

THE CONSTITUTION OF THE STATE
OF BRUNEI, 1959

The Constitution (Mentri Besar Incorporation)
Order, 1960

In exercise of the powers conferred on him by section 80 of the Constitution of the State of Brunei, 1959, His Highness the Sultan has made the following Order—

Citation.

1. This Order may be cited as the Constitution (Mentri Besar Incorporation) Order, 1960, and shall be deemed to have come into operation on the 29th of September, 1959.

Constitution of
body corporate.

2. (1) The officer for the time being discharging the duties of Mentri Besar and his successors in office shall be a body corporate under the name of "Mentri Besar" (hereinafter called the Corporation).

(2) The Corporation for the purposes of this Order may sue and be sued in its name and shall have perpetual succession and a corporate seal.

Powers.

3. The Corporation may acquire, purchase, take, hold and enjoy movable and immovable property of every description, and may, with the prior approval of the Sultan in Council, surrender and yield up, charge, lease, sub-lease, transfer or otherwise dispose of, or deal with, any movable and immovable property vested in the Corporation upon such terms as to the Sultan in Council seem fit.

Vesting of
beneficial
ownership in
certain properties.

4. Notwithstanding the provisions of any other written law, the beneficial ownership in the movable and immovable properties described in the Schedule, being properties the beneficial ownership of which is in the Government of Brunei, shall

by virtue of this Order and without further assurance, vest in the Corporation.

Power to add
properties to
Schedule.

5. (1) The Sultan in Council may, by Order, add other movable or immovable properties, being properties the beneficial ownership of which is in the Government of Brunei, to those described in the Schedule.

(2) The beneficial ownership of properties so added shall, in a similar manner to that provided by article 4, vest in the Corporation.

Vesting of existing
charges in the
Corporation.

6. (1) A charge executed before the commencement of this Order for the purposes of securing the payment or discharge of any debt, liability or obligation to the Government expressed to be made by any person to the Government, or to any officer of the Government, with or without naming the Government or such other officer, shall be deemed to be vested in the Corporation for all the estate and the interest of the chargee, his executors or administrators or successors in office, and, in the case of every such charge, the Corporation shall, by virtue of this Order, have and may exercise, sue for, recover and give receipts for the money secured thereby or the unpaid part thereof, and the interest due or to become due thereon, and the benefit of all securities for the same, and the benefit of any right to sue with the chargee on any covenant, and every other power of the chargee.

Cap. 40.

(2) The Register kept under the Land Code shall be rectified where such rectification is necessary in order to bring the Register into conformity with this article.

(3) For the purposes of this article the word "charge" includes any mortgage on any property for securing money or money's worth secured by a charge.

Execution of
documents.

7. All deeds, documents or other instruments requiring the seal of the Corporation shall be sealed with the seal of the Corporation in the presence of

the officer for the time being discharging the duties of the office of Mentri Besar or of such officer as the Mentri Besar may, in that behalf, authorize by notification in the *Gazette*, who shall sign every such deed, document or other instrument to which the corporate seal is affixed and that signing shall be sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the Corporation.

Notification to be conclusive evidence of appointment.

8. A notification in the *Gazette* of the appointment of any person to hold, or act in, the office of Mentri Besar shall be conclusive evidence that the person was duly so appointed.

SCHEDULE

(Article 4)

PART I—GENERAL RESERVE FUND (STERLING TRUSTEE SECURITIES)

Description of Stock					%	Nominal Value Sterling		
						£	s.	d.
Australia	...	...	...	1976/79	5½	140,000	0	0
Australia	...	...	...	1956/61	3¼	24,460	10	8
Australia	...	...	...	1961/64	4	670	0	1
Australia	...	...	...	1965/67	3	5,471	0	3
Australia	...	...	...	1965/69	3¼	93,772	9	9
Australia	...	...	...	1967/71	2¾	1,571	3	11
Australia	...	...	...	1975/77	3	2,914	14	0
Australia	...	...	...	1974/76	6	7,956	10	7
Barbados ...	...	...	...	1971/73	6	9,405	7	0
British Electricity	...	...	...	1967/69	4½	1,049,411	0	0
British Electricity	...	...	...	1968/73	3	1,145,073	11	0
British Electricity	...	...	...	1976/79	3½	5,628,124	4	8
British Gas	...	...	...	1969/71	3½	415,000	0	0
British Gas	...	...	...	1969/72	4	1,495,210	14	9
British Transport	...	...	...	1968/73	3	140,739	19	11
British Transport	...	...	...	1972/77	4	3,417,666	3	1
British Transport	...	...	...	1978/88	3	1,997,123	15	7
British Guiana	...	...	...	1980/85	5	309,109	3	11
Ceylon	...	...	...	1965	4½	25,000	6	6
Ceylon	...	...	...	1960/70	5	17,365	16	6
Consolidated Loan	...	...	...	1957 or After	4	809,094	4	10
Conversion Loan	...	...	...	1961 or After	3½	519,421	15	4

Description of Stock					%	Nominal Value Sterling		
						£	s.	d.
Conversion Stock	...	...	1974	5½	102,367	4	10	
Cyprus	...	...	1969/71	3½	445,604	3	3	
E.A.H.C.	...	...	1964/69	4½	501,055	12	4	
E.A.H.C.	...	...	1966/68	3½	23,744	19	5	
E.A.H.C.	...	...	1968/70	3½	238,242	1	11	
E.A.H.C.	...	...	1968/71	4	54,986	15	5	
E.A.H.C.	...	...	1973/76	4	257,681	9	5	
E.A.H.C.	...	...	1972/74	4	50,000	0	0	
E.A.H.C.	...	...	1980/84	5½	385,658	13	9	
E.A.H.C. (P. & T.)	...	...	1977/83	5¾	76,490	6	4	
E.A.H.C. (R. & H.)	...	...	1977/83	5¾	2,205	4	4	
F.M.S.	...	...	1960/70	3	56,760	16	4	
Funding Stock	...	...	1966/68	3	1,261,988	14	6	
Funding Stock	...	...	1982/84	5½	4,688,736	14	5	
Fed. of Rhodesia & Nyasaland...	...	...	1972/74	4	100,000	0	0	
Fed. of Rhodesia & Nyasaland...	...	...	1976/79	6	104,215	14	2	
Gold Coast	...	...	1963	3	7,629	7	0	
Grenada	...	...	1969/76	4½	35,000	0	0	
Hull	...	...	1960/70	3½	6,400	0	0	
Ipswich	...	...	1964	3¼	10,000	0	0	
Jamaica	...	...	1956/61	3	5,407	4	2	
Jamaica	...	...	1973/78	4¼	199,188	19	6	
Jamaica	...	...	1977/82	6	55,000	0	0	
Kenya	...	...	1961/71	4½	22,212	4	2	
Kenya	...	...	1971/76	2¾	1,512	3	11	
Kenya	...	...	1971/78	4½	234,371	8	7	
Kenya	...	...	1973/78	3½	35,000	0	0	
Kenya	...	...	1978/82	5	100,000	0	0	
London County	...	...	1962/67	3	5,386	11	9	
Mauritius	...	...	1965/68	3½	85,210	9	5	
Mauritius	...	...	1972/77	4¾	8,077	17	8	
Malaya	...	...	1974/76	3	122,088	1	5	
New Zealand	...	...	1960/64	3½	384	4	11	
New Zealand	...	...	1962/65	3¼	55,662	17	9	
New Zealand	...	...	1966/68	3	12,643	6	1	
New Zealand	...	...	1970/73	4¼	47,390	15	7	
Nigeria	...	...	1963	4	41,220	6	6	
Nigeria	...	...	1964/66	3½	3,663	6	0	
Nigeria	...	...	1975/77	3	1,642	2	8	
Nyasaland	...	...	1971/78	4½	71,065	14	10	
Northern Rhodesia	...	...	1965/70	4½	33,982	18	1	
Northern Rhodesia	...	...	1970/72	3¼	100,000	0	0	

Description of Stock					%	Nominal Value Sterling		
						£	s.	d.
Savings Bonds	...	...	...	1955/65	3	463,509	7	5
Savings Bonds	...	...	...	1960/70	3	2,674,049	19	0
Savings Bonds	...	...	...	1965/75	3	2,105,952	13	9
Sierra Leone	...	...	...	1958/63	3½	31,675	11	8
Tanganyika	...	...	...	1967/72	4¼	51,282	1	0
Tanganyika	...	...	...	1970/73	3½	19,744	5	10
Tanganyika	...	...	...	1978/82	5¼	379,405	7	2
Treasury Stock	...	...	...	1977/80	3½	3,720,548	11	1
Treasury Stock	...	...	...	1966 or After	3	300,000	0	0
Treasury Stock	...	...	...	1979/81	3½	7,525,642	17	4
Trinidad	...	...	...	1973/76	4	166,000	0	0
Trinidad	...	...	...	1965/70	3	8,331	8	1
Uganda	...	...	...	1955/65	3½	1,000	0	0
Uganda	...	...	...	1966/69	3½	39,755	8	8
Uganda	...	...	...	1968/73	4¾	153,092	15	8
War Loan	...	...	...	1952 or After	3½	750,000	0	0
War Loan	...	...	...	1955/59	3	7,371	5	7

**PART II—GENERAL RESERVE FUND (STRAITS SETTLEMENTS
AND MALAYAN TRUSTEE SECURITIES)**

Description of Stock					%	Nominal Value Local Currency	
						\$	c.
S.S. Govt. War Loan	...	...	1952/59	3	216.000	00	
Singapore Municipal	...	...	1959	4	5.000	00	

PART III—SURPLUS BALANCES (STERLING TRUSTEE SECURITIES)

Description of Stock					%	Nominal Value Sterling		
						£	s.	d.
Australia	...	...	...	1976/79	5½	154,076	19	3
Australia	...	...	...	1955/70	4	5,000	0	0
Australia	...	...	...	1956/61	3½	145,010	12	8
Australia	...	...	...	1958/60	3	105,000	0	0
Australia	...	...	...	1974/76	6	15,000	0	0
Blackpool	...	...	...	1960	3	5,000	0	0
British Electricity	...	...	...	1968/73	3	82,801	15	2
British Electricity	...	...	...	1967/69	4½	1,460,280	9	7
British Gas	...	...	...	1969/72 "A"	4	393,640	0	10
British Guiana	...	...	...	1966/68	3½	80,000	0	0
British Transport	...	...	...	1972/77	4	257,570	8	5
British Transport	...	...	...	1978/88	3	813,008	2	7
Ceylon	...	...	...	1959	3½	2,400	0	0
Ceylon	...	...	...	1960/70	5	2,055	14	1

Description of Stock					%	Nominal Value Sterling		
						£	s.	d.
Cyprus	...	...	...	1956/66	4	872	19	9
Cyprus	...	...	...	1969/71	3½	108,918	18	5
Conversion Stock	...	...	...	1969	3½	574,176	7	2
Conversion Stock	...	...	...	1963	4¾	713,602	18	11
Conversion Stock (Assented)	...	...	...	1964	4½	804,700	2	2
E.A.H.C.	...	...	...	1966/68	3½	25,000	0	0
E.A.H.C.	...	...	...	1968/70	3½	50,000	0	0
E.A.H.C. (P. & T.)	...	...	...	1977/83	5¾	75,000	0	0
Exchequer	...	...	...	1960	3	268,577	19	3
Exchequer	...	...	...	1960	2	955,844	8	11
Federation of Malaya	...	...	...	1960/70	3	65,000	0	0
Federation of Malaya	...	...	...	1974/76	3	100,000	0	0
Federation of Malaya (I.C.L.)	...	...	...	1971/76	3	4,666,666	13	4
Federation of Malaya (I.C.L.)	...	...	...	1989	3	4,666,666	13	4
Funding Loan	...	...	...	1956/61	2½	2,000,000	0	0
Funding Loan	...	...	...	1959/69	3	533,333	6	8
Funding Stock	...	...	...	1966/68	3	2,407,179	2	4
Jamaica	...	...	...	1968/73	3½	25,000	0	0
Kenya	...	...	...	1973/78	3½	50,000	0	0
Kenya	...	...	...	1978/82	5	122,888	8	11
Kenya	...	...	...	1971/78	4½	149,840	8	8
Lanarkshire	...	...	...	1955/60	3	40,724	0	7
London County Consol	...	...	...	1956/61	3	3,729	14	5
Mauritius	...	...	...	1965/68	3½	26,512	17	11
New Zealand	...	...	...	1955/60	3½	12,812	9	1
New Zealand	...	...	...	1960/64	3½	1,890	0	6
New Zealand	...	...	...	1962/65	3¼	141,980	9	6
New Zealand	...	...	...	1963/66	3¼	100,000	0	0
New Zealand	...	...	...	1956/71	5	4,217	10	5
Nigeria	...	...	...	1964/66	3½	127,156	9	3
North Borneo (I.C.L.)	...	...	...	1964/69	4	762,130	0	0
North Borneo (I.C.L.)	...	...	...	1966/71	5½	255,628	0	0
North Borneo (I.C.L.)	...	...	...	1967/72	5¾	710,659	0	0
North Rhodesia	...	...	...	1970/72	3½	59,083	17	9
Rochdale	...	...	...	1955/60	3½	6,475	0	0
Savings Bonds	...	...	...	1955/65	3	2,128,190	13	10
Savings Bonds	...	...	...	1960/70	3	3,042,465	2	3
Sierra Leone	...	...	...	1968/70	3½	50,000	0	0
Surrey	...	...	...	1961/66	3	7,000	0	0
Treasury Stock	...	...	...	1979/81	3½	703,293	1	1
Trinidad	...	...	...	1967/71	3	86,623	19	2

PART IV—EQUITIES

Borneo Airways Limited ...	...	...	10,200 shares
Malayan Airways Limited	...	...	10,000 shares

PART V—IMMOVABLE PROPERTIES

1. 7A, B, C and D, Tanglin Hill, Singapore.
2. Lots 159 and 160, Section 10, Kuching Town Land District.
3. Lot 1, Section 45, Kuching Town Land District.
4. Kingswood Manor, near Reigate, England.

Made this 23rd day of April, 1960, at Our Istana
Darul Hana, Brunei, Darul-Salam.

Sgd. OMAR ALI SAIFUDDIN
Sultan