

No. S 11

CONSTITUTION OF BRUNEI DARUSSALAM
{Order under section 83(3)}

EMERGENCY (PENAL CODE) (AMENDMENT) ORDER, 1998

In exercise of the power conferred by subsection (3) of section 83 of the Constitution of Brunei Darussalam, His Majesty The Sultan and Yang Di-Pertuan hereby makes the following Order –

1. This Order may be cited as the Emergency (Penal Code) (Amendment) Order, 1998. Citation.

2. Section 435 of the Penal Code is repealed and the following new section substituted therefor – Substitution
of section 435
of Chapter 22.

"Mischief by fire or explosive substance with intent to cause damage. 435. (1) Whoever commits mischief by fire or any explosive substance, intending to cause, or knowing it to be likely that he will thereby cause, damage to any property shall be punished –

- (a) if such act causes death to any person, with death ;
- (b) if such act is to a petroleum pipeline, gas pipeline, water supply pipeline, electrical supply installation or any prescribed property, with death ; or
- (c) in any other case, with imprisonment for a term which may extend to 15 years, and shall also be punished with whipping with not less than 6 strokes.

(2) In paragraph (b) of subsection (1), "prescribed property" means such property or place used by any public utility undertaking as may be declared by His Majesty The Sultan and Yang Di-Pertuan by order published in the *Gazette* to be prescribed property to which that paragraph applies."

Made this 16th. day of Muharam, 1419 Hijrah corresponding to the 13th. day of May, 1998 Masihi at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM