

No. S 50

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

NATIONAL REGISTRATION (AMENDMENT) ORDER, 2000

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 —

Citation.

1. This Order may be cited as the National Registration (Amendment) Order, 2000.

Amendment of section 2 of Chapter 19.

2. Section 2 of the National Registration Act, in this Order referred to as the Act, is amended by inserting the following new definitions immediately after the definition of "Commissioner" —

"householder" means the owner, tenant, sub-tenant or occupier of a house, shophouse, flat, apartment, hut or other dwelling place;

"identity card" means an identity card issued under the provisions of this Act;

"immigration officer" means the Controller of Immigration and any person appointed under section 3 of the Immigration Act, and includes a Senior Immigration Officer;

"Minister" means the Minister of Home Affairs;".

Amendment of section 3.

3. Section 3 of the Act is amended —

(a) in subsection (1), by deleting "His Majesty the Sultan and Yang Di-Pertuan in Council" from the first two lines and by substituting "The Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan" therefor;

(b) in subsection (2), by deleting "His Majesty in Council" from the second line and by substituting "the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan" therefor.

Amendment of section 4.

4. Section 4 of the Act is amended by adding the following new subsection —

"(3) A copy of or extract from any document, including a copy produced by way of microfilm or computer print-out, filed or lodged at the office of the Commissioner, certified to be a true copy or an extract under the hand and seal of the Commissioner shall in any proceedings be admissible in evidence as of equal validity with the original document."

Insertion of new section 5A.

5. The Act is amended by inserting the following new section immediately after section 5 —

"Re-registration
of persons in
possession of
identity cards.

5A. (1) Every person who, on the commencement of this section, is in possession of a valid identity card issued under this Act shall re-register under this Act within such period as the Minister may, by notification in the *Gazette*, specify.

(2) All identity cards issued under this Act before such date shall cease to be valid on the expiration of the period within which persons in possession of such identity cards are required to be re-registered under subsection (1)."

Amendment of section 6.

6. Section 6 of the Act is amended —

(a) in subsection (1) —

- (i) by deleting "His Majesty in Council" and by substituting "The Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan" therefor;
- (ii) by deleting the fullstop and by adding "and for the prescribing of any matter which is authorised or required under this Act to be prescribed."

(b) in subsection (2) —

- (i) in paragraph (e), by adding "and the different categories of identity cards that may be issued to such categories or classes of persons as may be prescribed";
- (ii) by repealing paragraph (i) and by substituting the following therefor —

"(i) the re-registration of persons who have obtained identity cards or replacements thereof within any prescribed period;";

(c) by adding the following new subsection —

"(3) The Minister may authorise the Commissioner to devise and use such forms as the Commissioner considers necessary for the purposes of this Act."

Addition of new sections.

7. The Act is amended by adding the following new sections —

"Issue of
identity cards.

9. Subject to the provisions of this Act and any regulations made thereunder, every person registered under this Act shall be issued with an identity card.

Returns by
householders.

10. (1) Every householder shall, when so required in writing by a registration officer, submit in respect of his household such returns, at such time during the year, as may be prescribed for the carrying out of the provisions of this Act.

(2) Such returns shall be sent by a householder to such public officer or statutory authority as may be declared by the Minister by notification in the *Gazette* to be a public officer or statutory authority for the purposes of this section.

(3) The owner, manager or other person in charge of a hotel, boarding house, hostel or other like dwelling place may be required by a registration officer to submit the returns required under subsection (1).

Cancellation
of registration.

11. (1) Where a person has been registered under the provisions of this Act and the Commissioner is satisfied that the registration —

(a) was obtained by means of fraud, false representation or the concealment of any material fact; or

(b) was effected by mistake,

the Commissioner may cancel the registration of that person.

(2) Any person whose registration is cancelled under this section shall forthwith surrender his identity card to the Commissioner.

Onus of proof
of contents of
written
applications
and identity
cards, etc.

12. The onus of proving the truth of the contents of any written application for registration made under provisions of this Act and any regulations made thereunder or the contents of an identity card shall be on the applicant or on the person to whom the identity card was issued or on any other person alleging the truth of the contents.

Report of
certain persons
admissible as
evidence.

13. (1) Any document purporting to be a report under the hand of any of the persons mentioned in subsection (2) upon any matter or thing duly submitted to any such person for examination, analysis or report, may be used as evidence in any trial or other proceedings under this Act or any regulations made thereunder, unless the court requires that person to be called as a witness:

Provided that in any case in which the Public Prosecutor intends to give in evidence any such report, he shall deliver a copy thereof to the accused not less than 10 days before the commencement of the trial or other proceedings.

(2) The following are persons to whom this section applies —

- (a) any officer or any person duly authorised to issue identity cards by virtue of this Act; and
- (b) any police officer charged with the registration or collation of fingerprints."

Made this 28th. day of Safar, 1421 Hijriah corresponding to the 1st. day of June, 2000 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM