

No. S 15

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

**RELIGIOUS COUNCIL AND KADIS COURTS ACT (AMENDMENT) ORDER, 2014**

**ARRANGEMENT OF SECTIONS**

**Section**

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  2. Amendment of section 2 of Chapter 77.
  3. Amendment of Part III.
  4. Insertion of new section 55A.
  5. Repeal of section 78.
  6. Amendment of section 169.
  7. Amendment of section 180.
  8. Amendment of section 195.
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**RELIGIOUS COUNCIL AND KADIS COURTS ACT (AMENDMENT) ORDER, 2014**

In exercise of the power conferred by Article 83(3) of the Constitution of Brunei Darussalam, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Order —

**Citation and commencement.**

1. This Order may be cited as the Religious Council and Kadis Courts Act (Amendment) Order, 2014 and shall commence on 1st May 2014.

**Amendment of section 2 of Chapter 77.**

2. Section 2 of the Religious Council and Kadis Courts Act, in this Order referred to as the Act, is amended by inserting the following new definition immediately after the definition of “*habuan*” —

“ “*Hukum Syara’* ” means the laws of any sect which the Court considers valid;”.

**Amendment of Part III.**

3. The Act is amended by deleting “Jurisdiction” from the sub-heading of Part III.

**Insertion of new section 55A.**

4. The Act is amended by inserting the following new section immediately before section 56 —

“**Application of Criminal Procedure Code (Chapter 7) and *Hukum Syara’*.**

55A. In relation to any matter of practice and procedure in criminal proceedings not expressly provided for in this Act, any rules made thereunder or any other written law within the jurisdiction of the Court, the provisions of the Criminal Procedure Code (Chapter 7) apply with the necessary modifications to the extent that they do not conflict with *Hukum Syara’*, in which case, *Hukum Syara’* applies.”.

**Repeal of section 78.**

5. Section 78 of the Act is repealed.

**Amendment of section 169.**

6. Section 169 of the Act is amended —

(a) by inserting “(1)” immediately before “Any” in the first line;

(b) by adding the following new subsection —

“(2) Whoever fails to report his renunciation of the Islamic religion in accordance with subsection (1) shall be guilty of an offence: Penalty, a fine of \$1,000.”.

**Amendment of section 180.**

7. Section 180 of the Act is amended by repealing subsection (4).

**Amendment of section 195.**

8. Section 195 of the Act is amended —

(a) by deleting “or 173” from the fifth line; and

(b) by deleting “cognisable by a Magistrate’s Court” from the fifth and sixth lines.

Made this 26th. day of Jamadilakhir, 1435 Hijriah corresponding to the 26th. day of April, 2014 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY  
THE SULTAN AND YANG DI-PERTUAN  
BRUNEI DARUSSALAM