

No. S 77

CONSTITUTION OF BRUNEI DARUSSALAM
(Order made under Article 83(3))

SUBORDINATE COURTS ACT (AMENDMENT) ORDER, 2012

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

Citation and commencement.

1. This Order may be cited as the Subordinate Courts Act (Amendment) Order, 2012 and shall commence on the same date as the Small Claims Tribunals Order, 2006 [S 81/06].

Amendment of long title to Chapter 6.

2. The Subordinate Courts Act, in this Order referred to as the Act, is amended in the long title, by deleting “Courts of Magistrates and Juvenile Courts (S 9/06) as the” from the first line.

Substitution of section 3.

3. Section 3 of the Act is repealed and the following new section substituted therefor —

“Subordinate courts.

3. (1) There shall be within Brunei Darussalam the following subordinate courts with such jurisdiction as is conferred by this Act or any other written law —

(a) Courts of Magistrates;

(b) Juvenile Courts;

(c) Small Claims Tribunals.

(2) The Small Claims Tribunals shall have such jurisdiction as is conferred by the Small Claims Tribunals Order (S 81/06) or any other written law.

(3) Except as provided in the Small Claims Tribunals Order, 2006 (S 81/06), no provision of this Act or Rules of Court shall apply to a Small Claims Tribunal.”.

Amendment of section 4.

4. Section 4 of the Act is amended by deleting “Courts of Magistrates and Juvenile Courts” from the second line and by substituting “subordinate courts” therefor.

Amendment of section 5.

5. Section 5 of the Act is amended by deleting “Courts of Magistrates and Juvenile Courts” from the first line and by substituting “subordinate courts” therefor.

Amendment of section 5A.

6. Section 5A of the Act is amended —

(a) in the section heading, by deleting “Courts of Magistrates” and by substituting “subordinate courts” therefor;

(b) by deleting “Courts of Magistrates and Juvenile Courts” from the first line and by substituting “subordinate courts” therefor;

(c) by deleting “a Court of Magistrate and a Juvenile Court” from the third line and by substituting “any subordinate court” therefor.

Amendment of section 6.

7. Section 6 of the Act is amended by deleting “Courts of Magistrates and Juvenile Courts” from the second line and by substituting “the subordinate courts” therefor.

Amendment of section 7.

8. Section 7 of the Act is amended —

(a) in subsection (1), by deleting “Court of a Magistrate or any Juvenile Court” from the first two lines and by substituting “subordinate court” therefor;

(b) in subsection (2), by deleting “Court of a Magistrate and a Juvenile Court” from the first line and by substituting “subordinate court” therefor;

(c) in subsection (3) —

(i) by deleting “Court of a Magistrate or a Juvenile Court” from the first line and by substituting “subordinate court” therefor;

- (ii) by deleting “Court of a Magistrate or a Juvenile Court” from the fifth last line and by substituting “subordinate court” therefor;
- (iii) in the proviso, by deleting “Court of a Magistrate or a Juvenile Court” from the second line and by substituting “subordinate court” therefor;

(d) in subsection (4), by deleting “Court of a Magistrate or a Juvenile Court” from the penultimate line and by substituting “subordinate court” therefor;

(e) in subsection (5), by deleting “Court of a Magistrate or a Juvenile Court” from the second line and by substituting “subordinate court” therefor.

Amendment of section 8.

9. Section 8 of the Act is amended by deleting “Court of a Magistrate and a Juvenile Court” from the first and second lines and by substituting “subordinate court” therefor.

Amendment of section 13.

10. Section 13 of the Act is amended by deleting “Courts of Magistrates” from the last two lines and by substituting “subordinate courts” therefor.

Amendment of section 14.

11. Section 14 of the Act is amended by deleting “Courts of Magistrates” from the second, third and last lines and by substituting “subordinate courts” therefor.

Amendment of section 23.

12. Section 23 is amended in subsection (2) —

(a) by deleting “Court of a Magistrate” from the first line and by substituting “subordinate court” therefor;

(b) by deleting “Courts of Magistrates” from the third line and by substituting “subordinate courts” therefor.

Amendment of section 26.

13. Section 26 of the Act is amended —

(a) in the section heading, by deleting “Courts of Magistrates” and by substituting “subordinate courts” therefor;

(b) in subsection (1), by deleting “Court of a Magistrate” from the last line and by substituting “subordinate court” therefor;

(c) in subsection (2), by deleting “Court of a Magistrate” from the third line and by substituting “subordinate court” therefor.

Made this 28th. day of Zulhijjah, 1433 Hijriah corresponding to the 13th. day of November, 2012 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM