

No. S 23

**INTERNAL SECURITY ACT
(CHAPTER 133)**

INTERNAL SECURITY (PLACE OF DETENTION) (AMENDMENT) RULES, 2006

ARRANGEMENT OF RULES

Rules

1. Citation and commencement.
2. Amendment of rule 2 of R1 of Chapter 133.
3. Amendment of rule 3.
4. Amendment of rule 5.
5. Amendment of rule 6.
6. Amendment of rule 7.
7. Amendment of rule 9.
8. Amendment of rule 11.
9. Amendment of rule 12.
10. Amendment of rule 14.
11. Amendment of rule 15.
12. Amendment of rule 27.
13. Substitution of rule 29.
14. Substitution of rule 32.
15. Amendment of rule 33.
16. Amendment of rule 34.
17. Amendment of rule 40.
18. Amendment of rule 41.

19. Amendment of rule 42.
 20. Repeal of rule 45.
 21. Amendment of rule 46.
 22. Amendment of rule 47.
 23. Amendment of rule 52.
 24. Amendment of rule 54.
 25. Amendment of rule 58.
 26. Amendment of rule 59.
 27. Amendment of rule 72.
 28. Insertion of new rule 72A.
 29. Insertion of new rule 73A.
 30. Amendment of rule 75.
-

**INTERNAL SECURITY ACT
(CHAPTER 133)**

INTERNAL SECURITY (PLACE OF DETENTION) (AMENDMENT) RULES, 2006

In exercise of the powers conferred by subsections (5) and (6) of section 3 of the Internal Security Act, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Rules —

Citation and commencement.

1. These Rules may be cited as the Internal Security (Place of Detention) (Amendment) Rules, 2006 and shall commence on the same date as the Internal Security Act (Amendment) Order, 2006.

Amendment of rule 2 of R1 of Chapter 133.

2. Rule 2 of the Internal Security (Place of Detention) Rules, in these Rules referred to as the principal Rules, is amended —

(a) by deleting the definition of "Director of Places of Detention";

(b) by inserting the following new definition immediately after the definition of "detained person" —

" "Director" means the Director of Internal Security;"

(c) in the definition of "officer", by deleting "Director of Places of Detention, the Deputy Director, a Superintendent" from the first two lines and by substituting "Chief Superintendent, a Superintendent, Senior Assistant Superintendent" therefor;

(d) in the definition of "subordinate officer", by inserting "Senior Assistant" immediately before "Superintendent".

Amendment of rule 3.

3. Rule 3 of the principal Rules is amended by inserting "Chief" immediately before "Superintendent" wherever it appears.

Amendment of rule 5.

4. Rule 5 of the principal Rules is amended —

(a) in sub-rule (1), by deleting "Director" from the second line and by substituting "Chief Superintendent" therefor;

(b) in sub-rule (2), by deleting "Director" from the last line and by substituting "Chief Superintendent" therefor.

Amendment of rule 6.

5. Rule 6 of the principal Rules is amended —

(a) by deleting sub-rule (1) and by substituting the following new sub-rule therefor —

"(1) The Director may, with the approval of His Majesty the Sultan and Yang Di-Pertuan, appoint a Chief Superintendent and so many Superintendents, Senior Assistant Superintendents and subordinate officers as he may think necessary.";

(b) in sub-rule (2), by deleting "Director" from the first line and by substituting "Chief Superintendent" therefor.

Amendment of rule 7.

6. Rule 7 of the principal Rules is amended —

(a) in the sub-heading, by deleting "Director" and by substituting "Chief Superintendent" therefor;

(b) by deleting "Director" from the first line and by substituting "Chief Superintendent" therefor;

(c) by deleting "Minister" from the third line and by substituting "Director" therefor.

Amendment of rule 9.

7. Rule 9 of the principal Rules is amended by deleting "contract" from the first line and by substituting "service" therefor.

Amendment of rule 11.

8. Rule 11 of the principal Rules is amended —

(a) by deleting "Director, Deputy Director" from the first line and by substituting "Chief Superintendent" therefor;

(b) by inserting ", Senior Assistant Superintendent" immediately after "Superintendent" in the first line.

Amendment of rule 12.

9. Rule 12 of the principal Rules is amended by inserting "Chief" immediately before "Superintendent" in the last line.

Amendment of rule 14.

10. Rule 14 of the principal Rules is amended —

(a) by deleting "Director, Deputy Director" from the first line and by substituting "Chief Superintendent" therefor;

(b) by inserting "Senior Assistant Superintendents," immediately after "Superintendents," in the first line.

Amendment of rule 15.

11. Rule 15 of the principal Rules is amended, in sub-rule (4), by deleting "paragraph" from the second line and by substituting "sub-rule" therefor.

Amendment of rule 27.

12. Rule 27 of the principal Rules is amended, in sub-rule (1), by deleting "Minister" from the first line and by substituting "Director" therefor.

Substitution of rule 29.

13. Rule 29 of the principal Rules is repealed and substituted by the following new rule —

"Petitions by detained persons.

29. (1) A Superintendent shall, without delay, submit to the Chief Superintendent any petition received from a detained person.

(2) After receiving a report from the Chief Superintendent, the Director shall forthwith forward to the Minister the petition received from the detained person under sub-rule (1).".

Substitution of rule 32.

14. Rule 32 of the principal Rules is repealed and substituted by the following new rule —

"Action in case of emergency.

32. (1) In cases of emergency, a Superintendent shall take such action as may in the circumstances be necessary, enter the particulars in his Journal, and forthwith make a report of the same to the Chief Superintendent to be forwarded to the Director.

(2) The Director shall take such action as may in the circumstances be necessary and forthwith make a report of the same to the Minister.".

Amendment of rule 33.

15. Rule 33 of the principal Rules is amended by deleting "Director" from the first line and by substituting "Chief Superintendent" therefor.

Amendment of rule 34.

16. Rule 34 of the principal Rules is amended, in sub-rule (1) —

(a) by inserting ", drugs" immediately after "opium" in the second line;

(b) by deleting "by these Rules" from the third line.

Amendment of rule 40.

17. Rule 40 of the principal Rules is amended —

(a) by deleting "Director" from the first line after paragraph (t) and by substituting "Chief Superintendent" therefor;

(b) in sub-paragraph (i), by deleting "Minister" and by substituting "Director" therefor;

(c) in sub-paragraph (ii), by deleting "Minister" and by substituting "Director" therefor.

Amendment of rule 41.

18. Rule 41 of the principal Rules is amended —

(a) in the sub-heading, by deleting "the Minister" and by substituting "Director" therefor;

(b) by deleting "Minister" from both lines and by substituting "Director" therefor.

Amendment of rule 42.

19. Rule 42 of the principal Rules is amended —

(a) in the sub-heading, by inserting "Chief" immediately before "Superintendent";

(b) in sub-rule (1) —

(i) by deleting "a Director" from the first line and by substituting "the Chief Superintendent" therefor;

(ii) by deleting "such Director" from the third line and by substituting "he" therefor.

Repeal of rule 45.

20. Rule 45 of the principal Rules is repealed.

Amendment of rule 46.

21. Rule 46 of the principal Rules is amended by deleting "a Director of the place of detention from which he had been removed or transferred" from the last two lines and by substituting "the Chief Superintendent" therefor.

Amendment of rule 47.

22. Rule 47 of the principal Rules is amended by deleting "Director" from the second line and by substituting "Chief Superintendent" therefor.

Amendment of rule 52.

23. Rule 52 of the principal Rules is amended by deleting "Director" from the first line and by substituting "Superintendent" therefor.

Amendment of rule 54.

24. Rule 54 of the principal Rules is amended —

(a) by deleting "Director" from the second line and by substituting "Superintendent" therefor;

(b) by deleting "Director" from the last line and by substituting "Superintendent, who shall produce the opinion and the grounds to the Chief Superintendent who will forward the matter to the Director" therefor.

Amendment of rule 58.

25. Rule 58 of the principal Rules is amended —

(a) by inserting ", through air or water," immediately after "occurring" in the first line;

(b) by deleting "Director" from the last line and by substituting "Chief Superintendent" therefor.

Amendment of rule 59.

26. Rule 59 of the principal Rules is amended, in sub-rule (2), by deleting "Director" from the penultimate line and by substituting "Chief Superintendent" therefor.

Amendment of rule 72.

27. Rule 72 of the principal Rules is amended —

(a) in sub-rule (1), by deleting "and friends" from the last two lines;

(b) in sub-rule (2) —

(i) by inserting "Chief" immediately before "Superintendent" in the last line;

(ii) by deleting "week" from the last line and by substituting "month" therefor;

(c) in sub-rule (3), by inserting ", except with the express permission of the Chief Superintendent," immediately after "shall" in the first line;

(d) in sub-rule (4), by deleting "30 minutes" and by substituting "one hour" therefor.

Insertion of new rule 72A.

28. The principal Rules are amended by inserting the following new rule immediately after rule 72 —

"Visitors to visit detained persons.

72A. (1) The Director may permit any responsible person, who has good reasons, to visit any detained person at reasonable hours accompanied by an officer.

(2) A Superintendent may remove from a place of detention any visitor to a detained person if the conduct of such visitor or detained person is improper."

Insertion of new rule 73A.

29. The principal Rules are amended by inserting the following new rule immediately after rule 73 —

"Emergency in family of detained persons.

73A. In cases of emergency concerning any member of the family of a detained person, the detained person may apply to the Director for leave to meet that member of his family."

Amendment of rule 75.

30. Rule 75 of the principal Rules is amended, in sub-rule (5), by inserting "Director to be forwarded to the" immediately before "Minister" in the last line.

Made this 26th. day of Muharam, 1427 Hijriah corresponding to the 25th. day of February, 2006 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM