

**LAWS OF BRUNEI**  
*Town and Country Planning*  
*(Development Control)*

(Subsidiary)

S.84/74

(2) TOWN AND COUNTRY PLANNING (MISCELLANEOUS  
PROVISIONS) REGULATIONS

Arrangement of Regulations

Regulation

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*Commencement: 25th May 1974*

Citation

1. These regulations may be cited as the Town and Country Planning (Miscellaneous Provisions) Regulations.

Interpretation

2. In these regulations, unless the context otherwise requires —

“the Act” means the Town and Country Planning (Development Control) Act;

“regulation” means a regulation made by the Minister in terms of section 5 (1) of the Act.

Service of notices

3. Any notice, order or other document required by the Act, or any regulation made thereunder, to be served on any person shall be deemed to be effectively served if delivered personally to such person or left at his abode or place of business or sent by registered letter to his address or by affixing to a land owned by such person or if such person is absent from Brunei and has left no known representative, by notifica-

tion in the *Gazette*. Service upon a person authorised to represent another shall be deemed to be service upon the person he represents and, in the case of a company or syndicate having no domicile or office in Brunei, any person in charge of its property shall be deemed to be its representative.

4. (1) The Minister, the Competent Authority or the Commissioner for Town and Country Planning or any person acting under the authority of the Minister, the Competent Authority or the Commissioner for Town and Country Planning may after giving notice to the owner or occupier, enter upon any land at all reasonable times with such men, animals, vehicles and equipment as are deemed necessary and may enter and inspect any buildings or structures on such land and do all such acts thereon or therein as are necessary for surveys or investigations in connection with the preparation or execution of a Development Planning Scheme or for the carrying out of any thing authorised to be done by the Act or any regulation made thereunder.

Entry upon property

(2) Any person who prevents such entry upon land and buildings as is authorised by this section, or wilfully obstructs or hinders any person in the lawful exercise of his powers or duties under the Act or any regulations made thereunder shall on conviction be guilty of an offence.

5. (1) The Competent Authority or the Commissioner for Town and Country Planning may, by notice in writing, require the owner or occupier of any land or building within a Development Control Area to supply all reasonable information relating to that land or building as may be required for the preparation, modification, or execution of Development Planning Scheme.

Obligation to give information to Competent Authority or Commissioner for Town and Country Planning

(2) Any person so required to supply information who without reasonable cause fails or refuses to do so shall on conviction be guilty of an offence.

6. Where any by-law or regulation is in conflict with the requirements of an approved Development Planning Scheme or an approval given under a Development Planning Scheme or an approval given in terms of section 6 of the Act then in so far as such conflict is concerned such by-law or regulation shall be of no effect.

Development Planning Scheme and approvals

7. The granting of an approval by a Competent Authority in terms of the Act, or regulation made thereunder, or approved Development Planning Scheme does not relieve a person from having to make application for any other consent required by any other law or from complying with any relevant conditions of lease or title.

Other approvals may be required

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Competent Authority to give reasons for refusal

8. Where a Competent Authority refuses or rejects any application made to it in terms of section 6 of the Act or in terms of an approved Development Planning Scheme it shall when notifying the applicant of its decision set down in writing the reasons for the refusal or rejection.

Public notice of applications

9. (1) If it appears to the Competent Authority that any particular application should be brought to the notice of the public then in order to canvass public opinion on the application the Competent Authority may require the applicant at his own expense to —

(a) insert a notice giving particulars of the application in a newspaper circulating in the area on such occasions as the Competent Authority may determine; and/or

(b) cause written notice giving particulars of the application to be given to such adjoining owners and occupiers of land as the Competent Authority may determine; and/or

(c) cause a signboard or signboards of a specified size to be erected on the site giving the particulars of the application in such position and for such period as the Competent Authority may determine.

(2) Where the Competent Authority takes action under paragraph (1) of this regulation it shall in considering the application take into account any objections or representations made to it within such period as it may specify.

Competent Authority to keep a register

10. The Competent Authority shall keep a register of all applications made to it and of the decisions made thereon. Such register shall be available for inspection by the public.

Penalties

11. Any person who is convicted of an offence in terms of regulations 4 (2) or 5 (2) shall be guilty of an offence. Penalty, a fine of \$2,000 or, in default of payment, to imprisonment for 3 months.

Planning Standards

12. The Minister may issue to Competent Authorities bulletins in the form of Planning Standards setting out the recommended provisions for the control of specific classes of land use and/or building use for general application or application to particular areas or zones.