

SUBSIDIARY LEGISLATION

[Subsidiary]

Regulations under section 47

WORKMEN'S COMPENSATION REGULATIONS

S.40/57
S.99/59

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Commencement: 1st April 1957

PART I

PRELIMINARY

Citation 1. These regulations may be cited as the Workmen's Compensation Regulations.

Interpretation 2. In these regulations —

“Act” means the Workmen's Compensation Act;

“transferring authority” means any authority in any other territory to which section 45 of the Act applies who transfers or causes to be transferred any lump sum awarded under the law relating to workmen's compensation and applicable for the benefit of any person residing or about to reside in Brunei.

PART II

PROCEDURE

Notice of accident 3. Notice of accident to the Commissioner by an employer as required under section 13 of the Act shall be in Form A in the Schedule.

Procedure on payment to or by Commissioner under section 26 4. (1) Where the Commissioner receives any money from the employer of a deceased workman under section 26 of the Act, he shall give a receipt in Form B in the Schedule for the amount of such money to the employer and such receipt shall be a sufficient discharge for the employer's liability to pay such money.

(2) The Commissioner on paying any money received by him under paragraph (1) to any person mentioned in the said section shall obtain from that person a receipt in Form C in the Schedule.

Procedure on receipt of verbal complaint 5. When any person states verbally to the Commissioner that he has been injured in an accident in the course of his employment and complains that he has been paid no compensation by his employer, or enquires what compensation he is entitled to receive, or when a dependant of any person who has died as a result of such an accident makes a like report, complaint or enquiry, the Commissioner shall, subject to the provisions of paragraph (1) of regulation 40, reduce such statement,

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complaint or enquiry to writing by completing the appropriate Form D, E, or F, as the case may be, or in such other form as he shall think fit, and such person shall sign the same and shall further sign a certificate to the effect that the facts recorded by the Commissioner, which shall be read over to him, are to the best of his knowledge and belief accurate.

6. A summons issued by the Commissioner or an arbitrator under section 37 of the Act shall be in Form G in the Schedule.

Summons to be in Form G in Schedule

7. When an agreement is reached under subsection (1) of section 30 of the Act the Commissioner and the workman and employer concerned shall sign an acknowledgment of such agreement as required by subsection (2) of section 32 of the Act in the appropriate Form H, J or K in the Schedule:

Acknowledgment of agreement

Provided that, when such workman or employer is not present, any written statement signed by him and clearly signifying that he accepts such agreement may be attached by the Commissioner to such acknowledgment, which such workman or employer shall then be deemed to have signed.

8. (1) Any application of the nature referred to in subsection (2) of section 29 of the Act may be sent to the Commissioner by registered post or may be presented to him and, if so sent or presented, shall, unless the Commissioner otherwise directs be made in duplicate in the appropriate Form D, E or F, as the case may be, and shall be signed by the applicant.

Applications

(2) There shall be appended to every such application a certificate, which shall be signed by the applicant, to the effect that the statement of facts contained in the application is to the best of his knowledge and belief accurate.

9. (1) On receiving such application, the Commissioner may examine the applicant on oath or may send the application to any public officer authorised by himself in that behalf and direct such officer to make examination and forward the record thereof to the Commissioner.

Examination of applicant

(2) The substance of any examination made under this regulation shall be recorded in the manner provided for the recording of evidence in subsection (2) of section 37 of the Act.

10. The Commissioner may enquire orally or in writing of the employer, or principal under section 20 of the Act (in this Part referred to as "the respondent"), of the person making a statement, complaint or

Commissioner to refer complaint to employer

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enquiry as described in regulation 5 or an application under regulation 8 whether such employer or principal admits any liability, and such enquiry shall give particulars of such statement, complaint or enquiry and shall constitute a formal claim under section 12 of the Act, and if in writing, the Commissioner shall record the date of the letter and the manner of its despatch, or if oral, the Commissioner shall record the fact that he has done so.

Verbal claim to employer

11. If, after notice of an accident has been given in accordance with section 13 of the Act or a statement, complaint or enquiry has been made as described in regulation 5 or an application under regulation 8, the respondent is present before the Commissioner, the Commissioner may make to him verbally a formal claim under section 12 of the Act and, if he makes such claim, shall record the fact that he has done so.

Statement to be filed by respondent

12. The respondent may, and if so required by the Commissioner shall, within such time as the Commissioner may fix, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

Procedure where indemnity claimed under section 20 (2). Notice to third party

13. Where the respondent claims that if compensation is recovered against him he will be entitled under subsection (2) of section 20 of the Act to be indemnified by a person not being a party to the case (in this Part referred to as "the third party") he shall, within 10 days after being served with the copy of the application, file a notice of such claim with the Commissioner, and the Commissioner shall thereupon cause a copy of the notice of such claim in Form L in the Schedule to be served on the third party, and may, if he thinks fit, call upon him to file a written statement dealing with the claim raised in the application within such time as the Commissioner may fix.

Procedure where claim admitted

14. If the respondent or the third party admits the claim, he shall so inform the Commissioner

Failure of respondent or third party to file statement

15. If the respondent or the third party fails to file a written statement dealing with the claim against him within the time fixed by the Commissioner, the claim may then be referred to an arbitrator for decision under subsection (1) of section 32 of the Act.

Record

16. The Commissioner shall record —

(a) all decisions made by him under sections 8, 10, 15 and 16 of the Act;

(b) his consent to any agreement under section 17 of the Act and the particulars of such agreement;

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(c) a concise account of any proceedings conducted by him under the Act and, as required by subsection (2) of section 37 of the Act, any evidence heard by him in the course of such proceedings;

(d) all particulars required to be recorded by regulations 5, 7, 8, 9 and 10.

17. The Commissioner or any public officer authorised under paragraph (a) of subsection (5) of section 29 of the Act may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection or of examining any persons likely to be able to give information relevant to the proceedings:

Right of entry for local inspection

Provided that the Commissioner or such public officer shall not enter any premises of any industrial establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment and such permission may not be unreasonably withheld.

18. If the Commissioner or any public officer authorised under paragraph (a) of subsection (5) of section 29 of the Act purposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place, he shall give the parties or their representatives notice of his intention to conduct such inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

Procedure in connection with local inspection

(2) Such notice may be given orally or in writing and, in the case of an employer, may be given to any person upon whom notice of a claim can be served under subsection (5) of section 12 of the Act.

(3) Any party, or the representative of any party, may accompany the Commissioner at a local inspection.

19. Where 2 or more cases pending before the Commissioner or an arbitrator arise out of the same accident and any issue involved is common to 2 or more cases, such cases may, if the parties agree, so far as the evidence bearing on such issue is concerned, be taken together.

Procedure in connected cases

20. The provisions of this Part shall, as far as may be, apply in the case of any proceedings relating to the apportionment of compensation among dependants of a deceased workman.

Apportionment of compensation among dependants

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Application to arbitrator

21. An application to an arbitrator for the settlement of any question under section 32 of the Act shall be in Form M-1 or Form M-2 in the Schedule.

Summary dismissal of application

22. The arbitrator may, after considering the application, summarily dismiss the application, if for reasons to be recorded, he is of opinion that there are no sufficient grounds for proceeding thereon.

Preliminary inquiry into application

23. If the application is not dismissed under regulation 22 the arbitrator may, for reasons to be recorded, call upon the applicant to produce evidence in support of the application before calling upon any other party, and if upon considering such evidence the arbitrator is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for so doing.

Notice to opposite party

24. If the arbitrator does not dismiss the application under regulation 22 or 23, he shall cause to be served on the respondent a copy of the application and may, if he thinks fit, call upon him to file a written statement dealing with the claim within such time as the arbitrator may fix.

Service by post

25. Service of notices by the Commissioner or by an arbitrator may be by registered post.

Failure to file statement

26. If the respondent or the third party fails to file a written statement dealing with the claim against him within the time fixed by the arbitrator he may be taken to admit the claim.

Date and place of hearing

27. The arbitrator shall fix a date, and place for disposing of the application and of the claim for indemnity, if any, and cause notice thereof in the form in Form N in the Schedule to be served on the different parties calling upon them then and there to produce any evidence which they may wish to tender.

Non-appearance of applicant

28. If, on the day of hearing or at any adjournment of the case, the applicant does not appear, the case shall be dismissed, unless the arbitrator having received a reasonable excuse for the non-appearance of the applicant, or for other sufficient reason, thinks fit to adjourn the hearing to some future day upon such terms as to costs as the arbitrator may think just.

Absence of respondent or third party

29. If, on the day of hearing or at any adjournment of the case, the respondent or third party does not appear, the arbitrator may proceed to hear the case in his absence, unless the arbitrator, having received a reasonable excuse for his absence, or for other sufficient reason, thinks

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fit to adjourn the hearing to some future day upon such terms as to costs as the arbitrator may think fit.

30. (1) The arbitrator, in making orders, shall record concisely his finding and his reasons for such finding. Orders

(2) After the arbitrator has made his order no addition or alteration shall be made to the order other than the correction of a clerical or arithmetical mistake arising from any accidental slip or omission.

(3) Orders shall be in one of the forms in Form O in the Schedule.

31. If an arbitrator is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees or costs he may remit any or all of such fees or costs. If the case is decided in favour of the applicant, the prescribed fees or costs which, had they not been remitted, would have been due to be paid, may be added to the costs of the case and recovered in such manner as the arbitrator in his order regarding costs may direct. Exemption from payment of fees and costs

PART III

MEDICAL EXAMINATION

32. A workman who is required under subsection (2) of section 5 or under subsection (1) of section 15 of the Act to submit himself for medical examination shall be bound to do so in accordance with these regulations and not otherwise. Workman not to be required to submit to medical examination save in accordance with regulations

33. When a workman is present on the employer's premises and the employer offers to have him examined free of charge by a registered medical practitioner who also is so present, the workman shall submit himself for examination forthwith. Examination when workman and medical practitioner both on premises

34. In cases to which regulation 33 does not apply the employer may — Examination in other cases

(a) send the registered medical practitioner to the place where the workman is residing for the time being, in which case the workman shall submit himself for medical examination on being requested to do so by the said medical practitioner; or

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(b) send to the workman an offer in writing to have him examined free of charge by a registered medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises or at such other place as is specified in such offer and at such time as is so specified:

Provided that —

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 6 p.m. and 8 a.m.; and
- (ii) in cases where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place.

Restriction
on number of
medical ex-
aminations

35. A workman who is in receipt of a half-monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

Examination
after suspen-
sion of right
to compensa-
tion

36. If a workman whose right to compensation has been suspended under subsection (2) or subsection (3) of section 15 of the Act subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer and at a time to be fixed by the employer not being, save with the express consent of the workman, more than 72 hours after the workman has so offered himself.

Examination
of women

37. (1) No woman shall without her consent be medically examined by a male registered medical practitioner, save in the presence of another woman.

(2) No woman shall be required to be medically examined by a male registered medical practitioner if she deposits a sum sufficient to cover the expenses of examination by a female registered medical practitioner.

PART IV

DEPOSIT OF COMPENSATION

38. (1) An employer depositing compensation with the Commissioner under subsection (1) of section 10 of the Act shall furnish therewith a statement in Form P in the Schedule and shall be given a receipt in Form B in the Schedule.

Deposit
under
section 10 (1)

(2) If, in the statement referred to in paragraph (1) the employer indicates that he desires to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person to whom he proposes to allot such sum is not a dependant of the deceased workman, or, as the case may be, that no one of such persons is a dependant.

(3) The statement of disbursements to be furnished on application by the employer under subsection (9) of section 10 of the Act shall be in Form Q in the Schedule.

39. The Commissioner shall cause to be displayed in a prominent position outside his office, not later than the 7th day of each month, an accurate list of the deposits received by him under subsection (1) of section 10 of the Act during the immediately preceding month together with the names and addresses of the depositors and of the workmen in respect of whose death the deposits have been made.

Publication
of lists of de-
posits

40. (1) Where a dependant of a deceased workman claims that compensation is payable in respect of the death of the workman, and no compensation has been deposited in accordance with subsection (1) of section 10 of the Act in respect thereof, the dependant may apply to the Commissioner for the issue of an order requiring the employer to deposit compensation in accordance with the said subsection:

Procedure
where no
compensa-
tion depo-
sited

Provided that no such application shall be entertained unless the applicant or, in case no such dependant resides in Brunei, any person whom the Commissioner agrees may act on behalf of such dependant, certifies therein that he has requested the employer to deposit compensation and that the employer has refused or omitted to do so.

(2) The Commissioner shall dispose of such application in accordance with the provisions of Part II of these regulations:

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Provided that —

(a) the Commissioner may, at any time, cause notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman who have not joined in the application, requiring them, if they desire to join therein, to appear before him on a date specified in this behalf;

(b) any dependant to whom such notice has been given and who fails to appear and to join in the application on the date specified in the notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation, unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the case was called on for hearing.

(3) If, after completing the enquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with subsection (1) of section 10 of the Act, nothing in paragraph (2) shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join in the application.

Deposit under section 10 (2)

41. An employer depositing compensation in accordance with subsection (2) of section 10 of the Act shall furnish therewith a statement in Form R in the Schedule, and shall be given a receipt in Form B in the Schedule.

Manner in which compensation may be invested under section 10

42. Money to be invested under paragraph (a) of subsection (7) of section 10 of the Act may be paid to the credit of an account to be called the Commissioner's Workmen's Compensation Accounts.

PART V

ENQUIRY BY EMPLOYER

Right of employer to present memorandum when notice given

43. (1) Any employer to whom notice of an accident has been given at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, present to the Commissioner a memorandum, supported by an affidavit made by himself or by any person subordinate to him having knowledge of the facts stated in the memorandum embodying the results of any investigation or enquiry which has been made into the circumstances or cause of the accident.

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(2) A memorandum presented under paragraph (1) shall be recorded by the Commissioner.

PART VI

ADMISSION TO APPROVED AND
SPECIAL HOSPITALS

44. When a registered medical practitioner who has examined a workman certifies under subsection (1) of section 16 of the Act that such workman requires treatment in an approved hospital, and when the registered medical practitioner in charge of an approved hospital agrees to admit such workman to such approved hospital, the employer of such workman shall cause such workman to be conveyed to the approved hospital in such manner as the registered medical practitioner who has examined him advises to be appropriate to his condition.

Cost of conveyance to an approved hospital

45. When the registered medical practitioner in charge of an approved hospital recommends under subsection (2) of section 16 of the Act that a workman be admitted for treatment to a special hospital, and when the registered medical practitioner in charge of a special hospital certifies under the said subsection that treatment in such hospital will in his opinion benefit such workman and agrees to admit such workman to such special hospital, the employer of such workman shall cause such workman to be conveyed to the special hospital in such manner as the registered medical practitioner in charge of the approved hospital shall direct.

Cost of conveyance to a special hospital

46. The employer of a workman admitted either to an approved or a special hospital shall pay direct to the Medical Officer-in-Charge of such hospital all fees and costs for which he is liable under subsection (3) of section 16 of the Act upon receipt of a bill for such fees and costs.

Payment of hospital fees

47. A workman admitted either to an approved or special hospital shall, where such hospital is a private hospital, himself be liable to pay the amounts of any fees or costs incurred on his behalf in excess of the maximum amounts prescribed by His Majesty in Council under subsection (3) of section 16 of the Act, and, where such hospital is a government hospital, such excess amounts shall be paid from public funds.

Liability for excess fees

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PART VII

REVIEW OF HALF-MONTHLY PAYMENTS AND
COMMUTATIONS THEREOF

When application may be made without medical certificate

48. Application in Form S in the Schedule for review of a half-monthly payment under section 17 of the Act may be made without being accompanied by a medical certificate —

(a) by the employer, on the ground that since the right to compensation was determined the workman's wages have increased;

(b) by the workman on any of the following grounds —

(i) that since the right to compensation was determined his wages have diminished;

(ii) that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation;

(c) either by the employer or by the workman, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means.

Procedure on application for review

49. If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.

Procedure on application for commutation

50. (1) When under section 18 of the Act any half-monthly payments are commuted into a lump sum, such lump sum shall, except at the discretion of an arbitrator, be not less than the total of the half-monthly payments which would otherwise have been payable to the workman during the period for which it is estimated that the workman's disablement will continue, less one-quarter per centum of that total for each month comprised in that period:

Provided that fractions of a dollar included in the lump sum so computed shall be increased to the nearest whole dollar.

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(2) The Commissioner shall not consent to an agreement under section 18 of the Act unless he considers that the estimate of the probable duration of the workman's disablement is reasonable.

PART VIII

APPOINTMENT OF REPRESENTATIVES

51. Where any party to a proceeding is a minor or is unable to make an appearance, the Commissioner or an arbitrator shall appoint some suitable person, who consents to the appointment, to represent such party for the purpose of the proceeding.

When representative must be appointed

52. If the Commissioner or an arbitrator considers that the interests of any party for whom a representative has been appointed under regulation 51 are not being adequately protected by that representative, or if a person appointed to act as representative dies, or becomes incapable of acting, or otherwise ceases to act as such, the Commissioner or the arbitrator shall appoint in his place another person who consents to the appointment.

When new representative to be appointed

PART IX

RECORD OF MEMORANDA OF AGREEMENT

53. A memorandum under subsection (1) of section 30 of the Act shall either be sent by post or delivered to the Commissioner and shall, unless the Commissioner otherwise directs, be in duplicate and in as close conformity as the circumstances of the case admit to Form H, J or K in the Schedule.

Form of memorandum under section 30 (1)

54. (1) On receiving a memorandum of agreement, the Commissioner shall, unless he considers that there are grounds for refusing to record the memorandum, fix a date for recording the same, and shall issue a notice in writing in Form T in the Schedule to the parties concerned that in default of objections he proposes to record the memorandum on the date so fixed:

Procedure where Commissioner does not consider that he should refuse to record memorandum

Provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

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(2) On the date so fixed, the Commissioner shall record the memorandum unless, after hearing any of the parties who appear and desire to be heard, he considers that it ought not to be recorded:

Provided that the issue of a notice under paragraph (1) shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed, even if no objection be made by any party concerned.

(3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefor, and, if any party desiring the memorandum to be recorded is not present, he shall send information to that party in Form U in the Schedule.

Procedure where Commissioner considers he should refuse to record memorandum

55. (1) If, on receiving a memorandum of agreement, the Commissioner considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and shall inform such party or parties and, if he thinks fit, any other party concerned of the date so fixed and of the grounds on which he considers that the memorandum should not be recorded.

(2) If the parties to be informed are not present, a written notice shall be sent to them in Form V in the Schedule, and the date fixed in such notice shall be not less than 7 days after the date of the issue of the same.

(3) If, on the date fixed under paragraph (1), the party or parties desiring the memorandum to be recorded show adequate cause for proceeding to the record of the same, the Commissioner may, if information has already been given to all the parties concerned, record the agreement. If information has not been given to all such parties, he shall proceed in accordance with regulation 54.

(4) If, on the date so fixed, the Commissioner refuses to record the memorandum, he shall send notice in Form V in the Schedule to any party who did not receive information under paragraph (1).

Procedure on refusal to record memorandum

56. (1) If in any case the Commissioner refuses to record a memorandum of agreement, he shall briefly record his reasons for such refusal.

(2) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Commissioner considers that the memorandum of agreement should not be recorded by

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reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

57. In recording a memorandum under subsection (1) of section 30 of the Act, the Commissioner shall cause the same to be entered in a register in Form W in the Schedule and cause an endorsement to be entered under his signature on a copy of the memorandum to be retained by him in the following terms —

Registration
of memoran-
dum accepted
for record

“This memorandum of agreement bearing Serial
No. of 19..... in Register No. has
been recorded this day of
19..... .

(Signature)

Commissioner”.

PART X

SUBMISSION OF QUESTION OF LAW UNDER SECTION 41

58. (1) When an arbitrator submits any question of law for the decision of a Judge under subsection (1) of section 41 of the Act, such submission shall be in the form of a special case.

Procedure in
submitting
any question
of law

(2) The case shall be in Form X in the Schedule and shall be divided into paragraphs numbered consecutively, and shall state concisely such facts and refer to such documents as may be necessary to enable the Judge to decide the questions of law raised thereby.

(3) The case shall be signed by the arbitrator and sent to the appropriate Registrar of the Supreme Court, who shall forthwith transmit the same to a Judge, who shall appoint a day, hour and place for hearing the same.

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(4) The Registrar shall forthwith cause due notice in Form Y in the Schedule of the day, hour and place appointed for hearing the case to be given to the Commissioner, who shall forthwith give notice to the parties:

Provided that the parties shall be given such notice not less than 14 clear days before the date of such hearing, unless the Judge shall, with the consent of all parties, fix an earlier day.

(5) Any party shall be entitled, on payment of the proper fees, to obtain from the Registrar a copy of the case.

(6) Any party may be represented by his advocate and solicitor.

(7) After deciding the question submitted to him, the Judge shall remit the case with a memorandum of his decision to the arbitrator.

(8) The Judge may remit the case to the arbitrator for restatement or further statement.

(9) The costs of the hearing of a case shall be in the discretion of the arbitrator and shall form part of the proceedings before such arbitrator.

PART XI

TRANSFER OF CASES

Transfer
of case

59. (1) If a Deputy Commissioner or an Assistant Commissioner is satisfied by any party to any proceedings before him that such matter can be more conveniently dealt with by any other Deputy Commissioner or Assistant Commissioner or by the Commissioner he may subject to any directions given by the Commissioner order such matter to be transferred to such other officer either for report or for disposal, and if he does so shall transmit to such other officer all documents relevant to the decision of such matter and, where the matter is transferred for disposal, shall also transmit in such manner as the Commissioner may direct any money or securities remaining in his hands or held by him for the benefit or any party to the proceedings.

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(2) Such other officer to whom any matter is so transferred shall enquire thereinto and —

(a) if the matter was transferred for report, carry out such enquiry as may be necessary in the circumstances in order to make the report and on completion of the report shall forward it to the officer who had referred the matter to him; and

(b) if the matter was transferred to him for disposal continue the proceedings as if they had been commenced before him.

(3) On receipt of a report from the officer to whom any matter has been transferred for report under paragraph (1), the officer by whom it was referred shall decide the matter referred to in conformity with such report.

PART XII

TRANSFER OF MONEY

60. This Part shall only apply to the transfer of fund between Brunei and a country with which an arrangement has been made under section 45 of the Act. Application

61. When any sum is transmitted by any authority in Brunei to any other authority in accordance with this Part, the cost of such transmission may be deducted from the sum so transmitted. Cost of transmission may be deducted

62. When the whole or any part of a lump sum deposited with the Commissioner for payment as compensation under the Act is payable to any person or persons residing or about to reside in any other country, the Commissioner may order the transfer to that country of the sum so payable. Commissioner may order transfer of compensation

63. When the Commissioner has ordered the transfer of any sum under regulation 62, he shall cause to be prepared and shall certify under his hand a memorandum containing a brief statement of the facts of the case, of the result of it, and of the name and address of each person to whom payment is to be made. Memorandum of case

LAWS OF BRUNEI

[Subsidiary]

Memorandum and compensation to be forwarded to competent authority

64. The Commissioner shall forward the memorandum and remit or cause to be remitted the sum to which it relates by such means of safe transmission as he may consider convenient to the authority appointed for this purpose for the country to which the sum is to be transferred, or if no such authority has been appointed, to such authority as His Majesty in Council may by general or special order direct, and shall at the same time request the authority addressed —

(a) to arrange for payment to be made in accordance with the directions contained in the memorandum; and

(b) to furnish him with a report of the action taken upon the memorandum and return any sum the payment of which is for any reason impossible.

Commissioner to receive transferred compensation

65. The Commissioner shall be the proper authority to receive moneys from transferring authorities.

Provisions of Act and regulations to apply to transferred compensation

66. All sums received from a transferring authority shall be disposed of as far as possible in accordance with the provisions of the Act and these regulations:

Provided that the directions, if any, received from the transferring authority as to the manner in which the sum should be administered shall be complied with.

PART XIII

FEES

Fees

67. The following fees are hereby prescribed for hearings before an arbitrator and shall be collected by means of stamps affixed to the form of application employed —

an application for the settlement of any question \$5.00

PART XIV

FORMS

Forms may be varied

68. Where the forms in the Schedule are not applicable forms of the like character with such variations as the circumstances may require may be used in proceedings under the Act.

SCHEDULE

Form A

(Regulation 3)

NOTICE OF ACCIDENT TO COMMISSIONER FOR WORKMEN'S COMPENSATION BY EMPLOYER

Section 13 of the Workmen's Compensation Act (Cap. 74)

Employer's Name

Address

Industry

Injured workman's Name Age Sex

Address

Occupation

Date of accident Time

Place of accident

Description of accident

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

Particulars of Injury (Part of the body injured, nature of injury, whether serious or slight)

.....

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

Name of insurer (if any)

Have they been informed of the accident? (If not, give reasons)

.....

REMARKS

.....

Employer's Signature

Date 19

Form B

No.

(Regulations 4 (1), 38 and 41)

BRUNEI DARUSSALAM

Received from

the sum of dollars

on account of

\$

Date 19

.....

Commissioner

Form C

(Regulation 4 (2))

RECEIPT

For Money paid out in accordance with section 26 of the Workmen's Compensation Act (Cap. 74)

Received from the Commissioner the sum of \$
in respect of

Name and Address of Payee

Date 19

.....
Signature of Payee

References:

Form D

(Regulations 5 and 8)

APPLICATION FOR COMPENSATION BY WORKMAN

To the Commissioner for Workmen's Compensation —

Between
..... residing at Applicant
and

LAWS OF BRUNEI

[Subsidiary]

..... residing at Respondent.

It is hereby submitted that —

1. The applicant, a workman employed by (a contractor with) the respondent on the day of, 19..... received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was*

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

2. The applicant sustained the following injuries, namely:

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

†3. The monthly wages of the applicant amount to \$.....
under the age of 16 years.

The applicant is between the ages of 16 and 18 years.
over the age of 18 years.

†4. (a) Notice of the accident was served on the
day of 19..... .

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason
of

*Here insert briefly in ordinary language the cause of the injury.

†Strike out the clauses which are not applicable.

*5. The applicant is accordingly entitled to receive —

(a) half-monthly payments of \$..... from the day of, 19....., to

(b) a lump sum payment of \$

6. The applicant has taken the following steps to secure a settlement by agreement, namely but it has proved impossible to settle the questions in dispute because

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

*You are therefore requested to secure agreement to the following questions in dispute, namely —

(a) whether the applicant is a workman within the meaning of the Act;

(b) whether the accident arose out of or in the course of the applicant's employment;

(c) whether the amount of compensation claimed is due, or any part of that amount;

(d) whether the respondent is liable to pay such compensation as is due;

†(e)

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

Date 19

.....
Applicant

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

I do solemnly and sincerely declare that the statement of facts contained in this application is to the best of my knowledge and belief accurate.

To

of

I do hereby require you to file with me the undersigned Commissioner a written statement dealing with the claim against you in the above application within days after service thereof on you.

And further take notice that if you fail to forward the statement in writing you will be deemed to admit the claim.

Dated this day of, 19.....

.....
Commissioner

*Strike out the clauses which are not applicable.

†As required.

Form E

(Regulations 5 and 8)

APPLICATION FOR COMPENSATION BY DEPENDANTS

To the Commissioner for Workmen's Compensation.

.....

Between

..... residing at Applicant

and

..... residing at Respondent.

It is hereby submitted that —

I, a workman employed by
(a contractor with) the respondent on the day of
....., 19..... received personal injury by accident
arising out of and in the course of his employment resulting in his death
on the day of, 19.....

The cause of the injury was*
.....
.....
.....

2. The applicant(s) $\frac{\text{is a}}{\text{are}}$ dependant(s) of the deceased being his
.....

3. The monthly wages of the deceased amount to \$.....

under the age of 16 years.
The deceased was between the ages of 16 and 18 years.
over the age of 18 years.

†4. (a) Notice of the accident was served on the
day of, 19.....

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason
of
.....

*Here insert briefly in ordinary language the cause of the injury.

†Strike out the clauses which are not applicable.

[Subsidiary]

.....
.....

5. The deceased before his death received as compensation the total sum of \$.....

6. The applicant(s) $\frac{\text{is}}{\text{are}}$ accordingly entitled to receive a lump sum payment of \$.....

7. The applicant(s) $\frac{\text{has}}{\text{have}}$ requested the respondent to deposit compensation and the latter has $\frac{\text{refused}}{\text{omitted}}$ to do so.

*You are therefore requested to secure agreement to the following questions in dispute, namely —

(a) whether the deceased was a workman within the meaning of the Act;

(b) whether the accident arose out of and in the course of the deceased's employment;

(c) whether the amount of compensation claimed is due, or any part of that amount;

(d) whether the respondent is liable to pay such compensation as is due;

(e) whether the applicant(s) $\frac{\text{is a}}{\text{are}}$ dependant(s) of the deceased;

(f) how the compensation, when deposited, should be distributed;

†(g)
.....

*Strike out the clauses which are not applicable.

†As required.

[Subsidiary]

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

Date 19

.....
Applicant

I do solemnly and sincerely
declare that the statement of facts contained in this application is to the
best of my knowledge and belief accurate.

.....
Applicant

To

of

I do hereby require you to file with me the undersigned Commis-
sioner a written statement dealing with the claim against you in the
above application within days after service thereof
on you.

And further take notice that if you fail to forward the statement in
writing you will be deemed to admit the claim.

Dated this day of, 19.....

.....
Commissioner

[Subsidiary]

Form F

APPLICATION FOR COMMUTATION

(Regulations 5 and 8)

Under section 17 of the Workmen's Compensation Act (Cap. 74)

To the Commissioner for Workmen's Compensation,

.....

Between

..... residing at Applicant

and

..... residing at Respondent.

It is hereby submitted that —

(1) The applicant/respondent has been in receipt of half-monthly payments from to in respect of temporary disablement by accident arising out of and in the course of his employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The respondent is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payments should be redeemed.

You are therefore requested to secure agreement —

(a) that the right to receive half-monthly payments should be redeemed;

(b) as to the sum for the redemption of the right to receive half-monthly payments.

Date 19

.....
Applicant

[Subsidiary]

I do solemnly and sincerely declare that the statement of facts contained in this application is to the best of my knowledge and belief accurate.

..... Applicant

Form G

(Regulation 6)

WORKMEN'S COMPENSATION ACT (Cap. 74)

IN THE OFFICE OF THE COMMISSIONER AT

..... Workmen's Compensation Case No.

IN THE MATTER OF

Whereas I, the undersigned

Commissioner desire to enquire into the above matter:

And whereas I have reason to believe you can give information respecting the subject matter of the enquiry:

You are hereby required personally to attend at the Labour Department, on the day of 19....., at

and (i) to answer truthfully all questions which I may put to you;

(ii) to produce the following documents

.....
.....

LAWS OF BRUNEI

96

CAP. 74

Workmen's Compensation

[Subsidiary]

And take notice that if you neglect to attend as required in this summons, you will be liable to be punished as provided in Chapter XI of the Penal Code.

Dated this day of, 19.....

.....
Commissioner

To

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

Form H

(Regulations 7 and 53)

MEMORANDUM OF AGREEMENT

It is hereby submitted that on the day of 19....., personal injury was caused to residing at by accident arising out of and in the course of employment in The said injury has resulted in temporary disablement to the said workman whereby it is estimated that he will be prevented from earning more than of his previous wages for a period of any months. The said workman has been in receipt of half-monthly payments which have continued from the

[Subsidiary]

..... day of 19....., until
the day of amounting to
\$..... in all. The said workman's monthly wages are esti-
mated as \$.....

is over the age of 18 years.

*The workman will reach the age of 18 years on
will reach the age of 16 years on

It is further submitted that, the
employer of the said workman has agreed to pay, and the said workman
has agreed to accept the sum of \$..... in full settlement of all
and every claim under the Workmen's Compensation Act, in respect of
all disablement of a temporary nature arising out of the said accident
whether now or hereafter to become manifest.

It is therefore requested that this memorandum be duly recorded*.

It is further submitted that the employer has paid and/or agreed to
pay the sum of \$..... only in respect of this agreement (in-
cluding all negotiations and proceedings preliminary thereto), to the
advocate and solicitor for the workman, as costs.

Dated, 19.....

.....
Witness Signature of employer

.....
Witness Signature of workman

(Note. — An application to register an agreement can be pre-
sented under the signature of one party, provided that the other party
has agreed to the terms. But both signatures should be appended,
whenever possible.)

*Delete if not applicable.

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

†In accordance with the above agreement, I have this day received the sum of \$.....

Dated, 19.....

.....
Workman

The money has been paid and this receipt signed in my presence.

.....
Witness

†Receipt to be filled in when the money has actually been paid.

Form J

(Regulations 7 and 53)

MEMORANDUM OF AGREEMENT

It is hereby submitted that on the day of 19....., personal injury was caused to residing at by accident arising out of and in the course of employment in The said injury has resulted in permanent disablement to the said workman of the following nature, namely —
.....
.....
.....

[Subsidiary]

The said workman's monthly wages are estimated as \$.....

is over the age of 18 years.

The workman will reach the age of 18 years on

will reach the age of 16 years on

The said workman has, prior to the date of this agreement, received the following payments, namely —

.....
.....

It is further submitted that, the employer of the said workman has agreed to pay, and the said workman has agreed to accept the sum of \$..... in full settlement of all and every claim under the Workmen's Compensation Act, in respect of the disablement stated above and all disablement now manifest.

It is therefore requested that this memorandum be duly recorded*.

It is further submitted that the employer has paid and/or agreed to pay the sum of \$..... only in respect of this agreement (including all negotiations and proceedings preliminary thereto), to the advocate and solicitor for the workman, as costs.

Dated, 19.....

.....
Witness Signature of employer

.....
Witness Signature of workman

(Note. — An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.)

*Delete if not applicable.

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

†In accordance with the above agreement, I have this day received the sum of \$.....

Dated, 19.....

.....
Workman

The money has been paid and this receipt signed in my presence.

.....
Witness

†Receipt to be filled in when the money has actually been paid.

Form K

(Regulations 7 and 53)

MEMORANDUM OF AGREEMENT

It is hereby submitted that on the day of 19....., personal injury was caused to residing at by accident arising out of and in the course of employment in

The said injury has resulted in temporary disablement to the said workman who is at present in receipt of

wages amounting to \$..... per month. The said workman's

no wages
monthly wages prior to the accident are estimated as \$..... The workman is subject to a legal disability by

reason of

It is further submitted that, the employer of the workman has agreed to pay and on behalf of the said workman has agreed to accept half-monthly payments at the rate of \$..... for the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with the provisions of the Workmen's Compensation Act, on account of an alteration in the earnings of the said workman during disablement. It is further stipulated that all rights of commutation under section 18 of the said Act are unaffected by this agreement.

It is therefore requested that this memorandum be duly recorded*.

It is further submitted that the employer has paid and/or agreed to pay the sum of \$..... only in respect of this agreement (including all negotiations and proceedings preliminary thereto), to the advocate and solicitor for the workman, as costs.

Dated, 19.....

..... Witness Signature of employer
..... Witness Signature of workman

(Note. — An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.)

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of \$.....

*Delete if not applicable.

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

Dated, 19.....

.....
Workman

The money has been paid and this receipt signed in my presence.

.....
Witness

Form L

(Regulation 13)

NOTICE

Whereas a claim for compensation has been made by
..... applicant, against

....., and the said
has claimed that you are liable under section 20 of the Workmen's
Compensation Act, to indemnify him against a compensation which
he may be liable to pay in respect of the aforesaid claim, you
are hereby informed that you may appear before me at
..... o'clock on the day
of, 19..... at and
contest the claim for compensation made by the said applicant or the
claim for indemnity made by the respondent. In default of your appear-
ance you will be deemed to admit the validity of any award made against
the respondent and your liability to indemnify the respondent for any
compensation recovered from him.

Dated, 19.....

.....
Commissioner

[Subsidiary]

To

of

I do hereby require you to file with me the undersigned Commissioner a written statement dealing with the claim against you in the above application within days after service thereof on you.

And further take notice if you fail to forward the statement in writing, you will be deemed to admit the claim.

Dated, 19.....

.....

Commissioner

Form M-1

(Regulation 21)

APPLICATION TO AN ARBITRATOR

To the Workmen's Compensation Arbitrator,

.....

Between

..... residing at Applicant

and

..... residing at Respondent.

Whereas a question has arisen under the Workmen's Compensation Act, which the workman, his employer and the Commissioner cannot settle by agreement, out of the following circumstances —

(Here set out concisely the circumstances of the accident, etc.; the injuries suffered by the workman and their consequences, etc.)

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

And whereas the applicant seeks —

(Here set out the relief (compensation, etc.) or order which the applicant seeks.)

And whereas agreement has been reached and recorded on the following questions —

(Delete if not applicable; otherwise set out here details of all matters upon which agreement between the workman, his employer and the Commissioner has been reached.)

And whereas agreement has not been reached on the following questions —

(Here set out details of all matters in dispute.)

Now therefore the aforesaid questions are hereby submitted to you for decision and for your order consequent upon such decision.

Dated this day of 19.....

.....
(Signed)

CERTIFICATE

I, hereby certify that I held an enquiry under section 29 of the Workmen's Compensation Act, into the matters to which this application relates and that agreement was reached/was not reached* on the questions set out in the application.

.....
Signed
Commissioner

Note — There should be attached to the application any documents or correspondence relevant to the matters in dispute, including copies of any application for compensation and of any notes taken by the Commissioner, etc.; and of the record of any agreement reached.

*Delete the words not applicable.

Form M-2

(Regulation 21)

APPLICATION TO AN ARBITRATOR

To the Workmen's Compensation Arbitrator,

.....

Between

..... residing at Applicant

and

..... residing at Respondent.

Whereas, as a consequence of an accident to which the provisions of the Workmen's Compensation Act, apply, the Commissioner has made a decision under section† of the said Act, of which particulars are set out below:

And whereas the applicant is aggrieved by the said decision because

(Here set out the reasons.)

And whereas the applicant seeks

(Here set out the relief or order which the applicant seek.)

Now therefore, the applicant applies to you to consider the matters herein set out and to give your decision thereon and for your order consequent upon such decision.

Particulars

(Here set out concisely the circumstances of the accident, etc.; the injuries suffered by the workman and their consequences, etc., the decision of the Commissioner, and any other relevant facts.)

†Insert 8, 10, 14 or 15, as the case may be.

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

Dated this day of, 19.....

Signed

Note — There should be attached to this application any documents or correspondence relevant to this matter, including copies of any application for compensation and of any notes taken by the Commissioner, etc.; and of the record of any agreement reached.

Form N

(Regulation 27)

NOTICE TO APPLICANT OF DAY UPON WHICH HEARING WILL BE PROCEEDED WITH

Workmen's Compensation Act, (Cap. 74)

Between

..... residing at Applicant

and

..... residing at Respondent.

Take notice that the Arbitrator under the Workmen's Compensation Act, will proceed with the hearing of the application in this matter at on the day of, 19..... at the hour of o'clock in the noon.

Dated this day of, 19.....

Arbitrator

To of

NOTICE TO RESPONDENT OF DAY UPON WHICH HEARING WILL BE PROCEEDED WITH

Workmen's Compensation Act, (Cap. 74)

Between residing at Applicant and residing at Respondent.

Take notice that the Arbitrator under the Workmen's Compensation Act, will proceed with the hearing of the application in this matter at on the day of, 19..... at the hour of o'clock in the noon, and that if you do not attend at the time and place above-mentioned such order will be made and proceedings taken as the arbitrator may think just and expedient.

Dated this day of, 19.....

Arbitrator

To of

Form O

(Regulation 30)

(i) IN CASE OF APPLICATION FOR HALF-MONTHLY PAYMENTS OF COMPENSATION

Workmen's Compensation Act, (Cap. 74)

Having duly considered the matters submitted to me, I do hereby order as follows —

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

(Here insert any introductory recitals of findings on which the order is made which the Arbitrator may think fit.)

1. I order that the respondent C.D. do pay to the applicant A.B. the half-monthly sum of \$ as compensation for personal injuries caused to the said A.B. on the day of 19..... by injury arising out of and in the course of his employment as a workman employed by the said respondent, such half-monthly payment to commence as from the day of, 19....., and to continue during the total or partial incapacity of the said A.B. for work, or until the same shall be ended, diminished, increased or redeemed in accordance with the provisions of the Workmen's Compensation Act.

2. And I order that the said C.D. do forthwith pay to the said A.B. the sum of \$ being the amount of such half-monthly payments calculated from the day of, 19..... until the day of 19..... and do thereafter pay the said sum of \$ to the said A.B. on the and days of each month.

3. And I order that the said C.D. do pay to the applicant costs of or incidental to the proceedings to be taxed under the scale of costs applicable to actions in the High Court/a Magistrate's Court*.

Dated this day of, 19.....

.....
Arbitrator

*delete the words not applicable.

(ii) IN THE CASE OF APPLICATION
BY DEPENDANTS

Workmen's Compensation Act, (Cap. 74)

Having duly considered the matters submitted to me, I do hereby order as follows —

(Here insert any introductory recitals of findings on which the order is made which the Arbitrator may think fit.)

[Subsidiary]

1. I order that the respondent C.D. do pay the sum of \$ to the dependants of A.B. late of deceased, as compensation for the injury resulting to such dependants from the death of the said A.B. which took place on the day of 19....., by accident arising out of and in the course of his employment as a workman employed by the said respondent.

2. And I declare that the person hereinafter named are entitled to share in such compensation as dependants of the said A.B. that is to say J.B. the widow of the said A.B. and (name the other persons).

3. (Add if so found). And I declare that G.H. the of the said A.B. is not entitled to share in such compensation as a dependant of the said A.B.

4. And I order that the said sum of \$ be apportioned between the said J.B. and in the proportions following, that is to say —

I apportion the sum of \$ to and for the benefit of the said J.B. and the sum of \$ to and for the benefit of the said

5. And I order that the said C.D. do pay the sum of \$ 14 days from the date of this order.

6. And I order that the said J.B. and the said or any of them be at liberty to apply to me from time to time for any further order as to the application of any of the said sums which may be ordered to be invested and the accruing interest thereof.

7. And I order that the said C.D. do pay to the applicant costs of or incidental to the proceedings to be taxed under the higher/lower* scale of costs applicable to actions in the High Court/a Magistrate Court*.

Dated this day of, 19.....

.....
Arbitrator

*delete the words not applicable.

LAWS OF BRUNEI

110

CAP. 74

Workmen's Compensation

[Subsidiary]

(iii) IN CASE OF APPLICATION BY PERSON TO
WHOM EXPENSES OF MEDICAL ATTENDANCE
OR BURIAL ARE DUE

Workmen's Compensation Act, (Cap. 74)

Having duly considered the matters submitted to me, I do hereby order as follows —

(Here insert any introductory recitals of findings on which the order is made which the Arbitrator may think fit.)

1. I order that the respondent C.D. do pay the sum of \$ for or towards the expenses of medical attendance on and the burial of A.B. late of deceased, who died on the day of, 19..... from injury caused on the day of, 19....., by accident arising out of and in the course of the employment of the said A.B. as a workman employed by the said C.D.

2. And I declare that the persons hereinafter named are entitled to share in such compensations, that is to say.

The applicant E.F. in respect of charges amounting to \$ due to (or payable by) him for medical attendance on the said A.B., and the applicant G.H. in respect of charges amounting to \$ due to him for the burial of the said A.B.

Dated this day of, 19.....

.....
Arbitrator

Form P

(Regulation 38 (1))

DEPOSIT OF COMPENSATION FOR FATAL ACCIDENT

Section 10 (1) of the Workmen's Compensation Act, (Cap. 74)

Compensation amounting to \$ is hereby presented for deposit in respect of injuries resulting from an accident which occurred on 19....., which caused the death of residing at on 19..... . His monthly wages are estimated at

The said workman had, prior to the date of his death, received the following payments, namely amounting in all to

I desire to be made a party to the proceedings for distribution of the aforesaid compensation.

(To be deleted if not applicable.)

Dated, 19.....,

.....
Employer

Form Q

(Regulation 38 (2))

STATEMENT OF DISBURSEMENT

Section 10 (9) of the Workmen's Compensation Act, (Cap. 74)

Serial No.

Depositor

Amount deposited \$

LAWS OF BRUNEI

112

CAP. 74

Workmen's Compensation

[Subsidiary]

Date

Deceased Workman's Name

Date	Compensation paid to the following Dependants		Amount
	Name	Relationship	\$ c.
	Funeral Expenses Paid		
	Total		

.....
Commissioner

Form R

(Regulation 41)

**DEPOSIT OF COMPENSATION FOR NON-FATAL
ACCIDENTS**

Section 10 (2) of the Workmen's Compensation Act, (Cap. 74)

Compensation amounting to \$ is hereby presented for deposit in respect of permanent/temporary injuries sustained by residing at as result of an accident which occurred on, 19.....

Dated this day of, 19.....

.....
Employer

Form S

(Regulation 48)

APPLICATION FOR REVIEW OF HALF-MONTHLY PAYMENT

To the Commissioner for Workmen's Compensation

Between
..... residing at Applicant
and
..... residing at Respondent.

Application is hereby made for the review/termination/diminution/increase/redemption (as the case may be) of the half-monthly payment payable to the said in respect of personal injury caused to him by accident arising out of and in the course of his employment, particulars of which are set out below.

PARTICULARS

- 1. Name and address of injured workman
2. Name and place of business of employer by whom compensation is payable
3. Date and nature of accident
4. Amount of half-monthly payment, and date from which it commenced
5. Relief sought by applicant, whether termination, diminution, increase or redemption

LAWS OF BRUNEI

114

CAP. 74

Workmen's Compensation

[Subsidiary]

6. Grounds of application

.....

Dated this day of, 19.....

(Signed)

Applicant

Form T

(Regulation 54)

To

.....

Whereas an agreement to pay compensation is said to have been reached between and

And whereas had/have applied for registration of the agreement under section of the Workmen's Compensation Act.

Notice is hereby given that the said agreement will be taken into consideration at o'clock on the day of, 19....., at and that any objections to the registration of the said agreement should be made on the date and at the place aforesaid. In the absence of valid objections, it is my intention to proceed to the registration of the agreement.

Dated, 19.....

.....

Commissioner

Form U

(Regulations 54 and 55)

To

Take notice that registration of the agreement to pay compensation said to have been reached between you

and on day

of, 19..... has been refused for the following reasons, namely —

Dated, 19.....

.....
Commissioner

Form V

(Regulation 55)

NOTICE OF INTENDED REFUSAL TO REGISTER AGREEMENT

Whereas an agreement to pay compensation is said to have been reached between

and

And whereas has/have applied for registration of the agreement under section 28 of the Workmen's Compensation Act, and whereas it appears to me that the said agreement ought not to be registered for the following reasons namely —

LAWS OF BRUNEI

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Workmen's Compensation

[Subsidiary]

.....

an opportunity will be afforded to you/the said *

..... of showing cause at o'clock

on the day of, 19.....,

at why the said agreement should be registered.
 Any representation with regard to the said agreement should be made
 on that date. If adequate cause is shown on that date, the agreement
 may be registered.

.....
 Commissioner

*Delete words not applicable.

Form W

(Regulation 57)

Serial Number	Case Reference	Date of agreement	Date of registration	Employer	Workman	Initials of Commissioner	Remarks

Form X

(Regulation 58)

IN THE SUPREME COURT OF NEGARA BRUNEI
DARUSSALAM

In the High Court at

No. of 19.....

In the matter of the Workmen's Compensation Act, (Cap. 74)

And in the matter of the application of

.....

.....

and

This is a special case started for the opinion of the Court pursuant to section 41 of the above-mentioned Act.

1. (Here state the facts giving rise to the question of law to be submitted).

The question of law for the opinion of the Court is whether (here state the question of law.)

.....

Arbitrator

LAWS OF BRUNEI

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CAP. 74

Workmen's Compensation

[Subsidiary]

Form Y

(Regulation 58)

IN THE SUPREME COURT OF NEGARA BRUNEI
DARUSSALAM

In the High Court at

No. of 19.....

In the matter of the Workmen's Compensation Act, (Cap. 74)

And in the matter of the application of

.....
.....

Take notice that a Judge will hear the special case stated in the
above-named matter at on
the day of, 19....., at the
hour

Dated this day of, 19.....

.....
Registrar

To the Commissioner