

# **LAWS OF BRUNEI**

## **CHAPTER 19**

### **NATIONAL REGISTRATION ACT**

**2 of 1964**

**1984 Ed. Cap. 19**

Amended by

S 29/95

S 50/00

**REVISED EDITION 2002**

(1st June 2002)



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**CHAPTER 19**  
**NATIONAL REGISTRATION ACT**

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**NATIONAL REGISTRATION ACT**

**An Act to provide for the registration of persons in Brunei Darussalam, for the issue of identity cards and for purposes connected therewith**

*Commencement: 1st March 1965*  
*[S 146/65]*

**Citation.**

1. This Act may be cited as the National Registration Act.

**Interpretation.**

2. In this Act, unless the context otherwise requires —

“Commissioner” means the Commissioner of National Registration appointed under section 3;

“householder” means the owner, tenant, sub-tenant or occupier of a house, shophouse, flat, apartment, hut or other dwelling place;

*[S 50/00]*

“identity card” means an identity card issued under the provisions of this Act;

*[S 50/00]*

“immigration officer” means the Controller of Immigration and any person appointed under section 3 of the Immigration Act, and includes a Senior Immigration Officer;

*[S 50/00]*

“Minister” means the Minister of Home Affairs;

*[S 50/00]*

“registration officer” means the Commissioner, the Deputy Commissioner of National Registration, and any person appointed as a registration officer or agent under section 3.

**Appointment of officers.**

3. (1) The Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan may appoint a Commissioner of National Registration, a Deputy Commissioner of National Registration, and such other registration officers and agents as he may consider necessary or expedient for the purposes of this Act.

*[S 29/95; S 50/00]*

(2) The Commissioner shall, subject to the general direction and control of the Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan, perform the duties and exercise the rights and powers imposed and conferred upon him by this Act.

*[S 29/95; S 50/00]*

(3) The Deputy Commissioner of National Registration and all other registration officers and agents shall be under the direction and control of the Commissioner.

(4) All officers and agents appointed under this section shall be deemed to be public servants for the purposes of the Penal Code (Chapter 22).

**Establishment of register.**

4. (1) The Commissioner shall cause to be kept and maintained a register of all persons in Brunei Darussalam who are required to register under the provisions of this Act and any regulations made thereunder.

(2) The register shall be in such form and shall contain such particulars as may be prescribed.

(3) A copy of or extract from any document, including a copy produced by way of microfilm or computer print-out, filed or lodged at the office of the Commissioner, certified to be a true copy or an extract under the hand and seal of the Commissioner shall in any proceedings be admissible in evidence as of equal validity with the original document.

*[S 50/00]*

**Registration.**

5. Subject to the provisions of any exemptions which may be granted by regulations made under section 6, every person within Brunei Darussalam

shall be registered under and in accordance with the provisions of this Act and of any regulations made thereunder.

**Re-registration of persons in possession of identity cards.** [S 50/00]

**5A.** (1) Every person who, on the commencement of this section, is in possession of a valid in identity card issued under this Act shall re-register under this Act within such period as the Minister may, by notification in the *Gazette*, specify.

(2) All identity cards issued under this Act before such date shall cease to be valid on the expiration of the period within which persons in possession of such identity cards are required to be re-registered under subsection (1).

**Regulations.**

**6.** (1) The Minister with the approval of His Majesty the Sultan and Yang Di-Pertuan may make regulations generally for carrying into effect the provisions of this Act, and the different categories of identity cards that may be issued to such categories or classes of persons as may be prescribed.

[S 29/95; S 50/00]

(2) Without prejudice to the generality of the powers conferred by, subsection (1), any regulations made under this section may provide for —

(a) the manner in which and the places at which application for registration of persons under this Act shall be made;

(b) the establishment of a central registry;

(c) the information and documents to be furnished for the purposes of registration;

(d) the taking and recording of photographs and finger and thumb prints of persons required to be registered under this Act;

(e) the issue and form of identity cards and the particulars to be entered thereon and the different categories of identity cards that may be issued to such categories or classes of persons as may be prescribed;

[S 50/00]

(f) the inspection of identity cards by persons in charge of hotels and lodging houses and such other classes or descriptions of persons as may be prescribed;

(g) the issue of replacement identity cards;

(h) requiring persons who have obtained identity cards or replacements thereof before attaining the age of 17 years to re-register within such period, not exceeding 5 years from the date of their first registration, as may be prescribed;

(i) the re-registration of persons who have obtained identity cards or replacements thereof within any prescribed period;

[S 50/00]

(j) the maximum charges that may be made for, and the conditions which may be imposed on the taking by any person of photographs for the purposes of this Act;

(k) the temporary surrender of identity cards;

(l) the custody and production of identity cards;

(m) the times and places for the attendance before a registration officer of applicants and holders of identity cards;

(n) the publication of information derived from the register;

(o) the making of corrections to and alterations in the register, and identity cards;

(p) the preparation, custody and inspection of indices of and the issue of extracts from the register;

(q) the fees to be imposed under this Act, and the conditions under which the collection thereof may be waived;

(r) the presumptions relating to proof of documents kept under the provisions of this Act and any regulations made thereunder and issued under the hand of the Commissioner or of any other officer appointed under section 3;

(s) the conferring and exercise of powers of arrest and search;



(*t*) the absolute or conditional exemption of any person or category of persons from the provisions of this Act or of any regulations made thereunder;

(*u*) the imposition of penalties for any contravention of any regulation; provided that no such penalty shall exceed imprisonment for a term of 2 years or a fine of \$5,000, or both such imprisonment and fine.

(3) The Minister may authorise the Commissioner to devise and use such forms as the Commissioner considers necessary for the purposes of this Act.

[S 50/00]

#### **Authority of registration officer to prosecute.**

7. The Commissioner and any other registration officer shall have authority to appear in any court and conduct any prosecution in respect of any offence against this Act or any regulations made thereunder.

#### **Obligation to be in possession of travel document.**

8. Nothing in this Act or in any regulation made thereunder shall be deemed to relieve any person of any obligation under any other written law to be in possession of a passport or any other travel document whatsoever.

#### **Issue of identity cards.** [S 50/00]

9. Subject to the provisions of this Act and any regulations made thereunder, every person registered under this Act shall be issued with an identity card.

#### **Returns by householders.** [S 50/00]

10. (1) Every householder shall, when so required in writing by a registration officer, submit in respect of his household such returns, at such time during the year, as may be prescribed for the carrying out of the provisions of this Act.

(2) Such returns shall be sent by the householder to such public officer or statutory authority as may be declared by the Minister by

notification in the *Gazette* to be a public officer or statutory authority for the purposes of this section.

(3) The owner, manager or other person in charge of a hotel, boarding house, hostel or other like dwelling place may be required by a registration officer to submit the returns required under subsection (1).

**Cancellation of registration.** [S 50/00]

11. (1) Where a person has been registered under the provisions of this Act and the Commissioner is satisfied that the registration —

(a) was obtained by means of fraud, false representation or the concealment of any material fact; or

(b) was effected by mistake,

the Commissioner may cancel the registration of that person.

(2) Any person whose registration is cancelled under this section shall forthwith surrender his identity card to the Commissioner.

**Onus of proof of contents of written applications and identity cards etc.** [S 50/00]

12. The onus of proving the truth of the contents of any written application for registration made under provisions of this Act and any regulations made thereunder or the contents of an identity card shall be on the applicant or on the person to whom the identity card was issued or on any other person alleging the truth of the contents.

**Report of certain persons admissible as evidence.** [S 50/00]

13. (1) Any document purporting to be a report under the hand of any of the persons mentioned in subsection (2) upon any matter or thing duly submitted to any such person for examination, analysis or report, may be used as evidence in any trial or other proceedings under this Act or any regulations made thereunder, unless the court requires that person to be called as a witness:

Provided that in any case in which the Public Prosecutor intends to give in evidence any such report, he shall deliver a copy thereof to the accused not less than 10 days before the commencement of the trial or other proceedings.

(2) The following are persons to whom this section applies —

(a) any officer or any person duly authorised to issue identity cards by virtue of this Act; and

(b) any police officer charged with the registration or collation of fingerprints.

