

No. S 34

CONSTITUTION OF BRUNEI DARUSSALAM
(Article 83(3))

SEDITION ACT (AMENDMENT) ORDER, 2005

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Amendment of section 3 of Chapter 24.
3. Insertion of new section 4A.

CONSTITUTION OF BRUNEI DARUSSALAM
(Article 83(3))

SEDITION ACT (AMENDMENT) ORDER, 2005

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

Citation.

1. This Order may be cited as the Sedition Act (Amendment) Order, 2005.

Amendment of section 3 of Chapter 24.

2. Section 3 of the Sedition Act, in this Order referred to as the Act, is amended in subsection (1) —

(a) by adding "or" immediately after the semicolon in paragraph (v);

(b) by inserting the following 2 new paragraphs immediately after paragraph (v) —

"(vi) to directly or indirectly lower or adversely affect, or otherwise bring into derogation, the rights, status, position, discretion, powers, privileges, sovereignty or prerogatives of His Majesty the Sultan and Yang Di-Pertuan, his Successors, His Consort or other members of the Royal Family; or

(vii) to directly or indirectly lower or adversely affect the standing or prominence of the National Philosophy of Melayu Islam Beraja (known in English as Malay Islamic Monarchy);".

Insertion of new section 4A.

3. The Act is amended by inserting the following new section immediately after section 4 —

"Suspension of newspaper containing seditious matter.

4A. (1) Whenever any person is convicted of publishing in any newspaper matter having a seditious intention, the court may, if it thinks fit, either in lieu of or in addition to any other punishment, make orders in respect of any of the following matters —

(a) prohibiting, either absolutely or except on conditions to be specified in the order, for any period not exceeding one year from the date of the order, the future publication of the newspaper;

(b) prohibiting, either absolutely or except on conditions to be specified in the order, for the period aforesaid, the publisher, proprietor or editor of that newspaper from publishing, editing or writing for any newspaper or from assisting, whether with money or money's worth, material, personal service or otherwise in the publication, editing or reproduction of any newspaper;

(c) that for the period aforesaid any printing press used in the production of the newspaper be used only on conditions to be specified in the order or that it be seized by the police and detained by them for the period aforesaid.

(2) Any person who contravenes an order made under subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding \$5,000, imprisonment for a term not exceeding 3 years or both.

(3) Nothing in this Act shall affect the power of the court to punish any person contravening an order made under this section for contempt of court:

Provided that no person shall be punished twice for the same offence."

Made this 12th. day of Rabiulakhir, 1426 Hijriah corresponding to the 21st. day of May, 2005 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

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