

LABOUR ACT
(CHAPTER 93)
LABOUR (IMMIGRANT WORKERS' EMPLOYMENT
LICENCES) RULES

S 159/71

Amended by
S 6/79

REVISED EDITION 2002

(15th April 2002)

SUBSIDIARY LEGISLATION

LABOUR (IMMIGRANT WORKERS' EMPLOYMENT LICENCES) RULES

ARRANGEMENT OF RULES

Rule

1. Citation.
2. Form and conditions of Licence to employ immigrant workers.
3. Application for licence to employ immigrant workers.

SCHEDULE — LICENCE TO RECRUIT AND EMPLOY IMMIGRANT WORKERS

SUBSIDIARY LEGISLATION

Rules under section 121

LABOUR (IMMIGRANT WORKERS' EMPLOYMENT
LICENCES) RULES**Citation.**

1. These Rules may be cited as the Labour (Immigrant Workers' Employment Licences) Rules.

Form and conditions of Licence to employ immigrant workers.

2. A licence to employ immigrant workers in accordance with section 118 of the Labour Act shall be in the form of the Schedule to these Rules and shall be subject to the conditions stated therein:

Provided that the Commissioner of Labour may exempt any employer from any or all of the said conditions.

Application for licence to employ immigrant workers.

3. Every application for such licence shall be made to the Commissioner and shall be in such form as the Commissioner may require.

SCHEDULE

(rule 2)

LICENCE TO RECRUIT AND EMPLOY IMMIGRANT WORKERS

(section 118 of the Labour Act, Chapter 93)

Licence No.:

Name of Employer:

Address and Telephone Number of Employer:

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Industry :

having undertaken to observe the conditions stated below, is hereby licensed to employ not

SCHEDULE — (*continued*)

more than immigrant workers as described in the Schedule hereto, as and when they shall have been duly permitted to engage in employment in Brunei Darussalam in accordance with the provisions of the Immigration Act (Chapter 17).

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Commissioner of Labour

Brunei Darussalam 20

CONDITIONS

1. The Employer undertakes to indemnify the Government of Brunei Darussalam against incurring any expenses whatsoever in connection with the entry, subsistence, housing, medical care or repatriation of the workers.

In earnest of which further undertakes, if required to do so by the Commissioner of Labour to deposit give security in a sum not exceeding \$ for each worker, against liability for such expenses.

2. The Employer undertakes to notify the Commissioner of Labour in writing within 48 hours of the termination of the employment of any immigrant worker.

3. Immigrant workers employed under this Licence shall be engaged on written contracts under Chapter V of the Labour Act and shall have their contracts presented to the Commissioner for attestation in accordance with section 22 of the Labour Act.

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4. The following conditions shall be deemed to be implied in every agreement with an immigrant worker employed under this licence —

(1) The Employer undertakes to provide the worker with work suited to his capacity at not less than the prevailing wage for the particular type of work on which he is engaged.

(2) The Employer will provide the worker and his dependants residing with him in Brunei Darussalam with housing, sanitary measures and medical care and attention (including maintenance and treatment in hospital) in the manner required by Chapter X of the Labour Act, and the said Chapter shall be deemed to apply to every place of employment where an immigrant worker is employed.

(3) The Employer will, if requested, provide the worker free of charge with facilities to make remittances to his family in the country of origin or at the places of engagement.

(4) The employer will, on termination of employment in the case of immigrant workers from Malaysia, repatriate them to the place of engagement if recruited outside Brunei Darussalam or if engaged locally, transport them to the Brunei Darussalam immigration post on the border of their country provided that the Commissioner may exempt

CONDITIONS — (*continued*)

the employer from repatriation and transport obligations at the request or with the consent of the worker in accordance with section 27(4) and 27(5) or section 97 of the Act.

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(5) The employer will ensure in all cases of employment of immigrant workers, that their documents for entry and employment in Brunei Darussalam are valid at the time of engagement and during employment.

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5. This licence shall be liable to forfeiture —

(1) In the event of failure to observe any of these conditions; or

(2) In the event of the Employer being convicted of an offence under the Immigration Act, (Chapter 17) or any written law regulating conditions of employment; or

(3) In the event of the employer being guilty of conduct which in the opinion of the Commissioner renders him no longer a fit and proper person to hold it.

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Employer

(Place and date) 20

[Subsidiary]

SCHEDULE

Group No.	OCCUPATION Description	RACE(S)	COUNTRY(IES) OF DOMICILE	NUMBER PERMITTED

