



UPDATING LAWS

Law Library Unit

Attorney General's Chamber

18th February, 2019



Contents

- Why laws need to be update?
- Words commonly used
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Why laws need to update?

- To ensure that applicable laws are current, accurate and correct
- Maintains the latest updated amendments according to the current needs and requirements
- Facilitate to make easy references
- Avoiding mistakes / misinterpretation in interpreting a law



Word commonly used

- Amendment / Amended by [Am.]
- Substitution [Sub.]
- Repeal
- Revoked
- Delete
- Insert



How to update laws

- Manual :
Cut and paste on a hard copy of the law /
legislation

**NURSES REGISTRATION ACT
(CHAPTER 140)
NURSES REGISTRATION (NURSING BOARD FOR
BRUNEI) REGULATIONS**

S 23/2002
Amended by
S 91/2006

2016 Edition
Amended by
S 61/2018

REVISED EDITION 2016

SUBSIDIARY LEGISLATION
Regulations made under section 4(1)(e)

NURSES REGISTRATION
(NURSING BOARD FOR BRUNEI) REGULATIONS

Citation

1. These Regulations may be cited as the Nurses Registration (Nursing Board for Brunei) Regulations.

Constitution of Board

2. The Nursing Board for Brunei is hereby constituted.

Membership of Board

Am S61/2018 w.e.f. 01-01-2016

"(1) The Board shall consist of a Chairman, a Deputy Chairman and ten other members as the Minister may appoint." [*Am. S61/2018*]

(b) three Principal Nursing Officers;

(c) the Principal of the Pengiran Anak Puteri Rashidah Sa'adatul Bolkiah College of Nursing;

(d) three Senior Nursing Officers;

(e) a nursing officer from the Panaga Health Centre;

[*S 91/2006*]

(f) a senior administrative officer from the Ministry of Health;

(g) a medical officer;

(h) a former nurse.

"(2) The period of appointment of members of the Board shall not exceed 3 years but the members shall be eligible for re-appointment." [*Am. S61/2018*]

(3) The Minister shall appoint one of the members of the Board referred to in ~~sub-regulation (1)(d)~~ to be the secretary. [*Deleted by S61/2018 w.e.f. 01-01-2016*]

(4) Notice of appointments under sub-regulation (1) shall be published in the *Gazette*.

(6) For the purposes of this section, the directors shall, in the case of a meeting at which a resolution is to be proposed as a special resolution, be deemed not to have duly convened the meeting if they do not give such notice thereof as is required by section 116.

"Calling of meetings [Am. S 44 / 2017]

113A. A meeting of a company or of a class of members, other than a meeting for the passing of a special resolution, shall be called by notice in writing of not less than 21 days or such longer period as provided in the articles.

Members' rights of meetings

113B. A member shall, notwithstanding any provision in the memorandum or articles of a company, have a right to attend any general meeting of the company and to speak on any resolution before the meeting."

paragraph the expression "Table A" means that table as for the time being in force;

(c) two or more members holding not less than one-tenth of the issued share capital or, if the company has not a share capital, not less than 5 *per cent* in number of the members of the company may call a meeting;

(d) in the case of a private company two members, and in the case of any other company three members, personally present shall be a *quorum*;

(e) any member elected by the members present at a meeting may be chairman thereof;

(f) in the case of a company originally having a share capital, every member shall have one vote in respect of each share or each \$100 of stock held by him, and in any other case every member shall have one vote.

(2) If for any reason it is impracticable to call a meeting of a company in any manner in which meetings of that company may be called, or to conduct the meeting of the company in manner prescribed by the articles or this Act, the Court may, either of its own motion or on the application of any director of the company or of any member of the company

(9) For the avoidance of doubt —

(a) an electronic record of any return, estimate, statement or document that was filed, ~~or submitted~~ ^{or any notice that was served}, through the electronic service; or

(b) any copy or print-out of that electronic record.

shall not be inadmissible in evidence merely because the return, estimate, statement or document was filed, ~~or submitted~~ ^{or any notice that was served}, without the delivery of any equivalent document or counterpart in paper form.

(10) For the purposes of this section, a certificate —

(a) giving the particulars of —

“(i) any person whose authentication code was used to file, submit, provide or serve the return, estimate, statement, document, information or notice; and”;

(ii) any person or device involved in the production or transmission of the electronic record of the return, estimate, statement, document or notice, or the copy or print-out thereof;

(b) identifying the nature of the electronic record or copy thereof; and

(c) purporting to be signed by the Collector or by a person occupying a responsible position in relation to the operation of the electronic service at the relevant time,

shall be sufficient evidence that the electronic record, copy or print-out has been duly authenticated, unless the court calls for further evidence on this issue.

(11) Where the electronic record of any return, estimate, statement, document ^{or information} or a copy or print-out of that electronic record is admissible under subsection (8), it shall be presumed, until the contrary is proved, that the electronic record, copy or print-out accurately reproduces the contents of that document.

Am. S 55/17 w-e-f.
29-06-2017

[Am 55/17]

(12) The Collector may, for the purposes of the electronic service, approve the use of any symbol, code, abbreviation or notation to represent the particulars or information required under this Act.

(13) The Minister may, with the approval of His Majesty the Sultan and Yang Di-Pertuan, make regulations which are necessary or expedient for carrying out the purposes of this section, including regulations prescribing —

(a) the procedure for the use of the electronic service, including the procedure in circumstances where there is a breakdown or interruption of the electronic service;

(b) the procedure for the correction of errors in, or the ^[Am 55/17] amendment of, any return, estimate, statement or document that is filed ~~or submitted~~ ^{or information} through the electronic service;

(c) the manner in which a person who has given his consent for a notice to be served on him through the electronic service shall be notified of the transmission of an electronic record of the notice to his account with the electronic service;

(d) the manner in which authentication codes are to be assigned; and

(e) anything which may be prescribed under this section. ^[S 13/2009]

free postage.

7. All returns, additional information and resulting correspondence and payment of tax under the provisions of this Act may be sent post free to the Collector in an envelope marked “Income Tax”.

PART III

IMPOSITION OF INCOME TAX

Charge of income tax.

8. (1) Income tax shall, subject to the provisions of this Act, be payable at the rate or rates specified hereinafter for each year of assessment

the transferee company for the shares which by virtue of this section that company is entitled to acquire, and the transferor company shall thereupon register the transferee company as the holder of those shares.

(3) Any sums received by the transferor company under this section shall be paid into a separate bank account, and any such sums and any other consideration so received shall be held by that company on trust for the several persons entitled to the shares in respect of which the said sums or other consideration were respectively received.

(4) In this section, "dissenting shareholder" includes a shareholder who has not assented to the scheme or contract and any shareholder who has failed or refused to transfer his shares to the transferee company in accordance with the scheme or contract.

153A. . . . [Am. 533/2016]
151B, 153C, 153D . . .

PART V
WINDING UP

(i) PRELIMINARY

MODES OF WINDING UP

Modes of winding up

154. (1) The winding up of a company may be either —

- (a) by the Court;
- (b) voluntary; or
- (c) subject to the supervision of the Court.

(2) The provisions of this Act with respect to winding up apply, unless the contrary appears, to the winding up of a company in any of those modes.

[Repealed by sec. 246(b) of 51/2016 w.e.f. 01-03-2016]

(personal remedies in cases of oppression or injustice [Am. 522/2016 w.e.f. 01-03-2016])

153A. (1) Any member or holder of a debenture of a company may apply to the Court for an order under this section on the ground —

- (a) that the affairs of the company are being conducted or the powers of the directors are being exercised in a manner oppressive to one or more of the members or holders of debentures including himself or in disregard of his or their interests as members, shareholders or holders of debentures of the company; or
- (b) that some act of the company has been done or is threatened or that some resolution of the members, holders of debentures or any class of them has been passed or is proposed which unfairly discriminates against or is otherwise prejudicial to one or more of the members or holders of debentures (including himself).

(2) If on such application the Court is of the opinion that either of such grounds is established, the Court may, with a view to bringing to an end or remedying the matters complained of, make such order as it thinks fit and, without prejudice to the generality of the foregoing, the order may —

- (a) direct or prohibit any act or cancel or vary any transaction or resolution;
- (b) regulate the conduct of the affairs of the company in future;
- (c) authorise civil proceedings to be brought in the name of or on behalf of the company by such person or persons and on such terms as the Court may direct;
- (d) provide for the purchase of the shares or debentures of the company by other members or holders of debentures of the company or by the company itself;
- (e) in the case of a purchase of shares by the company, provide for a reduction accordingly of the capital of the company; or
- (f) provide that the company be wound up.

(3) Where an order that the company be wound up is made pursuant to subsection (2)(f), the provisions of the Insolvency Order, 2016 [S 1/2016] relating to the winding up of a company shall, with such adaptations as are necessary, apply as if the order had been made on an application duly made to the Court by the company.

(4) Where an order under this section makes any alteration in or addition to any memorandum or articles of the company, then, notwithstanding anything in any other provisions of this Act, but subject to the provisions of the order, the company concerned shall not have power, without the leave of the Court, to make any further alteration in or addition to the memorandum or articles inconsistent with the provisions of the order; and the alterations of



How to update laws

- Stationaries / items :
 1. blue pen
 2. red pen
 3. cutter
 4. scissor
 5. ruler
 6. cutting mat
 7. double-sided tape
 8. pencil (optional)
 9. rubber (optional)



How to update laws

- Steps before updating laws :
 1. Prepare a copy of Government Gazette Part II
 2. Identify all related amendments to the law
 - Verify manually and also check Legislation Online for the previous amendments
 3. Read the instructions in the Gazette
 4. Start cut & paste



Practical

- Airport Passenger Act, Chapter 188 – amended by S 29/2017
- Preservation of Books Act, Chapter 125 – amended by 48/2018
- Valuers & Estate Agents Order, 2009 (S 30/2009) – amended by S 78/2016