

No. S 5

EDUCATION ORDER, 2003

**EDUCATION (PUBLICATIONS AND MULTI MEDIA MATERIALS)
REGULATIONS, 2004**

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In exercise of the power conferred by section 128 of the Education Order, 2003, the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation.

1. These Regulations may be cited as the Education (Publications and Multi Media Materials) Regulations, 2004.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

"circulation" means the dissemination, selling or the transmission of the contents of a publication or multi media materials;

"multi media materials" means all materials produced by electronic media;

"publication" means any publication, in any language, containing news, intelligence, reports of occurrences, or any remarks, observations or comments, in relation to such news, intelligence or reports of occurrences or any other matter of interest, contributed by pupils or by pupils and teachers of any school or educational institution, and which is circulated at regular or irregular intervals in any school or educational institution, and includes any petition, handbill or statement circulated among the pupils of the school or institutional institution but does not include announcements or notices regarding routine activities authorized by the head teacher or principal as part of the normal activities of the school or educational institution;

"publishing" means publishing or printing, whether in writing, lithography, typewritten, or in the form of photograph or in any other modes of representing or reproducing words or objects in visible form.

Application.

3. These Regulations shall apply to government and private schools and educational institutions.

Approval.

4. (1) No publication or multi media material may be published or circulated in any school or educational institution except with the approval of the head teacher or principal.

(2) No approval may be given under sub-regulation (1) unless the head teacher or principal is satisfied as to the following matters —

- (a) the publication or multi media material is not likely to prejudice the maintenance of the discipline of the school or educational institution or any measures taken for securing the public safety in Brunei Darussalam;
- (b) suitable arrangement have been made for the business management of the publication or multi media material;
- (c) suitable arrangements have been made for the keeping of accounts to be kept and that proceeds of sales of the publication and multi media material exceeding the cost of production will be deposited in a bank account of the school or educational institution under the control of the head teacher or principal;
- (d) no pupil of the school or educational institution shall be compelled to buy the publication and multi media material;
- (e) the publication and multi media material is primarily concerned with the affairs and that its circulation will be primarily among the pupils of the school or educational institution; and
- (f) the name and address of the printer of the publication and multi media material will be printed in the publication and multi media material.

Notification of approval to Registrar General.

5. (1) Upon approving the publication or circulation of a publication or multi media material under sub-regulation 4(1), the head teacher or principal shall, within 10 days thereof, notify the Registrar General in writing of the approval.

(2) The head teacher or principal shall send one copy of every issue of a publication and multi media material to the Registrar General.

(3) The Registrar General may request the head teacher or principal to furnish him with any particulars relating to a publication or multi media material.

Powers of Registrar General.

6. (1) Where the Registrar General is satisfied that any publication or multi media material contains or is likely to contain any matter prejudicial to the discipline of any school or educational institution or prejudicial to the interests of Brunei Darussalam he may, at any time, make an order in writing directing that the publication or multi media material shall cease to be published or circulated and be destroyed or caused to be destroyed, as the case may be.

(2) Notwithstanding sub-regulation (1), the Registrar General shall make an order in writing directing that the publication or multi media material shall cease to be published or circulated and be destroyed or caused to be destroyed, as the case may be, if he is instructed to do so by the Minister.

(3) The head teacher or principal shall be responsible in ensuring that the order made under sub-regulation (1) or sub-regulation (2) is complied with.

Expulsion of pupils.

7. A head teacher or principal may suspend or expel a pupil —

- (a) who publishes or circulates or causes to publish or circulate any publication or multi media materials without his approval;
- (b) who publishes or circulates any publication or multi media materials which contains any matter which has not been approved by him; and
- (c) who publishes or circulates or causes to publish or circulate any publication or multi media material in contravention of an order made by the Registrar General under regulation 6.

Penalty.

8. (1) A person who contravenes any provision of these Regulations shall be guilty of an offence and, subject to sub-regulation (2), shall be liable on conviction to a fine not exceeding \$1,000.

(2) Where such person is, at the date of the commission of the offence, over the age of 21 years, he shall be liable to a fine not exceeding \$1,000, imprisonment for a term not exceeding 6 months or both.

Saving.

9. Nothing in these Regulations shall exempt the head teacher or principal of a school or educational institution from complying with the requirements of any law regulating the publication of periodicals and multi media materials in Brunei Darussalam.

Made this 13th. day of Zulkaedah, 1424 Hijriah corresponding to the 6th. day of January, 2004.

PEHIN ORANG KAYA LAILA WIJAYA DATO SERI SETIA
HAJI AWANG ABDUL AZIZ BIN BEGAWAN PEHIN
UDANA KHATIB DATO SERI PADUKA HAJI AWANG UMAR
Minister of Education,
Brunei Darussalam.