

No. S 59

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

SPECIFIC RELIEF ACT (AMENDMENT) ORDER, 2004

ARRANGEMENT OF SECTIONS

Section

1. Citation.
 2. Insertion of new section 6A into Chapter 109.
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CONSTITUTION OF BRUNEI DARUSSALAM
(Order under section 83(3))

SPECIFIC RELIEF ACT (AMENDMENT) ORDER, 2004

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 Specific Relief Act (Amendment) Order, 2004.

Insertion of new section 6A into Chapter 109.

2. The Specific Relief Act is amended by inserting the following new section immediately after section 6 —

"Judicial review.

6A. (1) It is hereby declared that, for the avoidance of doubt and without prejudice to any other provision of this Act, the remedy of judicial review is and shall not be available in any court in respect of any act, decision, grant, revocation or suspension, or refusal or omission to do so, any exercise of or refusal or omission to exercise any power, authority or discretion by His Majesty the Sultan and Yang Di-Pertuan, or any party acting on his behalf or under his authority or in the performance of any public function, including any question relating to compliance with any procedural requirement governing such act or decision.

(2) In this section, "judicial review" means proceedings instituted by any manner whatsoever including, but not limited to, proceedings by way of —

(a) an application for any of the prerogative orders of *mandamus*, prohibition and *certiorari*;

(b) an application for a declaration or an injunction;

(c) a writ of *habeas corpus*; and

(d) any other suit or action relating to or arising out of any act, decision, grant, revocation or suspension, or refusal or omission to do so, any exercise of or refusal or omission to exercise any power, authority or discretion conferred on His Majesty the Sultan and Yang

Di-Pertuan, or any party acting on his behalf or under his authority or in the performance of any public function."

Made this 3rd. day of Syaaban, 1425 Hijriah corresponding to the 18th. day of September, 2004 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM