

No. S 6

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

TABUNG AMANAH PEKERJA ACT (AMENDMENT) ORDER, 2010

ARRANGEMENT OF SECTIONS

Section

1. Citation.
 2. Amendment of section 7 of Chapter 167.
 3. Amendment of section 14.
 4. Insertion of new section 31A.
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(Order under Article 83(3))

TABUNG AMANAH PEKERJA ACT (AMENDMENT) ORDER, 2010

In exercise of the power conferred by Article 83(3) 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 Tabung Amanah Pekerja Act (Amendment) Order, 2010.

Amendment of section 7 of Chapter 167.

2. Section 7 of the Tabung Amanah Pekerja Act, in this Order referred to as the Act, is amended, in subsection (4), by repealing paragraph (b) and by substituting the following new paragraph therefor —

"(b) an employee may pay contributions in excess of the appropriate rate by —

- (i) deduction by his employer from his monthly wages by giving to his employer written notice to that effect, and if he desires to cease to have such excess monthly contributions deducted from his wages he shall give written notice to his employer to that effect; or
- (ii) paying directly to the Fund in such manner as may be approved by the Board; or".

Amendment of section 14.

3. Section 14 of the Act is amended, in subsection (2), by repealing paragraph (b) and by substituting the following new paragraph therefor —

"(b) dividend at the rate declared under section 6(4) at such intervals as the Board may determine and on the amount standing to his credit in the Fund at such time as the Board may determine.".

Insertion of new section 31A.

4. The Act is amended by inserting the following new section immediately after section 31 —

"Civil proceedings to recover contributions.

31A. (1) Notwithstanding the provisions of any other written law all contributions payable under this Act may, without prejudice to any other remedy, be recoverable by the Board summarily as a civil debt.

(2) Proceedings for such summary recovery may be instituted by any person authorised in that behalf by the Board and that person may conduct such proceedings.

(3) In subsection (1), "contributions" includes any dividend, service charge and penalty on any contribution charged by the Board under this Act or any subsidiary legislation made thereunder."

Made this 19th. day of Muharam, 1431 Hijriah corresponding to the 5th. day of January, 2010 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM