# LAWS OF BRUNEI

# CHAPTER 183
# HALAL MEAT

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# CHAPTER 183
# HALAL MEAT

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# HALAL MEAT ACT

**An Act to regulate the supply and importation of halal meat, and related matters**

*Commencement : 17th April 1999*
*[S 19/99]*

**Citation.**

**1.** This Act may be cited as the Halal Meat Act.

**Interpretation.**

**2.** In this Act, unless the context otherwise requires —

"Board" means the Board for issuing Halal Import Permits constituted under section 3;

"certificate" means a Halal Certificate issued by the Majlis, or a Slaughtering Certificate relating to the animals issued by the Director of Syariah Affairs, Ministry of Religious Affairs;

"Halal Import Permit" means a permit in the prescribed form issued by the Controller of Customs, as Chairman of the Board, to import meat on the terms and conditions mentioned therein;

"Halal label" includes any piece of paper, card or other material, whereupon the word "Halal" has been written, printed, stencilled, marked, painted, stamped or embossed issued by or on behalf of the Majlis, and marked or pressed on the meat and every part thereof or attached to its container, package or receptacle to denote that such meat is fit for consumption by Muslims;

"halal meat" means meat that is fit for consumption by Muslims according to *Hukum Syara'*, as determined by the Majlis;

"Inspection Committee" means the Committee constituted under section 3;

"Majlis" means the Majlis Ugama Islam constituted under section 5 of the Religious Council and Kadis Courts Act (Chapter 77);

"meat" means beef, mutton, lamb, chicken, halal bird or flesh of any halal animal or any part or organ of such animal, with or without bone and includes bone of meat, processed meat and any edible thing wherein meat has been mixed;

"Minister" means the Minister of Religious Affairs;

"President" means the President of the Majlis appointed under section 13 of the Religious Council and Kadis Courts Act (Chapter 77).

**Board for issuing Halal Import Permits and Inspection Committee.**

**3.** (1) There shall be a Board for issuing Halal Import Permits for the purpose of this Act comprising the following members —

*(a)* Controller of Customs — Chairman;

*(b)* Director of Syariah Affairs, Ministry of Religious Affairs or his representative — member;

*(c)* Director of Medical and Health Services or his representative — member;

*(d)* Director of Agriculture or his representative — member;

*(e)* Secretary of the Majlis Ugama Islam or his representative — member.

(2) There shall be an Inspection Committee for the purpose of this Act comprising the following members —

*(a)* Director of Syariah Affairs, Ministry of Religious Affairs — Chairman;

*(b)* Secretary of the Majlis Ugama Islam or his representative — member;

(*c*) Deputy Mufti or his representative — member;

*(d)* Director of Agriculture or his representative — member.

(3) All the members of the Board and the Inspection Committee and any person authorised by the Minister for the purposes of this Act shall be issued with such authority card as the Minister may direct to be carried by such members and persons.

**Importation of halal meat.**

**4.** (1) Meat shall only be imported by a person holding a Halal Import Permit, and an export permit from the exporting country.

(2) On receiving an application for a Halal Import Permit, the Board shall, where the slaughtering centre from which the applicant desires to import meat is already on the approved list of the Majlis, consider the application and submit its report to the Majlis for final decision thereon.

(3) The Majlis shall, after considering the report of the Board, decide whether or not a Halal Import Permit is to be issued to the applicant, and the Board shall act according to the decision of the Majlis.

(4) If the slaughtering centre is not already on the approved list of the Majlis, the Board shall forward the application to the Secretary of the Majlis who shall, on the instruction of the President, request the Inspection Committee to inspect such slaughtering centre and to submit its report to the Majlis for final decision thereon.

(5) The Board shall ensure that only such quantity of meat is imported which is necessary having regard to the availability of meat produced locally.

(6) The Board shall further ensure that meat shall only be imported from countries where animals are free from dangerous and contagious diseases and where only local animals are slaughtered.

(7) If the Majlis decides that the meat is halal and fit for importation, it shall issue a Halal Certificate in respect of such meat and a Halal label shall be displayed thereon by the importer which shall remain so even during the sale of such meat in Brunei Darussalam.

(8) The Inspection Committee shall make necessary arrangements to ensure that halal meat has not been mixed with non-halal meat at any stage.

(9) All the expenses incurred on the inspection of the slaughtering centre by the Inspection Committee shall be borne by the importer.

**Local halal meat.**

**5.** (1) Local halal meat shall only be supplied for the general public by a person holding a licence issued by the Board.

(2) Any person slaughtering animals for public consumption must be a Muslim holding a Slaughtering Certificate.

(3) The Inspection Committee shall inspect the slaughtering of animals and satisfy itself that it is carried out in accordance with *Hukum Syara'*, and shall, after being so satisfied, submit its report to the Majlis and if the Majlis is satisfied after considering the report, it shall issue a Halal Certificate in respect of that meat.

(4) When a Halal Certificate is issued in respect of any meat, a Halal label shall be displayed thereon by the supplier, which shall remain so during the sale of such meat.

**Inspection visits.**

**6.** The Inspection Committee shall have power to inspect any slaughtering centre approved by the Majlis at any time and the slaughtering centre concerned shall provide the access and facilities required for such inspection.

**Procedure of Board and Inspection Committee.**

**7.** The procedure for carrying out the duties and functions of the Board and the Inspection Committee shall be prescribed by rules made under section 16.

**Offences relating to imported meat.**

**8.** Whoever contravenes the provisions of subsections (1) or (7) of section 4 shall be guilty of an offence: Penalty, imprisonment not exceeding 2 years, a fine not exceeding $8,000 or both, and the Halal Import Permit, if any, shall be cancelled and a new Halal Import Permit shall not be issued to him, any of his family members or to any company wherein he has any share or interest.

**Offences relating to sale of imported meat.**

**9.** Whoever offers for sale or sells any imported meat which has been imported in contravention of the provisions of subsection (1) of section 4 shall be guilty of an offence: Penalty, imprisonment not exceeding one year, a fine not exceeding $4,000 or both, and in the case of a second or subsequent offence, imprisonment not exceeding 2 years or a fine not exceeding $8,000, and the Court shall cancel the Halal Import Permit, if any, of the offender.

**Offences relating to local meat.**

**10.** Whoever contravenes the provisions of subsections (1), (2) or (4) of section 5 shall be guilty of an offence: Penalty, imprisonment not exceeding one year, a fine not exceeding $4,000 or both, and in the case of a second or subsequent offence, imprisonment not exceeding 2 years or a fine not exceeding $8,000, and the Court shall cancel the licence, if any, of the offender.

**Further provision relating to the contravention of sections 8 and 9.**

**11.** Where a person has been convicted of an offence under sections 8 or 9, the foreign meat subject of the charge shall be returned to the exporting country at the importer's expenses or destroyed along with its container, package, covering, receptacle or any other thing in respect or by means of which the offence was committed.

**Power of detention, arrest and seizure.**

**12.** Any police officer, officer of customs, Inspector of Health, Inspector of Religious Affairs, Municipal Inspector or any person authorised in writing by the Minister may detain or arrest any person who in his presence commits or attempts to commit or whom he reasonably suspects to have committed an offence under this Act and may seize any meat in respect of which an offence has been committed.

**Power to enter, arrest and remove obstructions.**

**13.** Whenever it appears to any police officer, officer of customs, Inspector of Health, Inspector of Religious Affairs, Municipal Inspector or any person authorised in writing by the Minister that there is reasonable

cause to believe that an offence has either been committed or is being committed in any place, he may —

*(a)* enter such place or search and seize any meat along with its container, covering, package, receptacle or any other thing in respect or by means of which the offence has been committed;

*(b)* arrest any person found therein and he has reason to believe that such person has committed the alleged offence; and

*(c)* remove by force any obstruction to such entry, search and seizure and enter such place and every part thereof.

**Person arrested taken to the Police Station for investigation.**

**14.** Any person arrested or anything seized under sections 12 or 13 shall forthwith be taken to the Police Station for necessary investigation and production before the court.

**Magistrates court to try offences.**

**15.** The court of a magistrate shall have jurisdiction to try any offence committed under this Act and may impose any punishment provided therefor.

**Rules.**

**16.** The Minister may, with the approval of His Majesty the Sultan and Yang Di-Pertuan, make rules prescribing —

*(a)* the form of the Halal Import Permit;

*(b)* forms of certificate and Halal label;

*(c)* the procedure for the requirements under sections 4 and 5;

*(d)* the procedure for the destruction of illegally imported meat;

*(e)* fees;

*(f)* anything required or convenient to be prescribed by this Act.