOTES —

1. Further questions may be asked in regard to this application and documentary evidence must be produced, if required.
2. Two un-retouched and un-mounted copies each of —
 - (a) photograph (passport size, head (full face) and shoulders) of applicant; and
 - (b) group photograph (passport size, head (full face) and shoulders) of any children named above accompanying applicant,
 must be furnished with this application.

FORM 1 — (continued)

PART II

DECLARATION BY PERSON LOCALLY RESIDENT IN BRUNEI DARUSSALAM IN SUPPORT OF AN APPLICATION FOR A CERTIFICATE UNDER REGULATION 3(1)

I, the undersigned, wish to sponsor the above application.

Particulars of myself are as follows —

Full Name Chinese characters
(if applicable)

Nationality Race Sex

Date of birth Place of birth

Profession/Occupation

Title and address of business

.....

Present address (in full)

.....

Date of first arrival in Brunei Darussalam

Length of residence in Brunei Darussalam

Relationship to application

I hereby certify that —

(a) I have known personally for a period
of years;

(b) the statements made in the application are true.

I further certify that the attached photographs, one of which I have endorsed accordingly on the back thereof, are a true likeness of the applicant.

Dated this day of 20

.....
Signature

FORM 3

Brunei Darussalam

Immigration Regulations

APPLICATION FOR CERTIFICATE

(regulation 3(5))

(To be used only by an applicant who is resident in Brunei Darussalam at the time of his application).

To the Controller of Immigration,
Brunei Darussalam.

I hereby apply for
my passport No. issued at
on to be endorsed to the effect that I am entitled to
enter Brunei Darussalam under the provisions of section 7(1) of the Immigration Act, in that
I (here state grounds for entitlement).

.....
.....
.....

and do not intend to lose my right of re-entry to Brunei Darussalam by absence from Brunei
Darussalam for a period in excess of

Dated the day of 20

.....
Signature of Applicant

FORM 4

Brunei Darussalam

Immigration Regulations

APPLICATION FOR A PERMIT TO ENTER
BRUNEI DARUSSALAM

(regulation 4(1))

To the Controller of Immigration,
Brunei Darussalam.

PART I

I, (full name) Chinese characters
(if applicable)

do hereby make application for the grant of a permit to enter and reside in Brunei Darussalam.

2. I am eligible for entry on the following grounds —

.....
.....
.....
.....

3. Pursuant to this application I append the following information relating to myself —

(1) Nationality Race Sex

(2) Date of birth Place of birth

(3) Present address in full

.....

(4) Nationality and place of birth of parents —

(a) Father
(Nationality) (Place of birth)

(b) Mother
(Nationality) (Place of birth)

(5) Whether married or single

[Subsidiary]

FORM 4 — (continued)

(6) If married —

(a) Wife/husband
(Full Name) (Age)

(b) Full name(s), sex(es); date(s) and place(s) of birth of all children under the age of 18 years —

Full Name	Sex	Date and Place of birth
.....		
.....		
.....		
.....		
.....		

(7) Particulars of passport or other travel document, if held —

Type of document Number
Date of issue Place of issue
Date of expiry

(8) Place/places of residence during the last 3 years preceding this application, giving dates of such residence —

.....
.....
.....
.....
.....

(9) If formerly resident in Brunei Darussalam give in chronological order —

Dates of Arrival	Date of Departure
.....	
.....	
.....	

(10) Profession/Occupation

FORM 4 — (continued)

(11) Address in Brunei Darussalam to which communications may be sent to applicant (if applicable) —

.....
.....

(12) Full names and addresses of two persons resident in Brunei Darussalam to whom reference may be made —

Full Name	Address	If relative, state relationship; if employer state so
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.....
.....

(13) Has applicant ever been refused permission to enter —

(a) Brunei Darussalam

(b) any other country

(14) Has applicant ever been required to leave —

(a) Brunei Darussalam

(b) any other country

(15) Details of any documentary evidence attached to this application —

.....
.....
.....
.....

I hereby declare that all the particulars in the application are true.

If a visa is required in addition to a permit to enter, I hereby make application for a visa.

Dated the day of 20

.....
Signature of Applicant

[Subsidiary]

FORM 4 — (continued)

PART II

(regulation 4(2))

Application for endorsement on Entry Permit of names of wife and/or children under 16 years of age

(To be filled in only by an applicant who wishes his wife and/or children under 16 years of age to accompany him into Brunei Darussalam).

Should my above written application for an Entry Permit to Brunei Darussalam be granted, I hereby make further application to have endorsed on the said permit the names of the following who are my wife and children under 16 years of age and whom I wish to accompany me into Brunei Darussalam —

Full Name	Relationship to Applicant	Age
.....		
.....		
.....		
.....		
.....		
.....		
.....		

Dated the day of 20

.....
Signature of Applicant

NOTES —

1. The applicant must furnish with this application two un-retouched and un-mounted copies each of —
 - (a) photographs (passport size, head (full face) and shoulders) of himself and his wife, if accompanying him; and
 - (b) group photograph (passport size, head (full face) and shoulders) of any children above-named accompanying him.
2. No wife or child whose name is endorsed on an Entry Permit may enter Brunei Darussalam otherwise than in the company of the holder of such Permit.
3. Further questions may be asked in regard to this application and documentary evidence must be produced if required.

FORM 4 — (continued)

PART III

(regulation 4(3))

Declaration by Local Sponsor in support of an Application for an Entry Permit

I, the undersigned, sponsor the above application.

Particulars of myself are as follows —

Full Name Chinese characters
(if applicable)

Nationality Race Sex

Date of birth Place of birth

Profession/Occupation

Title and address of business

.....

Present address (in full)

.....

Date of first arrival in Brunei Darussalam

Length of residence in Brunei Darussalam

I hereby certify that —

- (a) I have known personally for a period of years;
- (b) he/she is not to the best of my knowledge and belief a member of any political party which has been declared unlawful in Brunei Darussalam;
- (c) his/her application is for the purpose stated by the applicant;
- (d) the statements made by him/her in his/her application are true.

I further certify that the attached photographs, one of which I have endorsed accordingly on the back thereof, are a true likeness of the applicant.

Dated the day of 20

.....
Signature of Sponsor

FORM 6

Brunei Darussalam

Immigration Regulations

APPLICATION FOR A PERMIT TO RE-ENTER
BRUNEI DARUSSALAM

(regulation 6(1))

To the Controller of Immigration,
Brunei Darussalam.

PART I

I, (full name) Chinese characters
(if applicable)

hereby make application for the grant of a permit to re-enter Brunei Darussalam and submit the following particulars —

1. Nationality Race Sex
2. Place of birth Date of birth
3. Permanent address in full
4. Occupation
- Name and address of employer
- Period so employed
6. Particulars of passport/travel document —
- Type of document Number
- Place of issue Date of issue
- Date of expiry
7. Length of residence in Brunei Darussalam
- Questions 8 — 11 inclusive to be completed only by an applicant resident in Brunei Darussalam at the time of his application
8. Proposed date of departure from Brunei Darussalam

FORM 6 — (continued)

- 9. Destination aboard
 - 10. Purpose of journey
.....
 - 11. Proposed duration of absence from Brunei Darussalam
- Questions 12 — 17 inclusive to be completed only by an applicant resident outside Brunei Darussalam at the time of his application.
- 12. Date of departure from Brunei Darussalam
 - 13. Means of travel (name of ship, aircraft flight No. etc.)
.....
 - 14. Destination on departure
 - 15. Purpose of journey
.....
 - 16. Reasons for failure to obtain a Re-entry Permit before departure
.....
.....
 - 17. Proposed duration of absence from Brunei Darussalam

If a visa is required in addition to a permit to re-enter, I hereby make application for a visa.

Dated the day of 20

.....
Signature of Applicant

[Subsidiary]

FORM 6 — (continued)

PART II

(To be completed only by an Applicant for a Re-entry Permit resident in Brunei Darussalam at the time of his application)

Should my above written application for a Re-entry Permit to Brunei Darussalam be granted, I hereby make further application to have endorsed on the said Re-entry Permit the names of the following who are my wife and natural born children under the age of 16 years at present residing in Brunei Darussalam and whom I wish to accompany me on my re-entry to Brunei Darussalam —

Full Name	Relationship	Age
.....		
.....		
.....		
.....		
.....		
.....		
.....		

Dated the day of 20

.....
Signature of Applicant

NOTES —

1. The applicant must furnish with this application 2 un-retouched and un-mounted copies each of —
 - (a) photographs (passport size, head (full face) and shoulders) of himself and his wife, if accompanying him; and
 - (b) group photograph (passport size, head (full face) and shoulders) of any children above-named accompanying him.
2. No wife or child whose name is endorsed on a Re-entry Permit, may re-enter Brunei Darussalam otherwise than in the company of the holder of such Permit.

FORM 7
 Brunei Darussalam
 Immigration Regulations
 RE-ENTRY PERMIT
 (regulation 6(5))
 Inside

[Subsidiary]

38

CAP. 17, Rg 1

Immigration

LAWS OF BRUNEI

<p style="text-align: center;">Page 2 Serial No.</p> <p style="text-align: center;">Description of Holder</p> <p>Name</p> <p>Date and Place of birth</p> <p>Occupation</p> <p>Passport/travel document — Type of document</p> <p>Number</p> <p>Date of issue</p> <p>Place of issue</p> <p>Name of wife</p> <p style="text-align: center;">(if accompanying holder)</p> <div style="border: 1px solid black; width: 100%; height: 150px; display: flex; justify-content: space-around; align-items: center; margin-top: 20px;"> <div style="width: 45%; text-align: center;">PHOTOGRAPH OF HOLDER</div> <div style="width: 45%; text-align: center;">PHOTOGRAPH OF WIFE OF HOLDER</div> </div>	<p style="text-align: center;">Page 3 Description of children accompanying holder</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 60%;">Full Name</th> <th style="width: 15%;">Sex</th> <th style="width: 25%;">Age</th> </tr> <tr><td> </td><td> </td><td> </td></tr> </table> <p style="text-align: center; margin-top: 20px;">Space for photograph of children</p>	Full Name	Sex	Age																			<p style="text-align: center;">Counterfoil Serial No.</p> <p style="text-align: center;">RE-ENTRY PERMIT</p> <p>Name</p> <p>Passport/travel document — Type of document</p> <p>Number</p> <p>Date of issue</p> <p>Place of issue</p> <p>Name of wife</p> <p style="text-align: center;">(if accompanying holder)</p> <div style="border: 1px solid black; width: 100%; height: 150px; display: flex; justify-content: space-around; align-items: center; margin-top: 20px;"> <div style="width: 45%; text-align: center;">PHOTOGRAPH OF HOLDER</div> <div style="width: 45%; text-align: center;">PHOTOGRAPH OF WIFE OF HOLDER</div> </div> <p style="margin-top: 20px;">Issued at on 20</p> <p>Fee \$ paid.</p> <p style="text-align: right; margin-top: 20px;">..... Controller of Immigration</p>
Full Name	Sex	Age																					

FORM 8

Brunei Darussalam

Immigration Regulations

APPLICATION FOR A VISIT PASS TO ENTER BRUNEI DARUSSALAM

(regulations 9(2) and (5))

To the Controller of Immigration, Brunei Darussalam.

Application is hereby made for the grant of a Visit Pass to enter Brunei Darussalam to (full name) Chinese characters (if applicable) in respect of whom the following particulars are submitted —

- 1. Nationality Race Sex
2. Date of birth Place of birth
3. Profession/Occupation
4. Present address (in full)
5. Particulars of passport/travel document —
Type of document Number
Date of issue Place of issue
Date of expiry
6. Purpose of visit (full details to be given)
7. Duration of visit desired
8. Place of residence during proposed visit

[Subsidiary]

FORM 8 — (continued)

9. Names and addresses of local sponsors to whom reference may be made —

.....
.....
.....
.....
.....

If a visa is required in addition to a pass to enter, I hereby make application for a visa.

Dated the day of 20

.....
Signature by or on behalf
of Applicant

NOTES —

1. Where this form is completed by or on behalf of an applicant who is resident outside Brunei Darussalam two copies of the photograph (passport size, head (full face) and shoulders) of the applicant must accompany the application.
2. It shall be a condition of the issue of a Visit Pass for entry to Brunei Darussalam on a social visit or for the purpose of touring that the holder thereof shall not take up any employment, paid or unpaid, during the validity of such Pass.

FORM 9
 Brunei Darussalam
 Immigration Regulations
 VISIT PASS
 (regulation 9(6))
 Outside

Reverse of counterfoil	<p style="text-align: center;">Page 1 Brunei Darussalam VISIT PASS (Immigration Regulations regulation 9(6))</p> <p>This Pass —</p> <p>(i) permits the holder thereof to enter and remain in Brunei Darussalam until the day of 20 for</p> <p>(ii) is not a travel document and will not be accepted as such;</p> <p>(iii) must be produced to the Immigration Officer on arrival;</p> <p>(iv) is liable to cancellation if used for a purpose other than that stated under (i) above.</p> <p>Issued at this day of 20</p> <p style="text-align: right;">..... Controller of Immigration</p>
------------------------	---

Inside

<p style="text-align: center;">Page 2</p> <p style="text-align: right;">Serial No.</p> <p style="text-align: center;">VISIT PASS</p> <p>Name Sex</p> <p>Particulars of passport/travel document —</p> <p>Type of document</p> <p>Number</p> <p>Date of issue</p> <p>Place of issue</p> <div style="border: 1px solid black; width: 100%; height: 150px; margin-top: 10px; text-align: center; vertical-align: middle;"> PHOTOGRAPH OF HOLDER </div>	<p style="text-align: center;">Page 2</p> <p style="text-align: right;">Serial No.</p> <p style="text-align: center;">VISIT PASS</p> <p>Name Sex</p> <p>Particulars of passport/travel document —</p> <p>Type of document</p> <p>Number</p> <p>Date of issue</p> <p>Place of issue</p> <p>Purpose for which pass issued</p> <p>Issued at on</p> <div style="border: 1px solid black; width: 100%; height: 150px; margin-top: 10px; text-align: center; vertical-align: middle;"> PHOTOGRAPH OF HOLDER </div> <p>Valid until</p> <p style="text-align: right;">..... Controller of Immigration</p>
--	---

FORM 10

Brunei Darussalam

Immigration Regulations

APPLICATION FOR STUDENT’S PASS

(regulation 11(2))

To the Controller of Immigration,
Brunei Darussalam.

I holder of
..... passport No. issued
at on and
valid until, in which my
national status is given as, and
not residing at, hereby make application for a
Student’s Pass valid until

2. I have been accepted for admission to —
an educational institution, viz
.....
at which I expect to remain as a student for a period of years.

3. I attach the required documentary proof of my acceptance as a student.

Dated the day of 20

.....
Signature of Applicant

FORM 11

Brunei Darussalam

Immigration Regulations

STUDENT'S PASS

(regulation 11(3))

Serial No.

This Pass —

- (i) permits, holder of passport No. issued at on to enter and remain in Brunei Darussalam as a student for the purpose of studying at
- (ii) is valid until

Dated the day of 20

.....
Controller of Immigration

Notes —

This Pass will cease to be valid if the holder thereof fails to enter or to be retained as a student in

[Subsidiary]

FORM 12

Brunei Darussalam

Immigration Regulations

SPECIAL PASS

(regulation 12(3))

Serial No.

To

Holder of passport No.
issued at on
* (which has been retained).

You are hereby permitted to enter Brunei Darussalam for a period of
days from the date of issue hereof for the purpose of
.....

Date of issue

.....
Controller of Immigration

* Delete where not applicable.

FORM 13

Brunei Darussalam

Immigration Regulations

SEAMEN'S SECURITY BOND

(regulation 20(2))

By this bond, I (we) of
 acknowledge myself (ourselves jointly and severally)
 bound to the Government of Brunei Darussalam in the sum of \$ to
 be paid to the said Government of Brunei Darussalam (by us or someone of us).

Sealed with my (our) seal(s) this day of 20

Whereas the vessel arrived at the port of
 on the day of 20, having on board
 seamen, of whom particulars and identification cards have been furnished to the Controller of
 Immigration by the master of the said vessel in accordance
 with the provisions of section 22 of the Immigration Act.

And whereas the Controller of Immigration in exercise and by virtue of the provisions of
 regulation 18(1) of the Immigration Regulations has granted permission to the aforesaid
 seamen (to the seamen named in the Schedule hereto being in
 number) to land or disembark from the said vessel on the condition that the said seamen shall
 re-embark and leave Brunei Darussalam by the said vessel on her sailing from the port of
 on the day of 20, or
 so soon thereafter as may be and on the further condition that security for the observance of
 the first mentioned condition be furnished in the sum of \$ for
 every such seaman.

Now the above written obligation is conditioned to be void in case the said seamen shall
 each and all of them re-embark and leave Brunei Darussalam on the said vessel on her sailing
 from the port of on the day of 20,
 or so soon thereafter as may be.

But in case any of the said seamen shall not so re-embark and leave Brunei Darussalam
 on the said vessel, then this obligation shall be in full force and effect to the extent of
 \$ to be paid by the said for each such
 seaman failing to re-embark and leave Brunei Darussalam.

[Subsidiary]

FORM 13 — (continued)

Provided, nevertheless, that in no case shall the obligation of the said
exceed the sum of \$ in which he (they) are hereby bound.

Signed, sealed and delivered by the
above-named }
..... }
..... }
in the presence of }
..... }

SCHEDULE

FORM 14

Brunei Darussalam

Immigration Regulations

COVENANT BY EMPLOYER

(regulation 21(2))

To all to whom these presents shall come
.....
of sends greeting:

Whereas the said
from time to time enters into contracts for the employment within Brunei Darussalam of
persons from outside Brunei Darussalam (hereinafter referred to as the employees):

And whereas the Controller of Immigration, as a condition precedent to the issue to any
of the employees of a permit to enter Brunei Darussalam has required that the
said shall give a general security in respect of all such
employees:

And whereas the said desires to give such a general security
in order to enable permits to enter Brunei Darussalam to be issued to the employees:

Now these presents witness that in consideration of the issue from time to time to the
employees of permits to enter Brunei Darussalam the said does
for himself and his heirs, executors and administrators covenant with the Minister for and
on behalf of the Government of Brunei Darussalam and his successors in office that the
said will on demand forthwith pay to the said Minister or his successors in
office any charges and expenses which may be incurred by the Government of Brunei
Darussalam in respect of each of the employees (including expenses of repatriation of such
employees and his dependants, if any) within 2 years after the date of issue to him of a permit
to enter Brunei Darussalam but in no case exceeding \$2,000 in respect of each such employee
and his dependants if any.

In witness whereof the said has set his hand
the day of 20

.....
Signature

In the presence of
Witness

[Subsidiary]

FORM 15

Brunei Darussalam

Immigration Regulations

FORM OF UNDERTAKING NOT TO RETURN
TO BRUNEI DARUSSALAM

(regulation 27)

Whereas the Government of Brunei Darussalam has agreed to pay the cost of my repatriation to: Now, I hereby undertake that I will not return to Brunei Darussalam unless I am specially permitted in writing to return by the Controller of Immigration.

Dated at this day of 20

.....
Signature of Repatriate

FORM 16

Brunei Darussalam

Immigration Regulations

CREW LIST

(regulation 28(1))

NOTE — This form is to be used for crew only.

Name of ship Owner or charterers

Agents Last port of call

Date of arrival Next port of call

Date of proposed departure

No.	Name	Nationality	Duties on board	Port where engaged	Date of engagement
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					

I certify that the above information is, to the best of my knowledge and belief, true in every particular.

Date

.....
Master

LAWS OF BRUNEI

50 CAP. 17, Rg 1

Immigration

[Subsidiary]

FORM 17A

Brunei Darussalam

Immigration Regulations

SEAMAN'S IDENTIFICATION CARD

(regulation 28(2)(a))

(To be used only in respect of seamen employed on vessels of 75 net registered tons and over)

Outside

Page 4 ENDORSEMENTS <i>(continued)</i>			Page 1 Brunei Darussalam Seamen's Identification Card Immigration Regulations regulation 28(2)(a)
Port	Date of Arrival	Signature of I.O.	
			Name of holder
			Vessel
			Note —
			The holder of this card is permitted to land during the vessel's stay in any port in Brunei Darussalam in the course of the current voyage of such vessel as indicated by the last endorsement made herein.
			Issued at this
			day of 20
		
			Controller of Immigration

Inside

Page 2 PARTICULARS OF HOLDER	Page 3 Space of right thumb print of holder																														
No. on Articles	ENDORSEMENTS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Port</th> <th style="width: 20%;">Date of Arrival</th> <th style="width: 25%;">Signature of I.O.</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Port	Date of Arrival	Signature of I.O.																											
Port		Date of Arrival	Signature of I.O.																												
Nationality Race																															
Group (Cantonese, Hokkien etc.)																															
Age																															
Employment on board																															
Date of engagement																															
Place of engagement																															
Signed																															
Master																															
<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p>PHOTOGRAPH OF HOLDER</p> </div>																															

FORM 18A
Brunei Darussalam
Immigration Regulations
PASSENGER LIST (DISEMBARKATION) AT A PORT IN BRUNEI DARUSSALAM
(regulation 29(1))

Name of ship Owners or charterers Agents in port
 NOTE — This form shall include all passengers who are finally disembarking at a port in Brunei Darussalam.
 Last port of call Date of proposed departure
 Next port of call Date of arrival

No.	Name of Passenger (use one line of each passenger do not write Mr. and Mrs. A.B. or Mrs. C.D. and child)	Male or Female	Age	Class 1st, 2nd, etc. or deck	Port of Embarkation	Port of disembarkation in Brunei Darussalam	Nationality	Country of birth	Occupation	Nature of document of identity carried i.e. passport, certificate of nationality etc. If such documents is carried under "nil"	Address in Brunei Darussalam	Remarks
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												

I certify that the above information is, to the best of my knowledge and belief, true in every particular.

Date

.....
Master of Purser

Note on Form 18A. — This Form will require a continuation sheet headed “FORM 18A — Continuation Sheet” to carry the names of passengers where their numbers exceed the number which can be entered on the first sheet of the Form.

FORM 18B
 Brunei Darussalam
 Immigration Regulations
PASSENGER LIST (THROUGH PASSENGERS)
 (regulation 29(1))

NOTE — This form shall include all passengers who are proceeding in the same ship to a destination beyond Brunei Darussalam.

Name of ship Owners or charterers Agents in port
 Last port of call Date of arrival
 Next port of call Date of proposed departure

No.	Name of Passenger (use one line of each passenger do not write Mr. and Mrs. A.B. or Mrs. C.D. and child)	Male or Female	Age	Class 1st, 2nd etc. or deck	Port of Embarkation	Port of disembarkation not being in Brunei Darussalam	Nationality	Country of birth	Occupation	Nature of document of identity carried i.e. passport, certificate of nationality etc. If such document is carried under "nil"	Remarks
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											
18											
19											
20											

I certify that the above information is, to the best of my knowledge and belief, true in every particular.

Date

.....
 Master of Purser

Note on Form 18B. — This Form will require a continuation sheet headed "FORM 18B — Continuation Sheet" to carry the names of passengers where their numbers exceed the number which can be entered on the first sheet of the Form.

[Subsidiary]

FORM 19

Brunei Darussalam

Immigration Regulations

EMBARKATION/DISEMBARKATION

(regulation 29(2))

- 1. Name (in full)
Mr. / Mrs. or Miss (in block capitals)
- 2. Date and Place of birth
- 3. Sex Marital status (married, divorced, widowed, single)
(cross out those inapplicable).
- 4. Citizenship Race
- 5. Occupation
- 6. Passport No. issued at
on
- 7. Place of embarkation
- 8. Method Air / Sea / Road
(cross out those inapplicable).
- 9. Intended address during stay
-
- 10. Purpose of visit
- 11. Names and ages of accompanying dependants if any —
.....
.....
.....
.....

Date

.....
Signature

For official use —

Identity Card No. Immigration status

.....

Immigration Stamp

FORM 20

Brunei Darussalam

Immigration Regulations

SECURITY BOND

(regulation 30)

By this bond, I (we) of acknowledge myself (ourselves jointly and severally) bound to the Government of Brunei Darussalam in the sum of \$ to be paid to the said Government of Brunei Darussalam (by us or someone of us).

Sealed with my (our) seal(s) this day of 20

Whereas the vessel arrived at the port of on the day of 20

And whereas the persons mentioned in the Schedule hereto, being passengers on board the said vessel, have been refused permission to enter Brunei Darussalam:

And whereas the Controller of Immigration has reasonable ground to believe that the said persons are about to disembark in Brunei Darussalam in contravention of the provisions of the Immigration Act:

Now the above written obligation is conditioned to be void in case the said persons shall each and all of them leave Brunei Darussalam on the said vessel on her sailing from the port of on the day of 20, or so soon thereafter as may be.

But in case any of the said persons shall not so leave Brunei Darussalam on the said vessel, then this obligation to be in full force and effect to the extent of \$ to be paid by the said for which such person so failing to leave Brunei Darussalam:

Provided, nevertheless, that in no case shall the obligation of the said exceed the sum of \$ in which he (they) are hereby bound.

Signed, sealed and delivered by the above named in the presence of }

SCHEDULE

[Subsidiary]

FORM 21

Brunei Darussalam

Immigration Regulations

ORDER OF DETENTION

(regulation 31)

To

Whereas an order has been made for your removal from Brunei Darussalam under section of the Immigration Act.

And whereas your detention is considered necessary until arrangements can be made for your return to your place of embarkation or country of citizenship:

Now know you that I by virtue of the powers vested in me under section 34(1) of the said Act do hereby order that you be detained in

Dated this day of 20

.....
Controller of Immigration

To the Superintendent of Prisons.
Brunei Darussalam.

Pursuant to the provisions of the above order you are hereby required to receive into custody and detain the said until such time as arrangements can be made for his removal from Brunei Darussalam.

Dated this day of 20

.....
Controller of Immigration

FORM 22

Brunei Darussalam

Immigration Regulations

SUMMONS TO A WITNESS

(regulation 32)

To of

Whereas an inquiry is being held by me into

And whereas it appears to me that you are likely to be able to give material evidence respecting the subject of such inquiry:

Now know you that I by virtue of the powers vested in me under section 39(1) of the Immigration Act do hereby summon you to appear at the office of on the day of 20, at o'clock to testify what you know concerning the matter of the said inquiry and not to depart thence without leave of and you are hereby warned that if you shall without just excuse neglect or refuse to appear on the said date you will be guilty of an offence against the said Act.

Given under my hand this day of 20

.....
Controller of Immigration

[Subsidiary]

FORM 23

Brunei Darussalam

Immigration Regulations

APPLICATION FOR AN EMPLOYMENT PASS

(regulation 15(6))

To: Controller of Immigration,

I/We (name of employer) of (address of employer) hereby certify that I/We wish to engage the person whose particulars are given below in the capacity and on the terms stated below.

I/We hereby certify that the said person is to my/our knowledge qualified and suitable for the said employment.

I/We undertake to engage the said person in the said employment on his arrival in Brunei Darussalam and undertake to inform the Controller of Immigration if such person (a) fails to take up the employment; or (b) is discharged from, or leave, the employment.

I/We further undertake, if required to do so, to deposit/give security in a sum not exceeding \$2,000 in respect of the said person.

I/We further certify that the attached photographs are a true likeness of the person to be employed.

A. Information required in respect of intended employee —

- 1. Full Name Chinese characters if applicable
2. Nationality Sex
3. Date and place of birth.....
4. Present address
5. Particulars of passport or travel document —
Type of document Number
Date of issue Place of issue
Valid for re-entry to until

FORM 23 — (continued)

- 6. Present occupation
- B. Information required in respect of employment offered —
 - 1. Nature of employment offered
 - 2. Qualification and experience
.....
 - 3. Period of employment offered
 - 4. Cash wages per mensem

Date

Signed

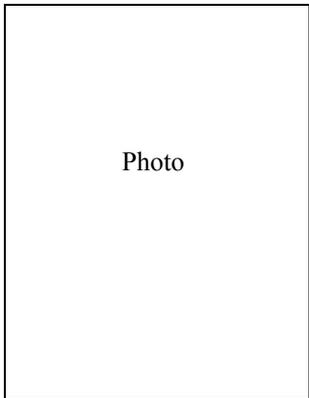
FORM 24

Brunei Darussalam

Immigration Regulations

EMPLOYMENT PASS

(regulation 15(7))



This Pass permits the holder thereof
 to enter Brunei Darussalam on or before the
 20 and to remain therein for a period not exceeding
 from the date
 of entry for the purpose of working in Brunei Darussalam
 as with
 (insert employer's name)

.....
 Controller of Immigration

Date

FORM 25

Brunei Darussalam

Immigration Regulations

APPLICATION FOR DEPENDANT’S PASS

(regulation 16(5))

To: Controller of Immigration,

I being the holder of an Employment Pass hereby make application for the issue of a Dependant’s Pass in respect of who is my dependant. Particulars are as following —

A. PARTICULARS AS TO DEPENDANT

- 1. Full Name
Chinese characters if applicable
- 2. Address
- 3. Sex Occupation
- 4. Married/Single
- 5. Date and place of birth
- 6. Nationality
- 7. Relationship to applicant
- 8. Particulars of passport or travel document —
Type of document Number
- Date and Place issue
- Valid for re-entry to until

B. PARTICULARS AS TO APPLICANT

- 1. Full Name
Chinese characters if applicable
- 2. Address
- 3. Sex Occupation

FORM 25 — (continued)

4. Date and place of birth

5. Number and date of issue of Employment Pass

.....

6. Arrangements for provision of security.....

.....

.....

Date

Signature of Applicant

FORM 26

Brunei Darussalam

Immigration Regulations

DEPENDANT’S PASS

(regulation 16)

This Pass permits the holder thereof and children named below to enter Brunei Darussalam on or before the 20..... and to remain therein for a period not exceeding from the date of entry.

This Pass —

- (i) must be produced to an Immigration Officer on arrival and subsequently on demand by an Immigration Officer;
- (ii) does not enable the holder to engage in any form of paid employment, or in any business or professional occupation without the consent in writing of the Controller;
- (iii) is liable to cancellation if the holder fails to comply with any of the conditions subject to which it is issued;
- (iv) ceases to be valid if the Employment Pass held by the husband/parent is expired or cancelled.

[Subsidiary]

FORM 26 — (continued)

DETAILS OF CHILDREN

Name	Sex	Age
.....		
.....		
.....		
.....		
.....		

Date

.....
Controller of Immigration

SECOND SCHEDULE

(regulation 33)

FEES

Certificate — regulation 3(4)	(i) For an alien	\$10.00
	(ii) For person who is not an alien	\$3.00
	(iii) By endorsement on a passport or other travel document	no fee
Entry Permit — regulation 4(6)	(i) For an alien	\$50.00
	(ii) For a person who is not an alien	\$5.00
	(iii) By endorsement on a passport or other travel document	no fee
Re-entry Permit or duplicate thereof — regulations 6(5) and 23(2)	(i) For an alien	\$10.00
	(ii) For a person who is not an alien	\$3.00
	(iii) By endorsement on a passport or other travel document	no fee

IMMIGRATION ACT
(CHAPTER 17)
IMMIGRATION CONTROL POSTS (CONSOLIDATION)
NOTIFICATION

S 55/1989
S 2/1992
S 5/1997
S 89/2000
S 58/2003
S 34/2012

REVISED EDITION 2014

SUBSIDIARY LEGISLATION

**IMMIGRATION CONTROL POSTS (CONSOLIDATION)
NOTIFICATION**

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation.
2. Declaration under section 5.

SCHEDULE — IMMIGRATION CONTROL POSTS

SUBSIDIARY LEGISLATION**Notification of declaration made under section 5(1) and (2)****IMMIGRATION CONTROL POSTS (CONSOLIDATION)
NOTIFICATION****Citation.**

1. This Notification may be cited as the Immigration Control Posts (Consolidation) Notification.

Declaration under section 5.

2. The immigration control posts described in the Schedule are hereby declared to be immigration control posts, authorised landing places, authorised airports, authorised points of entry, places of embarkation, authorised points of departure or authorised departing places, as the case may be, to enter Brunei Darussalam from any place outside Brunei Darussalam or to leave Brunei Darussalam, for the purposes of the Act.

SCHEDULE

(paragraph 2)

IMMIGRATION CONTROL POSTS

Anduki Airport, Seria

Brunei International Airport

Kuala Belait Wharf

Kuala Lurah, Brunei and Muara District

Muara Port

Puni, Temburong

Putat Control Post, Lumapas

Serasa Ferry Terminal, Muara

[Subsidiary]

SCHEDULE — *(continued)*

Sub-Post Kuala Lurah, Brunei and Muara District

Sungai Tujuh, Kuala Belait

Temburong Labu Control Post, Temburong District

Ujung Jalan Immigration Control Post, Temburong District