

No. S 5

RETIREMENT AGE ORDER, 2010

RETIREMENT AGE (EXEMPTION) NOTIFICATION, 2010

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement.
 2. Exemption.
-

RETIREMENT AGE ORDER, 2010

RETIREMENT AGE (EXEMPTION) NOTIFICATION, 2010

In exercise of the power conferred by section 10(1) of the Retirement Age Order, 2010, the Minister of Home Affairs, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Notification —

Citation and commencement.

1. This Notification may be cited as the Retirement Age (Exemption) Notification, 2010 and shall commence on the same date as the Retirement Age Order, 2010.

Exemption.

2. The following persons are hereby exempted from all the provisions of the Order —

(a) a person employed to work on any specific project for a fixed term;

(b) a person registered as a medical practitioner or dentist, as defined in the Medical Practitioners and Dentists Act (Chapter 112), in any hospital under any contract for a fixed term. In this paragraph, "hospital" means any premises used or intended to be used for the reception, lodging and treatment and care of persons who require medical treatment or suffer from any disease, and includes a maternity home and a nursing home;

(c) a person employed under any contract, made before 1st. January, 2010 for a fixed term of 5 years or less, not being renewable upon its expiry after that date;

(d) a person in any employment approved by the Minister or such person as he may appoint, where being of a particular age or in a particular age group is a *bona fide* occupational consideration or requirement for that employment, whether for reason of safety or for any other reason;

(e) a person working in Brunei Darussalam by virtue of an Employment Pass issued by the Controller of Immigration;

(f) a person employed in any employment for not more than 30 hours per week;

(g) a student employed for a temporary term;

(h) an employee serving any period of apprenticeship;

(i) an employee on probation for a period not exceeding 3 years or, in any particular case, for such other period as may be approved by the Minister or such person as he may appoint;

(j) a person who has retired, before 1st. January, 2010, at the age of 55 years or above and has been re-employed by the same or another employer;

(k) a police officer, as defined in section 2 of the Royal Brunei Police Force Act (Chapter 50);

(l) eligible persons appointed under section 11 of the Royal Brunei Armed Forces Act (Chapter 149) or enlisted under sections 12 or 13(1) of that Act;

(m) a prison officer, as defined in section 2 of the Prisons Act (Chapter 51);

(n) a public officer in a pensionable office who was appointed before 1st. January, 1993;

(o) a person who —

(i) immediately before becoming a permanent resident held an Employment Pass issued by the Controller of Immigration and was employed on a fixed-term contract of service; or

(ii) immediately after becoming a permanent resident continues to be employed by the same employer on the same fixed-term contract of service and any renewal thereof;

(p) a person who is a temporary employee employed —

(i) on a fixed-term contract of service which, including any extension of the contract, is not more than 2 years; or

(ii) for such other period as may be approved by the Minister,

and the temporary employee is not re-employed by the same employer within 6 months of the expiry or termination of his contract of service;

(q) a member of the cabin crew employed by Royal Brunei Airlines Sendirian Berhad to provide in-flight passenger services;

(r) a pilot or member of an operating crew of an aircraft who holds any licence issued under the Civil Aviation Order, 2006 (S 63/06).

16th. JANUARY, 2010

Made this 30th. day of Muharam, 1431 Hijriah corresponding to the 16th. day of January, 2010.

PEHIN ORANG KAYA JOHAN PAHLAWAN DATO SERI SETIA
AWANG HAJI ADANAN BIN BEGAWAN PEHIN SIRAJA KHATIB
DATO SERI SETIA AWANG HAJI MOHD. YUSOF
Minister of Home Affairs,
Brunei Darussalam.