

SUBSIDIARY LEGISLATION

Rules made under section 10 (1)

BURIAL GROUNDS RULES

B.R.O.N.
61/38
B.R.O.N.
51/47
B.R.O.N.
55/48
S.180/69

Commencement: 1st September 1938

ARRANGEMENT OF RULES

Section

1. Citation
2. Interpretation
3. Licence for burial or place of cremation
4. Applications for licence
5. Licences to be registered in Land Office
6. Graves to be dug under supervision of manager
7. Burials to take place in presence of manager or approved deputy
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10. Manager to comply with notice requiring him to fence or keep burial or place of cremation in proper order
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13. Penalty

LAWS OF BRUNEI

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CAP. 49

Burial Grounds

[Subsidiary]

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|---|---|
| Citation | 1. These rules may be cited as the Burial Grounds Rules. |
| Interpretation | 2. In these rules —

“the Act” means the Burial Grounds Act;

“burial” includes cremation and “burial ground” includes a place of cremation;

“manager” means the owner or person or persons having the control or charge of any burial or place of cremation licensed under the Act. |
| Licence for burial or place of cremation | 3. Every licence for the use of a place as a burial or place of cremation shall be substantially in the form in the Second Schedule and shall state the class or community to which the use of such place is open. |
| Applications for licences | 4. Every application for a licence shall be made to the Officer in Charge of the Land Office of the district, or, if the burial ground is within the limits of a Municipal Board area to the Chairman of such Board, and shall be accompanied by a plan of the land applied for. The Health Officer responsible for the area in which the land is situated shall report on the site for the proposed burial or place of cremation before a licence is issued. |
| Licences to be registered in Land Office | 5. All licences issued shall be registered in the Land Office of the district. |
| Graves to be dug under the supervision of the manager | 6. The digging of all graves shall be under the supervision of the manager, who shall see that every grave is properly dug to a depth of at least 5 feet. |
| Burials to take place in the presence of the manager or an approved deputy | 7. No burial shall take place except in the presence and with the permission of the manager:

Provided that if the manager is unable to be present the burial shall take place in the presence of a fit and proper person appointed by the manager for that purpose. |
| Burial or place of cremation may be inspected by approved Government Officers | 8. All burial or places of cremation shall be open to inspection at any time by any officer of the Government authorised by the Minister to inspect the same. |
| Burial and places of cremation to be fenced in | 9. Every burial or place of cremation shall be fenced in or otherwise enclosed and kept in decent and proper order. |

[Subsidiary]

10. The manager shall upon receipt of a notice in writing from the Officer in Charge of the Land Office, or the Chairman of the Municipal Board area, forthwith fence in, enclose, clear or trim the burial or place of cremation under his control.

Manager to comply with notice requiring him to fence or keep burial or place of cremation in proper order

11. Should the manager fail to make a commencement to carry out the work specified in such notice within 15 days of the day on which the notice was served on him, or to complete the said work within the period stated in the notice the Officer in Charge of the Land Office or the Chairman of the Municipal Board as the case may be may cause the work to be carried out and shall recover the cost thereof from the manager.

In case of failure by the manager to comply with notice Land Office or Chairman of Municipal Board may cause work to be carried out

12. All orders or notices issued or directions given under the Act or any rules made thereunder shall be signed by the officer making the order, notice or directions and shall be served on the manager, who shall be responsible for their being carried out.

Orders, etc. to be signed by officer making them

13. Any person committing a breach of these rules shall be guilty of an offence: Penalty, a fine of \$500.

Penalty

LAWS OF BRUNEI

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CAP. 49

Burial Grounds

[Subsidiary]

SCHEDULE

(Rule 3)

BURIAL OR PLACE OF CREMATION LICENCE

..... of

having satisfied His Majesty the Sultan and Yang Di-Pertuan in Council that he is the proper person to have control or charge of the land described hereunder is hereby licensed to use the said land as a place of burial for..... subject to the provisions of the Burials Act, (Cap. 49) and to the rules made thereunder.

Description of Land

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.....
*Clerk to the Council
of Ministers, Brunei*

Date

Place