

No. S 42

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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

CONSTITUTION OF BRUNEI DARUSSALAM (AMENDMENT) ORDER, 2024

ARRANGEMENT OF ARTICLES

Article

1. Citation and commencement
 2. Amendment of Article 2 of Const. I
 3. Amendment of Article 6
 4. Amendment of Article 7
 5. Amendment of Article 8
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(Order made under Article 83(3))

CONSTITUTION OF BRUNEI DARUSSALAM (AMENDMENT) ORDER, 2024

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 Constitution of Brunei Darussalam (Amendment) Order, 2024 and shall commence on the day it is made.

Amendment of Article 2 of Const. I

2. Article 2 of the Constitution of Brunei Darussalam, in this Order referred to as the Constitution, is amended, in Clause (1) —

(a) by deleting the definition of "Deputy Sultan" and by substituting the following new definition therefor —

" "Deputy Sultan" means —

(a) the person appointed by His Majesty the Sultan and Yang Di-Pertuan under section 17 of the Succession and Regency Proclamation, 1959; or

(b) during the Interim Period, the persons performing for and on behalf of His Majesty the Sultan and Yang Di-Pertuan under section 12 of the Succession and Regency Proclamation, 1959;"

(b) by deleting the definition of " "His Majesty" or "His Majesty the Sultan and Yang Di-Pertuan" " and by substituting the following new definition therefor —

" "His Majesty" or "His Majesty the Sultan and Yang Di-Pertuan" means a Sultan whose accession to the throne has been proclaimed whether or not he has been crowned as His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam, irrespective of whether a declaration has been made and confirmed under section 12 of the Succession and Regency Proclamation, 1959 that he is, by reason of his incapacity to make decisions, incapable for the time being of performing the State functions;"

(c) by inserting the following new definition immediately after the definition of "instrument" —

" "Interim Period" means the period between the time of the confirmation under subsection (1) of section 12 of the Succession and Regency Proclamation, 1959 by the Council of Succession and the lawful Successor declared under subsection (2) of section 3 of the Succession and Regency Proclamation, 1959 that His Majesty the Sultan and Yang Di-Pertuan is incapable for the time being of performing the State functions and the time of the declaration under subsection (1) or (2A) of section 12 of the Succession and Regency Proclamation, 1959, whichever is the earlier, that His Majesty the Sultan and Yang Di-Pertuan has the capacity to make decisions;".

Amendment of Article 6

3. Article 6 of the Constitution is amended, in Clause (1A), by deleting "the lawful Successor declared under subsection (2) of section 3 of the Succession and Regency Proclamation, 1959, the Deputy Sultan and the Regent," from the first three lines.

Amendment of Article 7

4. Article 7 of the Constitution is amended —

(a) by deleting Clause (1) and by substituting the following new Clause therefor —

"(1) The Privy Council shall not be summoned except —

(a) by the authority of His Majesty the Sultan and Yang Di-Pertuan; or

(b) during the Interim Period, by the Deputy Sultan.";

(b) by inserting the following new Clause immediately after Clause (1) —

"(1A) For the avoidance of doubt, the Privy Council shall not be summoned by the Deputy Sultan appointed under section 17 of the Succession and Regency Proclamation, 1959."

Amendment of Article 8

5. Article 8 of the Constitution is amended —

(a) in Clause (1), by deleting ", so far as practicable,";

(b) by deleting Clause (2) and by substituting the following new Clause therefor —

“(2) In the event that His Majesty the Sultan and Yang Di-Pertuan is declared and confirmed to be, by reason of his incapacity to make decisions, incapable for the time being of performing the State functions under subsection (1) of section 12 of the Succession and Regency Proclamation, 1959, the person who shall preside shall be the Deputy Sultan defined as such during the Interim Period.”.

Made this 17th. day of Rabiulakhir, 1446 Hijriah corresponding to the 21st. day of October, 2024 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

**HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN,
BRUNEI DARUSSALAM.**