

**LAWS OF BRUNEI**

**CHAPTER 115**

**BRUNEI MALAY SILVERSMITHS GUILD  
(INCORPORATION)**

**Enactment No. 4 of 1959**

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**ARRANGEMENT OF SECTIONS**

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## BRUNEI MALAY SILVERSMITHS GUILD (INCORPORATION) ACT

### **An Act to incorporate the Brunei Malay Silversmiths Guild**

*Commencement: 15th August 1959*

#### **Citation**

1. This Act may be cited as the Brunei Malay Silversmiths Guild (Incorporation) Act.

#### **Constitution of body corporate**

2. (1) There shall be constituted a body corporate under the name of “the Brunei Malay Silversmiths Guild”, in this Act referred to as the Guild.

(2) The Guild may sue or be sued in its name and shall have perpetual succession and may enter into contracts and may acquire, purchase, lease, take, hold and enjoy movable and immovable property of every description, and, subject as provided in this Act and to any rules made pursuant to section 7 and to the provisions of any other written law, may sell, convey, assign, surrender and yield up, mortgage, demise, reassign, transfer or otherwise dispose of any movable or immovable property vested in the Guild upon such terms as to the Guild may seem fit.

#### **Common seal**

3. (1) The Guild shall have a common seal and may from time to time make, change, alter and make anew that seal as the Guild may seem fit.

(2) Until a seal is provided under this section, a stamp bearing the inscription “Brunei Malay Silversmiths Guild” may be used as the common seal.

#### **Objects and general purposes**

4. The object and general purposes of the Guild are —

(a) to establish and maintain a place of business in Bandar Seri Begawan, and, if necessary, branches thereof in Brunei Darussalam, for the disposal of articles produced or obtained by the work or industry of

its members, being Brunei Malay silversmiths qualified in accordance with rules made under section 7;

(b) to erect buildings on any immovable property of the Guild, for the purposes of the business or branches thereof, or for the purpose of developing the property of the Guild, and to maintain, repair, alter and reconstruct any such buildings;

(c) to receive and disburse for the proper purposes of the Guild all sums available for those purposes, whether provided from public funds or contributed by any person, and all sums received in payment of goods or services;

(d) to raise the standard of craftsmanship among its members;

(e) to ensure the proper training in silver work of an adequate number of young Brunei Malay persons;

(f) to take all necessary steps to safeguard the interests of members of the Guild;

(g) to promote all aspects of the business of the Guild; and

(h) such other purposes as may be provided for by rules made under section 7.

### **Committee of management**

5. (1) The affairs of the Guild shall be managed by a committee constituted in accordance with rules made under section 7 (in this Act and those rules referred to as the Committee).

(2) Subject to those rules, the Committee shall —

(a) have full control of the income and capital funds and the property of the Guild;

(b) govern, direct and decide all matters whatsoever connected with the appointment of officers and servants to be paid out of the funds of the Guild and for the administration of the affairs of the Guild and the accomplishment of the objects and general purposes of the Guild; and

(c) have and may exercise all the powers conferred on the Guild by this Act and any rules made thereunder.

### **Execution of documents**

6. (1) All deeds, documents or other instruments requiring the seal of the Guild and having received the approval of a majority of the Committee shall be sealed with the common seal of the Guild in the presence of two members of the Committee, who shall sign every such deed, document or other instrument to which the common seal is affixed, and such signing shall be sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the Guild.

(2) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Guild by a person generally or specially authorised by it for that purpose.

### **Rules**

7. Subject to the approval of His Majesty the Sultan and Yang Di-Pertuan in Council, the Committee may make rules —

(a) to fix the qualifications for membership of the Guild and the amount of share capital and the number of shares that a member shall purchase and also to regulate the sale or surrender of shares;

(b) to regulate the constitution and proceedings of the Committee, the calling of meetings, the *quorum* necessary for the transaction of business, the voting of the members of the Committee and the procedure for the transaction of business;

(c) for the appointment of sub-committees;

(d) for the appointment and remuneration of a secretary;

(e) to allocate duties to, and to regulate the exercise of executive power by, the Committee, sub-committees and the officers of the Guild;

(f) to regulate the keeping and presentation of accounts;

(g) to regulate the conduct of any branches maintained or established by the Guild and the admission of members;

(h) to regulate the appointment, conduct or dismissal of officers and servants of the Guild;

(i) to regulate the share capital of the Guild and the number of shares that a member shall purchase;

(j) to fix responsibility for loss sustained or liability incurred by the Guild;

(k) to regulate the winding up of the Guild in the event of bankruptcy;

(l) to regulate the sale of products by members of the Guild;

(m) to provide for the appointment of a Board of Examiners and its functions; and

(n) generally to carry out the objects and general purposes of the Guild and of this Act.

**Exclusion of operation of Companies Act (Chapter 39)**

8. The provisions of the Companies Act (Chapter 39) do not apply to the Guild.