

No. S 79

SUCCESSION AND REGENCY PROCLAMATION, 1959

SUCCESSION AND REGENCY (AMENDMENT) (NO. 2) PROCLAMATION, 2004

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In the name of ALLAH, the Compassionate, the Merciful, PRAISE be to ALLAH, the Lord of the Universe, and may the benediction and peace of ALLAH be upon Our Leader Muhammad and upon all his Relations and Friends.



HIS MAJESTY THE SULTAN
AND YANG DI-PERTUAN,
BRUNEI DARUSSALAM

BY THE GRACE OF ALLAH, WE, SULTAN HAJI HASSANAL BOLKIAH MU'IZZADDIN WADDAULAH IBNI AL-MARHUM SULTAN HAJI OMAR 'ALI SAIFUDDIEN SA'ADUL KHAIRI WADDIEN, SOVEREIGN AND CHIEF OF THE ROYAL FAMILY ORDER OF THE CROWN OF BRUNEI, SOVEREIGN AND CHIEF OF THE MOST ESTEEMED FAMILY ORDER, SOVEREIGN AND CHIEF OF THE MOST EMINENT ORDER OF ISLAM OF BRUNEI, SOVEREIGN AND CHIEF OF THE MOST EMINENT ORDER OF ILLUSTRIOUS ORDER OF PADUKA LAILA JASA KEBERANIAN GEMILANG, SOVEREIGN AND CHIEF OF THE MOST EXALTED ORDER OF PADUKA KEBERANIAN LAILA TERBILANG, SOVEREIGN AND CHIEF OF THE MOST GALLANT ORDER OF PAHLAWAN NEGARA BRUNEI, SOVEREIGN AND CHIEF OF THE MOST BLESSED ORDER OF SETIA NEGARA BRUNEI, SOVEREIGN AND CHIEF OF THE MOST DISTINGUISHED ORDER OF PADUKA SERI LAILA JASA, SOVEREIGN AND CHIEF OF THE MOST HONOURABLE ORDER OF THE CROWN OF BRUNEI, SOVEREIGN AND CHIEF OF THE MOST FAITHFUL ORDER OF PERWIRA AGONG NEGARA BRUNEI, HONORARY KNIGHT GRAND CROSS, THE MOST HONOURABLE ORDER OF THE BATH (UNITED KINGDOM), HONORARY KNIGHT GRAND CROSS OF THE MOST DISTINGUISHED ORDER OF SAINT MICHAEL AND SAINT GEORGE (UNITED KINGDOM), DARJAH UTAMA SERI MAHKOTA NEGARA (MALAYSIA), COLLAR OF THE SUPREME ORDER OF CHRYSANTHEMUM (JAPAN), THE ORDER OF AL-HUSSEIN BIN ALI (JORDAN), THE CIVIL ORDER OF OMAN FIRST CLASS (OMAN), AL-KHALIFIA (BAHRAIN), OUISSAM EL MOHAMMDI GRAND COLLIER (MOROCCO), THE MOST AUSPICIOUS ORDER OF THE RAJAMITRABHORN (THAILAND), THE GREAT COLLAR OF BADR (ARAB SAUDI), KNIGHT OF THE ROYAL ORDER OF THE SERAPHIM (SWEDEN), GRAND ORDER OF

MUGUNGHWA (REPUBLIC OF KOREA), BINTANG REPUBLIK INDONESIA ADIPURNA (REPUBLIC OF INDONESIA), COLLAR OF THE NILE (REPUBLIC OF EGYPT), THE ANCIENT ORDER OF SIKATUNA RANK OF RAJAH (REPUBLIC OF THE PHILIPPINES), THE ORDER OF TEMASEK, FIRST CLASS (REPUBLIC OF SINGAPORE), NISHAN-E-PAKISTAN (REPUBLIC OF PAKISTAN), GRAND CROIX LEGION D'HONNEUR (REPUBLIC OF FRANCE), GRAND CROSS SPECIAL CLASS OF THE ORDER OF MERIT (REPUBLIC OF GERMANY), THE ORDER OF PRINCE YAROSLAV THE WISE (FIRST CLASS) (UKRAINE), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (KELANTAN), MOST ESTEEMED ROYAL ORDER (FIRST CLASS) (JOHORE), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (NEGERI SEMBILAN), MOST ESTEEMED ROYAL FAMILY ORDER OF SRI INDERA MAHKOTA PAHANG (PAHANG), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (SELANGOR), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (PERLIS), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (PERAK), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (TERENGGANU), MOST ESTEEMED ROYAL FAMILY ORDER (FIRST CLASS) (KEDAH), DARJAH UTAMA BINTANG SARAWAK (SARAWAK), SERI PANGLIMA DARJAH KINABALU (SABAH), FIRST GALLANTRY ORDER OF THE MALAYSIAN ARMED FORCES (MALAYSIA), DISTINGUISHED SERVICE ORDER (MILITARY) (REPUBLIC OF SINGAPORE), THE PHILIPPINES LEGION OF HONOUR (DEGREE OF CHIEF COMMANDER) (REPUBLIC OF THE PHILIPPINES), the Sultan and Yang Di-Pertuan of the Sovereign State and Territory of Brunei Darussalam and all its Dependencies;

WHEREAS on the 26th. day of Rabiulawal the Hijrah of the Prophet (on Whom be the benediction and peace of ALLAH) One thousand three hundred and seventy-nine corresponding to the 29th. day of September, One thousand nine hundred and fifty-nine of the Christian era, WE have proclaimed the Succession and Regency Proclamation, 1959;

AND WHEREAS it is provided under section 31 that the Proclamation may be amended by US;

AND WHEREAS WE have considered it expedient that certain provisions of the Proclamation should be amended in diverse respects;

NOW THEREFORE WE in exercise of the power conferred on US by section 31 of the Proclamation DO HEREBY PROCLAIM in OUR name and on OUR behalf and for and on behalf of OUR Successors as hereinafter follows —

Citation and commencement.

1. This Proclamation may be cited as the Succession and Regency (Amendment) (No. 2) Proclamation, 2004 and shall commence on the day it is made.

Amendment of section 3 of Const. II.

2. Section 3 of the Succession and Regency Proclamation, 1959, in this Proclamation referred to as the principal Proclamation, is amended —

(a) in subsection (3) —

- (i) by deleting "lawful Heir as determined in accordance with section 5" from the penultimate line and by substituting "eldest lawful son" therefor;
- (ii) by adding " , and thereafter, the right to succeed to the throne of Brunei Darussalam shall vest in the eldest lawful son of that and each subsequent lawful Successor";

(b) in subsection (4) —

- (i) by deleting "Heir" from the eighth line and by substituting "Successor" therefor;

(ii) in sub-paragraph (i) of paragraph (a) —

(aa) by deleting "lawful Heir as determined in accordance with section 5" from the second and third last lines and by substituting "eldest lawful son" therefor;

(ab) by adding " , and thereafter, the right to succeed to the throne of Brunei Darussalam shall vest in the eldest lawful son of that and each subsequent lawful Successor";

(iii) in sub-paragraph (ii) of paragraph (a) —

(aa) by deleting "Heir" from the first line and by substituting "Successor" therefor;

(ab) by deleting "lawful Heir as determined in accordance with section 5" from the third and fourth last lines and by substituting "eldest lawful son" therefor;

(ac) by adding " , and thereafter, the right to succeed to the throne of Brunei Darussalam shall vest in the eldest lawful son of that and each subsequent lawful Successor";

(iv) in sub-paragraph (iii) of paragraph (a) —

(aa) by deleting "Heir" from the first line and by substituting "Successor" therefor;

- (ab) by deleting "lawful Heir as determined in accordance with section 5" from the third and fourth last lines and by substituting "eldest lawful son" therefor;
- (ac) by adding " , and thereafter, the right to succeed to the throne of Brunei Darussalam shall vest in the eldest lawful son of that and each subsequent lawful Successor".

Amendment of section 11.

3. Section 11 of the principal Proclamation is amended, in subsection (1), by deleting "lawful Heir as determined in accordance with section 5" from the fifth line and by substituting "eldest lawful son" therefor.

Amendment of section 22.

4. Section 22 of the principal Proclamation is amended by repealing subsection (2) and by substituting the following new subsection therefor —

"(2) If the Consort of His Majesty the Sultan and Yang Di-Pertuan, whether crowned or not, is not of the race, Religion or blood aforesaid, the appropriate title shall be the "Pengiran Isteri" or such other title as His Majesty the Sultan and Yang Di-Pertuan may confer in his absolute discretion".

Confirmation.

So be it. Such is the Succession and Regency (Amendment) (No. 2) Proclamation, 2004.

Invocation.

May ALLAH, to whom be praise and Whose name be exalted, the King of Kings, vouchsafe His grace and may the Prophet Muhammad (on whom be the benediction and peace of ALLAH) grant His Blessings to this Proclamation, for ever and ever. Amen! O Lord of the Universe!

Done at the Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam this 20th. day of Ramadan, the Hijriah of the Prophet (on Whom be the benediction and peace of ALLAH) 1425 corresponding to the 4th. day of November, 2004 of the Christian era, being the thirty-eighth year of Our Reign.