

# U.S. Country Commercial Guides



2017

# Brunei

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# Doing Business in Brunei

## Market Overview

Brunei Darussalam is a Southeast Asian, oil-rich Sultanate on the northern coast of Borneo. A British protectorate until 1984, it boasts a well-educated and largely English-speaking population, excellent infrastructure, and a government intent on diversifying the economy and bringing foreign investment into the country.

Despite repeated calls for diversification, Brunei's economy remains overwhelmingly dependent on the income derived from the sale of oil and gas, which represents 90% of Brunei's total exports. Additionally, substantial revenue from overseas investments supplements income from domestic hydrocarbon production. These two revenue streams provide a comfortable quality of life for Brunei's population. Citizens pay no taxes and receive free education through to the university level, free medical care, and subsidized housing.

Brunei's central location in Southeast Asia, with good telecommunications and airline connections; no personal income, sales or export taxes; and its stable political situation, offer a welcoming climate for would-be investors. Brunei encourages foreign direct investment (FDI) in its domestic economy through various investment incentives offered by the Energy and Industry Department and the Prime Minister's Office, as well as through activities conducted by the Ministry of Foreign Affairs and Trade and the Brunei Economic Development Board (BEDB). Additionally, a low crime rate, good schools, housing and sports facilities as well as low utility costs make Brunei an attractive location for short and long-term residence. Life in Brunei reflects the national philosophy of the Malay Islamic Monarchy.

Brunei has no debt, domestic or foreign, and has not been the recipient of economic aid. Despite importing most consumer goods and food, Brunei's large oil exports keep its trade balance positive. The Brunei dollar is pegged to the Singapore dollar at a one-to-one ratio, and the Singapore dollar is legal tender in the Sultanate.

The five largest destinations for Brunei exports (mostly mineral fuels) as of December 2016 were Japan (36%), Republic of Korea (16%), India (9%), Thailand (8%), and Taiwan (7%). The five largest sources of imports to Brunei were from Malaysia (21%), Singapore (14%), China (10%), the United States (10%), and the Republic of Korea (9%). The largest export sectors by market value were mineral fuels, chemicals, and machinery and transport equipment. The largest import sectors by market value were machinery and transport equipment, manufactured goods, and food.

In 2016, the total trade between United States and Brunei was US \$628 million. The 2016 U.S. trade surplus with Brunei was US \$601 million: exports totaled US \$614 million while imports totaled US \$13 million. Brunei is a founding member of the Trans-Pacific Partnership (TPP) trade agreement that concluded negotiations in October 2015.

More information on U.S.–Brunei trade figures can be found at the [U.S. Census website](#).

### **Market Challenges**

With a population of approximately 417,200 in 2015, Brunei’s local market is relatively small. Foreign enterprises are allowed 100% ownership of business scope, operation, and investment. As such, foreign investors are not required to find a local partner to enter the market. However, in certain cases, foreign companies may be required to find a local partner to qualify for certain government and Brunei Shell Petroleum projects. U.S. businesses/investors should expect delays—sometimes long ones—when dealing with the local government.

### **Market Opportunities**

Brunei has an open economy favorable to foreign trade and FDI as it continues to diversify its economic away from its long reliance on oil and gas exports. Investment opportunities in Brunei are driven both by government planning and consumer demand.

FDI is important to Brunei as it plays a key role in economic and technological development. Brunei encourages FDI in the domestic economy through various investment incentives offered by the Energy and Industry Department (Prime Minister’s Office) and through activities conducted by the Ministry of Foreign and Trade and the BEDB.

Formed in 2001, the BEDB promotes Brunei as an investment destination to move its economy away from oil and gas revenue. BEDB is mandated to work with foreign and domestic investors to develop new economic opportunities where Brunei has competitive advantages, focusing on four key growth areas: attracting investments, strengthening local businesses, increasing Research and Development (R&D) and innovation, and delivering infrastructure projects.

BEDB has identified several industries as potential investment sectors in its efforts to diversify the economy, including life sciences, agri-business, information and communications technology (ICT), and services. Further information on BEDB is available at [BEDB’s website](#).

The most attractive commercial sectors include:

- Oil and Gas Extraction
- Commercial Aviation
- Construction
- Defense Equipment
- Medical Equipment
- Food and Beverage Franchises

In the agricultural sector, the following investment opportunities may offer lucrative investment opportunities:

- Food Imports/Food Production
- Fishing Industry/Aquaculture

Brunei's ICT sector seeks to benefit from international expertise.

### **Market Entry Strategy**

Brunei's population—largely clustered around the capital Bandar Seri Begawan, with other population centers connected by a well-maintained highway system—provides a ready destination for U.S. exports with low transit costs once goods arrive in country. The relatively small population of Brunei is an asset in that products exported there, once established, may gain national prominence relatively quickly.

Market access and promotion strategies typically focused on cities may be applied with modification to enter the Brunei market. Firms that are able to export goods and services that will serve to increase the capacity of Bruneian enterprise and increase Bruneian employment will be particularly welcomed.

U.S. businesses should build personal relationships with local representatives and customers through regular visits or by establishing resident representation. U.S. companies can set up their subsidiary companies or branch offices in Brunei as private limited companies registered with the Registrar of Companies and Business Names.

Please note that throughout this report, except where otherwise noted, the following Brunei dollar/U.S. dollar exchange rates were used:

*Table 1: Brunei Dollar/U.S. Dollar Exchange Rate*

Year	Exchange Rate
2009	1 USD = B\$1.513
2010	1 USD = B\$1.418
2011	1 USD = B\$1.308
2012	1 USD = B\$1.300
2013	1 USD = B\$1.302



2014	1 USD = B\$1.318
2015	1 USD = B\$1.430
2016	1 USD = B\$1.380

Current exchange rate information is available on the [Internal Revenue Services' website](#).

## **Political and Economic Environment**

### **Political Environment**

For background information on the political and economic environment of Brunei, please visit on the [U.S. Department of State's Background Notes webpage](#).

## **Selling U.S. Products & Services**

### **Using an Agent to Sell U.S. Products and Services**

Personal relationships are important in Brunei and U.S. businesses may find a reputable local agent/distributor an important part of a sales strategy. The individual should be thoroughly familiar with local business customs and high-ranking government officials. The Commercial Section of the U.S. Embassy provides services that can help U.S. businesses locate an appropriate agent/distributor.

The [U.S. Department of Commerce provides a detailed webpage](#) of the commercial services provided to U.S. businesses wanting to do business in Brunei.

### **Establishing an Office**

There is no restriction on total foreign ownership of companies incorporated in Brunei Darussalam. The Companies Act requires locally incorporated companies to have at least one of the two directors—or if more than two directors, at least two of them—to be ordinarily resident in Brunei Darussalam. The Companies Act allows the board to be totally non-resident; however, the company concerned would have to apply to the appropriate authorities for permission and justify such a decision. Notwithstanding whether the company is locally or foreign owned and managed, the rate of corporate income tax is the same.

All businesses in Brunei must be registered with the Registry of Companies and Business Names at the Ministry of Finance. Except for sole proprietorships and partnerships, foreign investors can fully own incorporated companies, foreign company branches or representative offices. FDI from multi-national corporations may not require local partnership in setting up a subsidiary of their parent company in Brunei. However, at least one company director must be a Brunei citizen or permanent resident in Brunei Darussalam.

More information on incorporation of companies can be found on the [Ministry of Finance's website](#).

The Authority for Info-Communications Technology Industry (AITI) offers assistance to local ICT small- and medium-sized enterprises (SMEs) to connect with potential ICT partners and customers. The [AITI website](#) provides additional information on these services.

### **Franchising**

Brunei has a relatively large number of franchises for its size, including food services and apparel. Franchises must be registered with the Ministry of Finance's Registrar of Companies pursuant to Chapter 39 of the Companies Act. The Ministry of Finance assumed responsibility for the registry in 2012. After receiving approval

from the parent company, franchises follow the same procedures as those for registering a business (20 people or fewer) or a company (more than 20 people). The Ministry of Finance will provide tax rates for registering a business or companies after the entity has submitted its registration.

### **Direct Marketing**

The use of direct marketing has gained popularity for businesses in Brunei. Many companies in Brunei have taken advantage of advertising techniques such as cell phone text messaging, email, interactive consumer websites and social media sites, online display ads, database marketing, fliers, catalog distribution, promotional letters, targeted television and radio commercials, response-generating newspaper/magazine advertisements, and outdoor advertising/promotional events.

### **Joint Ventures/Licensing**

A joint venture may take the form of a corporation or partnership. Several factors, including the nature of the project, would determine which type of joint venture is appropriate. In a corporate joint venture, the owners have limited liability whereas in a partnership joint venture, the partners have unlimited liability. If the parties to a partnership joint venture are corporations, then liability is limited to that of the participating corporations.

Even without a physical presence in Brunei, companies generally need a license to do business in the country. Local sales people engaging in door-to-door product marketing, however, do not need a permit. In most cases, one does not need a Brunei citizen representative to do business commercially or when selling directly to the government.

### **Contact Information**

[Registry of Companies and Business Names \(ROCBN\)](#)

Ministry of Finance

Phone: (673)-238-0505

### **Selling to the Government**

Opportunities exist for selling to the government of Brunei in several sectors, including defense, transportation, machinery, infrastructure development and ICT. Royal Brunei Technical Services (RBTS) is a government-owned company that performs contracting, acquisition management, and equipment lifecycle management services for the Government of Brunei.

### **Contact Information**

Chief Executive Officer

[Royal Brunei Technical Services](#)

6th Floor, Setia Kenangan Office Block Setia Kenangan Complex, Kg. Kiulap Bandar  
Seri Begawan  
Phone: (673)-224-2700  
Fax: (673)-224-6747  
E-mail: [info@rbts.gov.bn](mailto:info@rbts.gov.bn)

### **The Centre of Science and Technology Research and Development (CSTRAD)**

CSTRAD is responsible for research, assessment, selection, and overseeing aspects of the acquisition of science and technology solutions for Royal Brunei Armed Forces (RBAF).

CSTRAD oversees Brunei's defense modernization efforts, advises the Ministry of Defense on science and technology matters, and supervises the transparency and timeliness of the defense-related acquisition process.

The military services and police may procure non-lethal equipment directly.

### Contact Information

Centre of Science and Technology Research and Development  
Block A, 1st Floor  
Ministry of Defense  
Bolkiah Garrison  
Phone: (673)-238-6369  
Fax: (673)-238-6633  
E-mail: [cstrad@mindef.gov.bn](mailto:cstrad@mindef.gov.bn)

For non-security related products, U.S. businesses may deal directly with individual government departments or ministries. Note that some ministries may have their own tender requirements. The Ministry of Health requires a written introduction to the Director General of Health Services to promote the company's products and services. The letter of introduction would include the purpose of the letter, description of the product, and services accompanied by the product brochures. The letter should also include the target department or personnel that would benefit from the product and service provided.

The Brunei government advertises its tenders in the [Pelita Brunei](#), a Malay-language newspaper.

The Prime Minister's Office (PMO) also publishes tender notices, which can be accessed [through the office's website](#).

Most government tenders require the participation of local companies and may require hiring of local employees. Foreign companies are encouraged to partner with local companies. A Project Performance Bond is required at the tender approval stage to guarantee the delivery of a project in accordance with the project specifications. The bond is returned to the company involved at successful project completion.

Brunei Darussalam is not a party to the [World Trade Organization \(WTO\) Government Procurement Agreement](#).

### **U.S. Commercial Service Liaison Offices at the Multilateral Development Banks**

The Commercial Service maintains Commercial Liaison Offices in each of the main Multilateral Development Banks, including the Asian Development Bank. These institutions lend billions of dollars in developing countries on projects aimed at accelerating economic growth and social development by reducing poverty and inequality, improving health and education, and advancing infrastructure development. The Commercial Liaison Offices help American businesses learn how to get involved in bank-funded projects, and advocate on behalf of American bidders. Learn more by contacting the Commercial Liaison Office to the Asian Development Bank.

### **Web Resources**

#### [Commercial Liaison Office to Asian Development Bank](#)

Many governments finance public works projects through borrowing from the Multilateral Development Banks. Please refer to “Project *Financing*” Section in “*Trade and Project Financing*” for more information. However, Brunei is a non-borrowing member and has no external debt.

### **Distribution & Sales Channels**

Over 98% of products entering Brunei in 2016 came through Muara Port with 2% brought in as air cargo. There are at least 15 freight forwarding companies operating in Brunei. These companies have the capability to transport imported products. The logistic companies have developed reliable network connections with established shipping and logistics partners worldwide, and have the capacity to provide effective and reliable shipping agencies, stevedoring, courier service, freight forwarding, transshipment, packing and removal, warehousing and distribution, transport, crane hire and project cargo forwarding.

## **Express Delivery**

The Brunei government's Postal Services Department is responsible for providing postal service, including Express Mail Service (EMS) throughout the country. International courier services are available through companies such as DHL, Fedex, and UPS.

## **Selling Factors and Techniques**

U.S. exporters to Brunei face strong competition from producers in China, Japan, Australia, New Zealand, and the United Kingdom, especially when marketing food and agricultural products. As a former British protectorate, Brunei has deep trade connections and familiarity with the UK and Commonwealth nations and their products. However, the market is diversifying.

To differentiate themselves from local and third country competitors, U.S. firms should emphasize their strengths in quality, innovation, technology enhancements, and customer service. Bruneian customers have come to expect higher quality products from U.S. companies. Customers may choose U.S. products and services on the basis of "value for money," not solely on cost factors.

Brunei's government is eager to increase FDI, as it seeks to diversify its economy away from hydrocarbons. The BEDB has identified several key industry clusters it plans to encourage within the export-oriented manufacturing and services sectors, including pharmaceuticals, food, petrochemicals, renewable energy, ICT, and higher education. Foreign firms are often encouraged to bid for projects and are often invited to attend pre-qualification briefings.

When marketing general consumer goods, U.S. companies should keep in mind the cultural norms and standards of the Bruneian population. For example, a majority of the population is Muslim which means that food, pharmaceuticals, and cosmetics must be certified halal (meaning lawful and permissible to use/consume under Islamic law) in order to appeal to a larger market. Brunei's definition of halal is, in some cases, distinct from other Muslim-majority countries.

Information about Brunei's halal certification process can be found on [Brunei Halal's website](#).

It is advisable to conduct research on the possible implications of advertising or promotional activities before initiating them in Brunei. Bruneians are very active on social networks, including Facebook, WhatsApp, and Instagram, and these can be important marketing tools as customers will often rely more on these social networks for information on businesses than they rely on traditional marketing sources.

Selling techniques vary according to the industry or the product involved, but they are comparable to the techniques used in any other sophisticated market. To gain a competitive advantage in the marketplace, U.S. firms should develop and maintain good customer relationships. In-person meetings with key contacts in the government and private sector can be helpful in developing and maintaining these relationships. Industry events, trade shows and product expos are also common and provide good opportunities to reach customers and potential business partners. Brunei customers flock to coupons, VIP discount cards, and special deals and are very price point conscious.

## **eCommerce Overview**

In 2000, Brunei enacted a commercial code for electronic transactions. The Electronic Transactions Act (Chapter 196) is based on the United Nations Commission on International Trade Law (UNCITRAL) Model Law on Electronic Commerce and the Singapore Electronic Transactions Act. The Singapore Act draws heavily from the U.S. Uniform Electronic Transactions Act and aims to encourage business and consumer confidence in e-commerce and provide legal protection for both the buyer and seller.

The Brunei AITI is responsible for promoting e-business opportunities under both the country's [2000 Electric Transactions Order](#) and its E-Business and Market Creation Unit.

## **Current Market Trends**

As Bruneians have gained increased access to mobile and internet capabilities, e-commerce has grown in popularity. E-commerce, however, is still largely concentrated in the tourism sector. Royal Brunei Airlines, the national air carrier, provides an online reservation system. Numerous hotels also provide e-booking services, some of which are contracted through business-to-business e-payment services located outside of Brunei.

## **Domestic eCommerce (B2C)**

E-commerce is new domestically as Brunei entrepreneurs experiment with selling via social media and websites. A number of businesses in the food and beverage industry perform well in comparison to retail businesses where Bruneians still prefer to personally inspect items.

## **Cross-Border eCommerce**



An increase in online shopping was seen in the last few years as global websites such as Amazon and eBay, even from those from neighboring countries such as Singapore and Malaysia offer direct shipment to Brunei.

### **B2B eCommerce**

As many local e-commerce platforms are still in its domestic trial stage, one local e-commerce platform, Cube Junction recently signed an agreement with Hong Kong e-commerce and logistics company AFL Logistics, to become a strategic transshipment hub for air cargo in the region.

### **eCommerce Services**

With the small market, e-commerce services provided in Brunei is limited to mainly travel bookings and food delivery.

### **eCommerce Intellectual Property Rights**

Ecommerce companies and businesses are advised to have their products and services patented or trademarked with BruIPO as stated in Protecting Intellectual Property.

### **Popular eCommerce Sites**

[Royal Brunei Airlines](#)

### **Online Payment**

Foreign and local banks in Brunei offers secure payment gateways, bank transfer services and a range of globally accepted debit/credit cards which can be used for secured online transactions.

### **Mobile eCommerce**

In the past few years, the Brunei government and private companies has ventured into developing apps to provide its clients with mobile convenience. Currently, this is seen to be very popular with service providers such as banks.

### **Digital Marketing**

Despite the strong utilization of traditional marketing channels such as radio, billboards and brochures, Brunei private companies have also use digital marketing channels such as social media, text message blasts and online billboards to reach their potential market.

### **Major Buying Holidays**

The major buying holidays in Brunei are during the Chinese New Year and Hari Raya seasons.

### **Social Media**

Brunei has the third highest social media penetration in the world with 86% of the total population, according to the new Digital in 2017 We Are Social Global Overview report. Facebook and Instagram are frequently used as digital marketing channels.

### **Trade Promotion and Advertising**

Businesses can easily purchase advertising space in Brunei's newspapers. There are two local newspapers, Borneo Bulletin (English) and Media Permata (Malay). Both newspapers have extensive circulation. Daily newspapers in English, Malay, and Chinese from the neighboring countries of Malaysia and Singapore are also widely read. Local advertising companies and promotion service agencies are also available through the:

[Borneo Bulletin](#)

[Media Permata](#)

[Radio Television Brunei](#)

Brunei Darussalam International Defense Exhibition (BRIDEX) is an annual conference well attended by the public that showcases the latest products in Brunei. Businesses can easily purchase exhibition and advertising space with the BRIDEX organizers.

### Contact Information

Ministry of Defence

Bolkiah Garisson BB3510

Brunei Darussalam

Phone: (673)-224-2700

Fax: (673)-224-3767

Email: [info@bridexbrunei.com](mailto:info@bridexbrunei.com)

U.S. Embassy Bandar Seri Begawan works closely with the [Foreign Commercial Service](#), U.S. Embassy Singapore, to provide trade assistance to a U.S. company or its local representative in organizing a promotional event in Brunei which could include seminars, luncheons, receptions, etc. The service could be tailored to the specific needs of the U.S. Company.

## **Pricing**

Bruneians enjoy a high per capita income, but that includes both very wealthy residents and families with significant personal debt who depend on government subsidies for fuel, housing, and education. There is a robust niche market for higher-end products and services, but shoppers are also cost-conscious for everyday purchases, and products of other nations are priced competitively. Bruneians increasingly use social media to spot deals and specials at stores, restaurants, and online shops. U.S. exporters should generate a price survey of competitor products and services from both domestic and international firms.

Brunei currently does not charge any sales tax, value-added tax or goods and services tax. Hotel and rest and recreation facilities may charge up to a 10% service fee. They may also charge gratuity.

Brunei instituted the Price Control Act (Cap 142) and administered by the [Department of Economic Planning and Development](#), Prime Minister's Office. Maximum prices for selected goods such as those that are categorized as basic necessities (motor vehicles, infant milk powder, and cigarettes) may be fixed by the Price controller for consumer protection purposes. The Act controls the market activity of the specified goods.

## **Sales Service/Customer Support**

Bruneian customers, both corporate and individual, expect high-quality sales service and after-sale customer support like many other customers in markets worldwide. Better support and after-sales-service have placed U.S. suppliers in a much better position, compared with their European competitors selling products of equal quality, or Asian competitors that provide lower priced products. Bruneian customers generally have greater confidence in U.S. suppliers' service and support, due to their well-trained service and support teams. An increasing number of Bruneian buyers would rather invest in higher-quality, more expensive products, in order to save expensive maintenance or replacement costs following warranty expirations.

## **Protecting Intellectual Property**

Brunei is in the midst of strengthening its intellectual property rights (IPR) protection and enforcement. The Brunei intellectual property Office (BruIPO), established in 2013, is responsible for the registration of Patents, Trademarks, Industrial designs and Plant Varieties Protection (PVP). In any foreign market companies should consider several general principles for effective management of their intellectual property. For background on these principles please view Export.gov's webpages on [Protecting Intellectual Property](#) and also [Corruption](#).

## **Contact Information**

Peter Fowler

U.S. Embassy Bangkok

Phone: (662)-205-5913

Email: [Peter.fowler@trade.gov](mailto:Peter.fowler@trade.gov)

## **Due Diligence**

The Ministry of Finance maintains registration of companies and ongoing projects in Brunei. Anyone considering doing business in Brunei is urged to conduct their own due diligence. Most law firms and accountancies offer due diligence services as well. A list of attorneys can be obtained at [Brunei's judiciary.gov website](http://Brunei's.judiciary.gov).

[The U.S. Commercial Service](#) also offers the International Company Profile (ICP) service to U.S. companies interested in evaluating potential business partners overseas.

Researched and prepared by the U.S. Embassy Bandar Seri Begawan Commercial Assistant, ICPs enable U.S. small- and medium-sized businesses to more effectively evaluate overseas companies. Companies can obtain detailed answers about the specific overseas companies of interest, competitors, credit rating, profit and loss numbers, key officers, and our opinion on the overall viability of the firm in its market.

## **Local Professional Services**

### **Legal Services**

The legal sector is governed under the Legal Profession Act (CAP.132 of Laws of Brunei). Section 4 of the Act provides the Chief Justice with the authority to admit a qualified individual as an advocate and solicitor. An application by a qualified person for admission is made by letter addressed to the Chief Justice at the office of the Chief Registrar. The Chief Registrar issues the license and maintains the advocate and solicitor's name on the roll. Law firms do not need to obtain a separate license to practice. The Law empowers the Law Society of Brunei to make rules in relation to the regulation of practice and disciplinary rules.

### **Contact Information**

#### **The Attorney General**

The Law Building Bandar Seri Begawan

BA 1910, Brunei Darussalam

Phone: (673)-223-1200; (673)-224-4872

### **Accounting and Tax Services**

There are a number of large accounting firms operating in Brunei, namely KPMG, Deloitte and Touche, Ernst and Young, and Price Waterhouse Coopers. Brunei, in 2011, instituted the Accountants Order and Accounting Standards Order 2010 which oversees the registered public accountants providing accounting services. The Accountant Order stipulates the qualification of public accountants, the registration of accounting firms and requires practitioners to participate in the practice monitoring program and the disciplinary proceedings.

### **Engineering and Architectural Services**

Engineering Services are regulated by the Ministry of Development. Currently, construction related engineering services are regulated through administrative procedures but legislation to regulate the whole spectrum of this sector is being finalized. The main disciplines include Civil and Structural; Mechanical and Electrical; and Chemical and Petroleum. Consultants are required to register with the Ministry of Development to be able to practice in Brunei.

Limitations: No limitations exist whereby only citizens or a sub-set of the population are allowed to own or sell within the manufacturing or service sectors.

However, Brunei government does not permit foreigners to own land. Foreign businesses and individuals are permitted long term leases on buildings for their operations and residences.

### **Principle Business Associations**

There are four major chambers of commerce in Brunei.

#### [Chinese Chamber of Commerce and Industry](#)

Phone: (673)-223-5494

Fax: (673)-223-5492

Email: [ccc@brunet.bn](mailto:ccc@brunet.bn)

#### Brunei Malay Chamber of Commerce and Industry

Phone: (673)-242-1840

Fax: (673)-242-1839

Email: [mccibd\\_dppmb@yahoo.com](mailto:mccibd_dppmb@yahoo.com)

#### Brunei Darussalam International Chamber of Commerce and Industry

Phone: (673)-223-6601

Fax: (673)-222-8389

Email: [bdicci@brunet.bn](mailto:bdicci@brunet.bn)

Indian Chamber of Commerce

Phone: (673)-234-0972

Fax: (673)-234-0976

Email: [textilemail@brunet.bn](mailto:textilemail@brunet.bn)

### **Limitations on Selling U.S. Products and Services**

There are generally no limitations to the sale of U.S. products and services in Brunei.

# Leading Sectors for U.S. Exports and Investments

## Commercial Aviation

### Overview

Brunei has a small but growing fleet of commercial aircraft. In 2016, Royal Brunei Airlines' has six Airbus 320s, two Airbus 319s and four Boeing 787 Dreamliner aircraft, although this number will soon grow with the arrival of seven Airbus A320neo aircraft and an additional Boeing 787 aircraft by 2018.

*Table 2: Royal Brunei Airlines Aircraft Fleet*

Aircraft model	Number of aircrafts owned
Airbus 319	2
Airbus 320	6
Airbus A320neo	7
Boeing 787	1
Boeing 787-8	4

Separately, the Sultan of Brunei has his own private fleet of aircraft called Sultan's Flight. This private fleet includes two Airbus 340s, a Boeing 767, and a Boeing 747-400.

*Table 3: Brunei Aircraft Production and Trade*

No data available.

### Leading Sub-Sectors

- Air commuter carriers, scheduled
- Scheduled air passenger carriers
- Scheduled air cargo carriers

### Opportunities

U.S. aviation firms may consider building upon existing relationships in order to secure future contracts. In addition to new sales, aviation maintenance is a potential area for U.S. commercial activity. The BEDB recently identified this sector as a potential industry to promote economic diversification efforts, opening up opportunities for maintenance, repair and overhaul (MRO) companies as well as flight and maintenance training organizations.

Beyond the MRO opportunities, Brunei established the CAE Brunei Multi-Purpose Training Centre in 2012, a joint venture between Canadian company CAE and the Brunei government, which is a flight simulator center that aims to be a regional hub

for pilot training. The BEDB is prepared to collaborate, facilitate and invest in infrastructure development and site allocation for hangar construction, and backshop and training facilities.

### **Web Resources**

[Department of Civil Aviation](#)

[Ministry of Communication](#)

[Royal Brunei Airlines](#)



## Construction

### Overview

The construction industry, with about 1,500 registered enterprises in 2014, ranks third in the number of enterprises among Brunei's industrial sectors and employs some 24,000 workers (2010). The vast majority of these workers are non-local laborers. The Construction industry is the largest employer of non-local laborers. Small enterprises (one to nine employees) account for 43% of construction enterprises, medium enterprises (10 to 99 employees) account for 51% of construction enterprises, and large enterprises (100 or more employees) account for 6% of construction enterprises.

The joint project between China's Hengyi Industries and the BEDB represents one of the largest direct foreign investments in Brunei to date, with phase 1 of the investment estimated to US \$4 billion.

In January 2016, the Temburong mega bridge construction project was launched. The Temburong mega bridge project has been divided into six contracts: the first contract, CC2, was awarded to a Brunei-Korea joint venture for US \$417 million, while the other five contracts will be announced at a later stage. Post is not aware of any U.S. firms involved in bidding for the Temburong mega bridge project.

Large construction contracts come mainly from the Brunei government and Brunei Shell Petroleum Co. Brunei follows a policy of awarding construction contracts wherever possible to local firms, foreign firms may have to form joint ventures with, or subcontract to, a local firm in order to participate in infrastructure projects.

*Table 4: Brunei Construction Production*

	2014	2015	2016	2017 (Estimated)
Total Local Production	N/A	N/A	N/A	N/A
Total Exports	61,170	40,743	N/A	N/A
Total Imports	516,164	475,291	N/A	N/A
Imports from the U.S.	N/A	N/A	N/A	N/A
Total Market Size	N/A	N/A	N/A	N/A
Exchange Rates	N/A	N/A	N/A	N/A

Source: [Brunei Darussalam 2015 Statistical Yearbook](#), Department of Economic Development and Planning

*(Total market size = (total local production + imports) - exports)*

### **Leading Sub-Sectors**

- Concrete product (e.g., structural precast, structural prestressed) installation
- Rebar contractors
- Erecting structural steel
- Reinforcing steel contractors
- Placing and tying reinforcing rod at a construction site
- Structural steel contractors
- Precast concrete panel, slab, or form installation

### **Opportunities**

The proposed government-funded mega bridge linking the districts of Muara and Temburong is being built by Korean and Chinese construction companies in partnership with local companies. Once the bridge is completed (estimated to be 2018), there might be construction and infrastructure related opportunities for U.S. firms to develop the currently low-population density and undeveloped Temburong District. The Brunei government seeks to increase development in the currently relatively isolated Temburong region which contains Borneo's most pristine forests and natural resources. Construction of the bridge will pass through environmentally sensitive mangrove areas.

Brunei is proud of its natural environment and will seek to minimize adverse impact upon natural areas along the bridge's proposed route, and also along the supply chain and in water ways along the bridge's path. U.S. firms that have expertise in sustainable and environmentally-conscious construction procedures and have a proven track-record of sound environmental stewardship have an advantage in obtaining contracts and should leverage this credential in their efforts. Partnerships between firms which are expert in advanced and environmentally-sound construction techniques and local firms will be welcome, particularly if U.S. firms can offer training opportunities for Bruneians.

U.S. firms entering the construction industry in Brunei will find that Brunei faces a shortage of skilled laborers. Building materials must be largely imported, increasing construction costs. Due to the tropical climate, construction materials and methods differ substantially from those of temperate climates. Set concrete construction with reinforcing steel (rebar) is the norm for housing, wood frame construction is not common. High annual rainfall and humidity mean that concrete setting takes longer than in temperate climates, often reducing the speed at which structures can be completed. Despite these challenges, there are a range of construction opportunities in Brunei both from government contracts and private firms.

## **Web Resources**

[Brunei Association of Surveyors, Engineers and Architects](#)[Ministry of Development](#)  
[– Public Works Department](#)  
[Ministry of Industry and Primary Resources](#)

## **Defense Equipment Overview**

U.S. defense industry firms have an established history of supplying the Royal Brunei Armed Forces (RBAF) with defense equipment, after-sales support services, and training packages. RBAF is an all-volunteer force of nearly 8,000 service members. The RBAF relies primarily upon helicopters to deploy its forces for border security, to perform coastal surveillance missions, for disaster response missions, and for law enforcement support. The Air Force possesses one troop transport fixed-wing plane, flight training aircraft, and a number of rotary wing aircraft. In 2011, Sikorsky Aircraft Corporation signed a deal with Brunei for delivery of 12 Blackhawk S-70i helicopters which were all delivered by 2015. Brunei's naval capabilities are focused on Exclusive Economic Zone security, domain awareness and offshore oil facility protection.

*Table 5 – Brunei Defense Equipment Production*  
No data available.

### **Leading Sub-Sectors**

N/A

### **Opportunities**

U.S. defense contractors may discover equipment, training and other defense-related opportunities with Brunei, particularly in support of Brunei's 2011 Defense White Paper goals and objectives. Border security and surveillance, air defense platforms, maritime and domain awareness, regional disaster response, and domestic emergency preparedness are among Brunei's priority efforts. Brunei places emphasis on the importance of science and technology, and Command and Control abilities to leverage the effectiveness of its relatively small armed forces.

In addition to working with regional partners, as it did during the ASEAN Defense Minister's Meeting Maritime Security and Counter Terrorism Exercise at Brunei's Muara Naval Base in 2016, Brunei is also seeking to increase its border and maritime defense capacity through improved regional military coordination and cooperation with its neighbors during various bilateral and multilateral interoperability engagements.

To enable these capacities, Brunei has stated its intent to acquire new defense equipment, including surface/maritime surveillance radar, airspace surveillance platforms, maritime patrol aircraft, fixed-wing transport aircraft, medium-range air defense systems, and related assets. Military services may also be interested in

non-lethal equipment which may be procured through vendors registered with the Ministry of Defense.

CSTRAD and RBTS are responsible for the R&D, assessment, and selection of defense technology solutions for RBAF. CSTRAD oversees Brunei's defense modernization efforts, advises the Ministry of Defense on science and technology matters, and supervises the transparency and timeliness of the defense-related acquisition process.

### **Web Resources**

*Brunei Government Resources*

[Ministry of Defense](#)

[Royal Brunei Technical Services](#)

[Centre of Science and Technology Research and Development \(CSTRAD\)](#)

[2011 Brunei Defense White Paper Report](#)

For more information on procurement opportunities, contact:

Office of Defense Cooperation

U.S. Embassy Bandar Seri Begawan

Phone: (673)-238-4616

## Energy Overview

Brunei's economy has been dominated by the oil and gas upstream and downstream industries for the past 80 years. These industries will continue to provide important commercial opportunities for U.S. firms. Brunei's oil and gas fields produce approximately 127,000 barrels of oil per day (bbl/day) and 243,000 barrels of oil equivalent of natural gas per day. Brunei hopes to increase production in coming years. New oil extraction technology and the current market price of oil have made extracting oil from mature fields economically viable. As a result, companies with experience in extracting oil from mature fields may find new opportunities in Brunei. Other discoveries in the region have generated optimism that there may be additional on-shore and off-shore reserves which may assist Brunei's interest in increasing production.

Brunei has set out a long-term vision for the country and the energy sector. With ongoing exploration projects both onshore and offshore, the planned target is to grow production from 400,000 barrels of oil equivalent per day (BOEPD) in 2010 to about 430,000 BOEPD by 2017. Under the Brunei Vision (Wawasan) 2035, the industry is set to increase to US \$36.1 billion per year and aims to increase production to 800,000 bbl. /day and to more than 650,000 BOEPD by 2035.

The Energy Department at the Prime Minister's Office published an Energy White Paper (2013) that established a framework for action to help realize the National Vision. The White Paper presented three strategic goals to drive the growth in the energy sector:

1. Strengthen and Grow Oil and Gas Upstream and Downstream Activities
2. Ensure Safe, Secure, Reliable and Efficient Supply and Use of Energy
3. Maximize Economic Spin-off from Energy Industry - Boost Local Content and Secure High Participation of Local Workforce.

*Table 6: Brunei Oil Production and Trade*

Year	2014	2015	2016	2017 (Estimated)

Total Local Production (volume)				
Oil: Average Oil production (Thousand Barrels / Day)	126.45	126.78	N/A	N/A
Gas: Average Natural Gas Production (Thousand Barrels of Oil Equivalent / Day)	231.71	243.03	N/A	N/A
Total Exports	9,242,010	6,023,724	N/A	N/A
Total Imports	343,826	200,512	N/A	N/A
Imports from the U.S.	N/A	N/A	N/A	N/A
Total Market Size	N/A	N/A	N/A	N/A
Exchange Rates	N/A	N/A	N/A	N/A

Source: [Brunei Darussalam 2015 Statistical Yearbook](#), Department of Economic Development and Planning

*(Total market size = (total local production + imports) - exports)*

### **Leading Sub-Sectors**

- Exploration,
- Geophysical surveying and mapping services,
- Drilling operating,
- Operating oil and gas field properties,
- Site preparation

### **Opportunities**

There are a number of upstream opportunities for U.S. companies. U.S. firms are well positioned to provide oil and gas equipment and services through local representatives to Brunei Shell Petroleum (BSP), the largest private company in Brunei. In accordance with Brunei's Local Business Development framework, BSP gives preference to indigenous companies in their contracting activities. Aside from highly specialized equipment and spare parts sales from the original equipment manufacturers, local and international firms compete for contracts. Equipment or services from abroad must be supplied through a local agent or distributor or in partnership or joint venture with local Brunei companies.

Beyond BSP, Brunei Liquefied Natural Gas (BLNG) is also a major player in the petrochemical industry that may seek equipment and services from U.S. companies.

BSP and BLNG practice stringent quality control and suppliers must pass a series of quality tests before they can be registered. Most BSP suppliers are registered representatives or distributors of products and services from various foreign countries. U.S. companies may enter the Brunei market through a joint venture, agency agreement or distributor relationship with local Brunei companies. Many established companies in the oil and gas industry are members of the Brunei Energy Association or the Institute of Engineering and Technology.

On the downstream side, Brunei National Petroleum invested in building Brunei's first Methanol Plant, with two Japanese companies in 2010. Currently there are implementation plans for a Urea and Ammonia plant. BSP and the Brunei government are very keen support downstream projects with hope that is will become springboards for further economic diversification in the country.

### **Web Resources**

*Brunei Industry Contacts*

[Brunei Shell Petroleum Co Sdn Bhd](#)

[Brunei LNG Sdn Bhd](#)

[Brunei National Petroleum Company Sdn Bhd](#)

[Brunei Energy Department White Paper Report](#)

*Brunei Government Contacts*

[Energy and Industry Department, Prime Minister's Office](#)



## **Franchise Operations**

### **Overview**

Numerous U.S. food and beverage (F&B) franchises operate in Brunei. Auntie Anne's Pretzels, McDonalds, KFC, Pizza Hut, and Dairy Queen are very popular in Brunei. Starbucks and Burger King were new to the market in 2014 and have expanded to four and six outlets respectively. The franchise industry is also popular among investors because it is perceived to be an attractive and relatively safe form of investment. American burger franchise Wayback Burgers launched in May 2016.

*Table 7 – Brunei Franchise Information*

No data available.

### **Leading Sub-Sectors**

- Food and Beverage

### **Opportunities**

Brunei's consumers seek out U.S. food brands and would likely be well-received, particularly in the fast food industry.

### **Web Resources**

[Ministry of Finance Registrar of Companies](#)

## Medical Equipment Overview

Brunei has a small but growing medical industry. Brunei's Ministry of Health is tasked with providing free health care services for its citizens. Brunei's two major hospitals—Raja Isteri Pengiran Anak Saleha Hospital (RIPAS Hospital) and Jerudong Park Medical Center—are supplemented by two provincial hospitals, three district hospitals, and 16 smaller health posts. In May 2015, Brunei's Ministry of Health launched the Master Plan for the Health System and Healthcare Infrastructure which sets out the 20-year strategic plan for the country's healthcare system. The master plan outlines the building of a new outpatient hospital and upgrades to four existing hospitals.

Currently, Bruneians with the means to seek advanced medical services outside of the country will travel to countries like Singapore and Thailand for private medical consultations. When the Brunei medical system is unable to provide specific services to Brunei citizens locally, the government coordinates and pays for Brunei citizens to be sent overseas for treatment. As Brunei's young population ages and requires medical care, the medical industry in Brunei will be an important longer-term growth sector for Brunei's economy.

*Table 8: Brunei Medical Equipment Production*

	2014	2015	2016	2017 (Estimated)
Total Local Production	N/A	N/A	N/A	N/A
Total Exports	3,746	3,930	N/A	N/A
Total Imports	37,980	5,989	N/A	N/A
Imports from the U.S.	N/A	N/A	N/A	N/A
Total Market Size	N/A	N/A	N/A	N/A
Exchange Rates	N/A	N/A	N/A	N/A

Source: [Brunei Darussalam 2015 Statistical Yearbook](#), Department of Economic Development and Planning

*(Total market size = (total local production + imports) - exports)*

### Leading Sub-Sectors

- Manufacturing laboratory instruments, X-ray apparatus, electromedical apparatus (including electronic hearing aids), and thermometers (except medical)—are classified in Industry 33451, Navigational;

- Measuring, Electromedical, and Control Instruments Manufacturing;
- Manufacturing molded glass lens blanks—are classified in Industry 32721, Glass and Glass Product Manufacturing

### **Opportunities**

A reported increase in patient demand for advanced medical devices and a willingness of medical facilities to upgrade existing technology has driven sales of new technology in recent years.

### **Web Resources**

*Brunei Government Contacts*

[Ministry of Health](#)  
[Brunei Health Master Plan](#)

*International Organization Contacts*

[World Health Organization Medical Devices Survey findings on Brunei](#)

# Customs, Regulations and Standards

## Trade Barriers

The United States and Brunei enjoy a long history of trade, dating to an 1850 treaty whereby Brunei and the United States agreed to trade freely and without barriers, under Most Favored Nation (MFN) status.

Today U.S. companies and businesses doing business in Brunei or wishing to export products to Brunei may do so freely, with the exception of food products, an area in which Brunei takes particular interest. Brunei is emphasizing its halal food industry as one of the key pillars of an effort to diversify its economy. Brunei is promoting its own halal food certification regime, one entirely distinct from other halal certification organizations, which would require Bruneian inspectors to travel to production facilities in the home country of the food exporter, at the exporter's expense, to inspect the food production process. This requirement places constraints on the ability of U.S. exporters of food products to enter the Brunei market without complying with requirements that may not be necessary in other markets.

## Contact Information

International Trade Administration

[Enforcement and Compliance](#)

Phone: (202)-482-0063

Email: [ECCommunications@trade.gov](mailto:ECCommunications@trade.gov)

## Import Tariffs

Brunei generally has very low tariffs. The Customs Import Duty Order 2012 and Excise Duty Order 2012 were created with the aim of facilitating trade and attracting FDI. Basic foodstuffs and goods for many industrial uses are exempted from import duties. Excise duties are levied on certain goods, including cars at 20%, and 15% for heavy vehicles. There is no tax on computers and peripherals. Other consumer products such as perfume, cosmetics, clothes, carpets, shoes, jewelry, office equipment, telephones, television sets, lamps, and cameras, are taxed at 5%. Import duties for electronically operated industrial machines are at 5%.

Tariff and excise rates for Brunei are available at:

[Customs Import Duty](#)

[Royal Customs Excise Department](#)

[Harmonized Tariff Schedule](#)

## **Import Requirements and Documentation**

The import of all goods into Brunei is monitored by The Royal Customs and Excise Department. Importers must register with the port of entry. Determination of duty classification is based on the Excise Duty Orders 2012 and 2007. Import permits are required for some products. Licenses for import are available from the relevant government agencies. Non-prohibited goods can be imported under open general license.

Completed Customs Declaration Forms must be submitted via the [E-customs website](#) with supporting documentation such as invoices, freight and insurance slips, airway bills and packing lists.

Additional documentation that may be required includes certificate of origin and analysis, Approval Permit (A.P.), import licenses and other documentation as deemed necessary by the Customs and Excise Department.

### **Contact Information**

#### [Royal Customs and Excise Department](#)

Ministry of Finance

Phone: (673)-238-2333

Fax: (673)-238-2666

E-mail: [info@customs.mof.gov.bn](mailto:info@customs.mof.gov.bn)

### **Food Import Requirements**

The Department of Health Services under the Ministry of Health ensures food imported and distributed in Brunei is safe for human consumption. Food importers are required to comply with the Public Health (Food) Act (Chapter 182), and Public Health (Food) Regulations 2000. Food importers are required to comply with the provisions of the food legislation and import requirements. Importers are required to submit customs declaration forms along with the relevant export health certificates from the countries of origin.

Other requirements include provision of Hazard Analysis Critical Control Point (HACCP) certificates, samples of all items to be imported to Brunei, lists of all ingredients and additives used and other valid documentation or certification as determined by the Ministry of Health. Imported food products are mainly halal, for the consumption of the majority Muslim population. Halal food cannot contain alcohol or derivatives from non-halal animals.

Processed food imports must be registered and must identify additives' origin under Regulation 9, Public Health (Food) Regulation, 2000.

### Contact Information

Food Safety and Quality Control Division  
Department of Health Services  
Environmental Health Service

[Ministry of Health](#)

Phone: (673)-233-1100

Fax: (673)-233-1107

### **U.S. Export Controls**

Companies wishing to export controlled items to Brunei must apply for licenses from the appropriate government agencies in the United States. The [Bureau of Industry and Security \(BIS\)](#) is responsible for implementing and enforcing the Export Administration Regulations (EAR). Certain specialized exports are regulated by other U.S. government agencies.

A list that consolidates eleven export screening lists of the Departments of Commerce, State and the Treasury into a single search as an aid to industry in conducting electronic screens of potential parties to regulated transactions is available on [Trade.gov's website](#).

### **Temporary Entry**

Brunei has not adopted the Admission Temporaire/Temporary Admission (ATA) Carnet Convention but allows temporary entry of commodities for demonstration, exhibition and trade samples for duration of three months. Additional information is available at the [Royal Customs and Excise's website](#).

### **Labeling/Marking Requirements**

Under the Public Health (Food) Act (Chapter 182), Public Health (Food) Regulations 2000, all food imported into the country must bear a label containing information including a list of ingredients, expiration date and details of the local importer, distributor or agent. Printed expiry dates must not be less than three millimeters in height. Information on food labels is required to be labeled in a prominent and conspicuous position on the package.

Importation of food products that require date markings include food supplements are subject to “set requirements” as outlined by the Public Health (Food) Regulation 2000. They are required to be registered with the Food Quality and Safety Control Division, Environmental Health Services, and Department of Health Services. Health supplements that contain ingredients which can be used therapeutically or contain any medical claims are required to be referred to the Department of Pharmaceutical Services, Ministry of Health for clearance.

The labeling requirement shall include:

- Name of food
- List of ingredients and their sources (including additives)
- Net weight/volume
- Date marking
- Storage instruction
- Name of country of origin
- Name and address of the local importer for imported food/name and address of the manufacturer/packager in the case of a food of local origin

### **Contact Information**

Food Safety and Quality Control Division  
Department of Health Services  
Environmental Health Service

[Ministry of Health](#)

Phone: (673)-233-1100

Fax: (673)-233-1107

### **Prohibited & Restricted Imports**

Brunei imposes restrictions/prohibitions on the import of certain goods under the Customs Order 2006 (Section 31). Imports and manufacture of alcohol and alcohol products are restricted for religious reasons under the Customs (Prohibition and Restriction of Imports and Exports) Amended Order 1990.

### **Contact Information**

[Royal Customs and Excise Department](#)

Ministry of Finance

Phone: +673 238-2333

Fax: +673 238-2666

Importers of halal meat and food products need prior approval from the Ministry of Religious Affairs. Prior to approval, inspection of the foreign plant facilities will be

carried out by two officers from the Religious Affairs Department. Importers have to pay for the trip. Currently only selected approved plants in Australia, Malaysia and India are accredited to supply halal beef.

Brunei imports live cattle from a Brunei-owned cattle ranch located in Northern Australia for slaughter locally. Brunei claims to be 90% self-sufficient for poultry production. Halal certification for poultry is issued on strict compliance with slaughter methods set by the Ministry of Religious Affairs.

Importation of alcoholic beverages has been prohibited with minor exceptions for personal, private consumption by non-Muslims since 1991. Pork is consumed only by non-Muslims. There is no pork production in Brunei. Brunei imports fresh and frozen pork from the neighboring Malaysian state of Sarawak.

The Halal Certificate and Halal Label Order 2005 cover the issuance of Halal Certificate and Halal Labels on processed food, separation of food storage and business premises such as restaurants and others.

### **Halal Certification Information**

The Secretary  
Board for Issuing Halal Import Permits  
[Ministry of Religious Affairs](#)  
Jalan Elizabeth II  
Bandar Seri Begawan BS8510  
Brunei Darussalam  
Phone: (673)-224-2565  
Fax: (673)-222-3106

### **Customs Regulations**

Brunei's customs legislation was amended to harmonize its tariff nomenclature, make custom-related information more readily available to traders and the public, align its laws with the WTO agreements and intellectual property protections, and improve the appeal procedures. All imports into Brunei must be accompanied by:

- A bill of lading/delivery order or airway bill;
- Packing list;
- Commercial invoice;
- Three copies of the customs declaration form, which include the number of individual packages;



- Detailed description of the goods being imported;
- Gross and net weights or quantities of packages;
- Value (both 'free on board' and 'cost, insurance and freight');
- Place of shipment and destination; and
- Country of origin.

The invoice must be signed by the exporter or seller. An importer can request an exemption of duty determination to be issued by the BEDB and a certificate of origin may be requested, which can be attained from the Ministry of Foreign Affairs and Trade. Towards providing a business friendly environment, required documents for customs declarations can now be submitted online via the [e-customs system](#) and online payment services are available via the [Brunei Darussalam National Single Window](#).

### **Contact Information**

#### [Royal Customs & Excise Department](#)

Ministry of Finance

Phone: (673)-238-2333

Fax: (673)-238-2666

### **Standards for Trade**

#### **Overview**

Brunei adheres to a range of international standards, including the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) regimes. Brunei also recognizes certifications from bodies that have been accredited by the members of the Pacific Accreditation Cooperation. Conformance certificates and laboratory accreditations are also accepted from Asia Pacific Laboratory Accreditation Cooperation (APLAC) Mutual Recognition Arrangement members.

The National Standards Council was established in December 2009 and operates under the auspices of the Ministry of Primary Resources and Trade.

Telecommunications standards are regulated by AITI under Section 9 of Telecommunications Order, 2001. AITI regulates the use of telecommunication equipment in Brunei, requiring that services meet national standards.

#### **Standards**

In April 2010, the National Standards Council created and endorsed the National Standards Center as the accreditation body of Brunei. As of 2014, the National

Standards Act is currently being developed. When complete, it will standardize local products and service quality and will provide a legislative framework to guide the enforcement activities in the implementation and management of the standards.

The National Standard Centre (NSC) consists of five units:

- Conformity Assessment
- Certification
- Legal and Standards Development
- International Relations
- Standard Promotion and Information

### **Conformity Assessment**

*Contact Information*

[Ministry of Development](#)

Old Airport Complex Berakas BB3510

Phone: (673)-238-3222

Fax: (673)-238-0298

Email: [info@mod.gov.bn](mailto:info@mod.gov.bn)

### **Product Certification**

The National Standards Center works with the testing facilities and labs of different ministries to provide a range of services including:

- Certification Service
- Standards and Quality Product Training Service
- Quality and Promotion Development Service
- Standard and Information Service
- Consultation Service
- Factory Visit Service
- Testing and Metrology Collaboration Lab Service

Under section nine of Telecommunications Order, 2001, companies importing equipment to be used for connection to any telecommunications system or equipment belonging to a telecommunication licensee must have prior approval from AITI before use. Any equipment that is not approved must be returned to the country of origin by the importer.

### **Accreditation**

Halal permits and certificates are issued by Ministry of Religious Affairs.

Bureau Veritas, a local certification body, issues HACCP certificates to local food manufacturers.

Under the Telecommunications Order 2001 Section 5, the Authority for the Info-Communications Industry (AITI) grants licenses for the operation of telecommunication systems and services.

### **Publication of technical regulations**

Brunei's laws, acts, and orders are published in the Brunei government Gazette. The Gazette is published by the Government of Brunei Printing Department. Copies can be purchased from the [Printing Department of the Prime Minister's Office](#).

### **NIST Notify U.S. Service**

Member countries of the WTO are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other member countries. Notify U.S. is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at [NIST's website](#).

### **Contact Information**

U.S. Embassy Bandar Seri Begawan  
Fausto DeGuzman  
Political/Economic/Consular Chief  
Phone: (673)-222-0907  
Email: [DeGuzmanF@state.gov](mailto:DeGuzmanF@state.gov)

Head, Food Safety and Quality Control Division  
Department of Health Services  
[Ministry of Health Brunei Darussalam](#)  
Phone: (673)-233-1100  
Fax: (673)-233-1107  
E-mail: [fsqc@moh.gov.bn](mailto:fsqc@moh.gov.bn)

[Authority for Info-Communications Technology Industry of Brunei Darussalam](#)  
(AITI) Block B14, Simpang 32-5 Kampung Anggerek Desa  
Jalan Berakas BB3713  
Brunei Darussalam.  
Phone: (673)-232-3232

Fax: (673)-238-2447

E-mail: [info@aiti.gov.bn](mailto:info@aiti.gov.bn)

## **Trade Agreements**

Brunei is a member of Association of Southeast Asian Nations (ASEAN); Asia-Pacific Economic Cooperation (APEC); WTO; Brunei, Indonesia, Malaysia and the Philippines-East ASEAN Growth Area (BIMP-EAGA); and the Multilateral Agreement on the Liberalization of International Air Transportation (MALIAT).

In addition to trade liberalization regimes under ASEAN, Brunei is a founding member of the TPP trade agreement that concluded negotiations in October 2015 was signed by all twelve parties in February 2016.

Brunei is also party to the Regional Comprehensive Economic Partnership (RCEP) negotiations, an ASEAN + 6 (Australia, the People's Republic of China, India, Japan, the Republic of Korea and New Zealand) trade agreement. ASEAN hopes to conclude RCEP negotiations by 2015.

## **Licensing Requirements for Professional Services**

Brunei requires certain professional service providers to be licensed by respective government bodies. Licensing requirements are for legal, medical, and engineering services. Legal practitioners require the authorization from the Chief Justice to be admitted as an advocate and solicitor in Brunei courts. Medical Practitioners, including dentists, require a license from the Brunei Medical Board under the Ministry of Health.

## **Web Resources**

[Authority of Info-Communication and Technology](#)

[Ministry of Development](#)

[Royal Customs and Excise Department](#)

# **Investment Climate Statement**

## **Executive Summary**

Brunei is a small energy-rich Sultanate on the northern coast of Borneo in Southeast Asia. Brunei boasts a well-educated, largely English-speaking population, excellent infrastructure, and a government intent on attracting foreign investment and projects. In parallel with Brunei's efforts to attract foreign investment and create an open and transparent investment regime, the country has improved its protections for IPR.

Despite repeated calls for diversification, Brunei's economy remains dependent on the income derived from sales of oil and gas, contributing about 60 percent to the country's GDP. Substantial revenue from overseas investment supplements income from domestic hydrocarbon production. These two revenue streams provide a comfortable quality of life for Brunei's population. Citizens are not required to pay taxes, have access to free education through the university level, free medical care, and frequently, subsidized housing and car fuel.

Brunei has a stable political climate and is generally sheltered from natural disasters. Brunei's central location in Southeast Asia, with good telecommunications, numerous airline connections, business tax credits in specified sectors, and no income, sales, or export taxes, offers a welcoming climate for potential investors. Sectors offering U.S. business opportunities in Brunei include aerospace and defense, agribusiness, construction, petrochemicals, energy and mining, environmental technologies, food processing and packaging, franchising, health technologies, information and communication, Islamic finance, and services. In 2014 Brunei released an Energy White Paper outlining its vision of leveraging its oil wealth to diversify its economy, create local employment, increase FDI, and sharply increase the use of renewable energy by 2035. Thus far, the government has shown it is committed to the priorities outlined in the Energy White Paper.

In 2014, Brunei began supplementing its existing common law-based penal system with a penal code based on Islamic law, which carries Sharia punishments. The Sharia Penal Code is applicable across the board. The first phase became effective in May 2014 and remains in place today. It expands restrictions regarding alcohol consumption, eating in public during the fasting hours in the month of Ramadan, and indecent behavior. Two subsequent phases, the timing of which is not yet clear, are expected to introduce severe punishments such as stoning to death for certain sex-related offenses and the amputating of limbs. Brunei officials say the most severe punishments will rarely, if ever, be implemented given the very high standard of proof required under the Sharia Penal Code. While the law does not specifically address business-related matters, potential investors should be aware

that there is controversy surrounding the Sharia Penal Code issue. Thus far there have been no recorded instances of U.S. citizens, or U.S. investments, being targeted by the Sharia law.

Table 9 – Brunei Investment Climate

Measure	Year	Index/Rank
<a href="#"><u>TI Corruption Perceptions Index</u></a>	2016	41 of 175
<a href="#"><u>World Bank’s Doing Business Report “Ease of Doing Business”</u></a>	2016	84 of 190
<a href="#"><u>Global Innovation Index*</u></a>	2016	N/A
<a href="#"><u>U.S. FDI in partner country (\$M USD, stock positions)</u></a>	2015	\$ 7.0 M
<a href="#"><u>World Bank GNI per capita</u></a>	2015	\$ 38,010

\*Brunei did not participate in the 2016 Global Innovation Index.

## **Openness To, and Restrictions Upon, Foreign Investment**

### **Policies towards Foreign Direct Investment**

Brunei has an open economy favorable to foreign trade and FDI as the government continues its economic diversification efforts to limit its long reliance on oil and gas exports.

FDI is important to Brunei as it plays a key role in the country’s economic and technological development. Brunei encourages FDI in the domestic economy through various investment incentives offered by the Energy and Industry Department, Prime Minister’s Office, and through activities conducted by the Ministry of Foreign and Trade and the BEDB.

The 2016 World Bank Ease of Doing Business report indicated that Brunei's ease of doing business ranking improved 21 spots to 84 out of 189 economies. The significant gain due largely to improvements in the "starting a business" indicator, which saw Brunei's ranking improve to the 74th spot from last year's 79th due to the elimination of miscellaneous licensing requirements and streamlining the business registration processes, mostly of which can be done online. Other indicators that have improved include paying taxes (6th in 2016, from 30th in 2015), obtaining construction permits (21st in 2016, from 53rd in 2015), and accessing credit (79th in 2016, from 89th in 2015). Improving Brunei's Ease of Doing Business ranking has become a key focus for the government, and the Prime Minister's Office has setup a special task force, referred to as "PENGGERAK to centralize government efforts to improve this ranking.

Brunei amended its laws to make it easier and quicker for entrepreneurs and investors to establish businesses. The Business License Act (Amendment) of 2016 exempts several business activities (eateries, boarding and lodging houses or other places of public resort; street vendors and stalls; motor vehicle dealers; petrol stations including places for storing petrol and inflammable material; timber store and furniture factories; and retail shops and workshops) from needing to obtain a business license. The Miscellaneous License Act (Amendment) of 2015 reduces the wait times for new business registrants to start operations, with low-risk businesses like eateries and shops able to start operations immediately.

### **Limits on Foreign Control and Right to Private Ownership and Establishment**

There is no restriction on total foreign ownership of companies incorporated in Brunei. The Companies Act requires locally incorporated companies to have at least one of the two directors—or if more than two directors, at least two of them—to be ordinarily resident in Brunei, but exemptions may be obtained in some circumstances. The rate of corporate income tax is the same whether the company is locally or foreign owned and managed.

All businesses in Brunei must be registered with the Registry of Companies and Business Names at the Ministry of Finance. Foreign investors can fully own incorporated companies, foreign company branches, or representative offices, but not sole proprietorships and partnerships. FDI from multinational corporations may not require a local partner in setting up a subsidiary in Brunei if at least one company director is a Brunei citizen or permanent resident.

More information on incorporation of companies can be found here on the [Ministry of Finance's website](#).

## **Other Investment Policy Reviews**

The WTO Secretariat prepared a Trade Policy Review of Brunei in February 2015. The review can be found online at [WTO's website](#).

## **Business Facilitation**

As part of Brunei's effort to attract foreign investment, several facilitating agents were established including: the BEDB, FDI Action and Support Center (FAST), and Darussalam Enterprise (DARe). These organizations work together to smoothen the process of obtaining permits, approvals and licenses. Facilitating services are now consolidated into [Business.BN](#), Brunei's one-stop shop for government services.

BEDB, the frontline agency that promotes and facilitates foreign investment into the country, works with FAST under the Prime Minister's Office to evaluate investment proposals, liaise with government agencies and obtain project approval from the government's Foreign Direct Investment and Downstream Industry Committee. DARe will then support international investments once they are in full operation

## **Outward Investment**

A major share of outward investment is made by the government through its sovereign wealth funds, which are managed by the Brunei Investment Agency (BIA) under the Ministry of Finance. No data is available on the total investment amount due to a strict policy of secrecy. It is believed that the majority of sovereign wealth funds are invested in foreign portfolio investments and real estate. State-owned Brunei National Petroleum Company has also evolved into an outward foreign investor, winning tenders to explore and develop onshore blocks in Myanmar. Despite the limited availability of public information regarding the amount, the funds are generally viewed positively and managed well by BIA.

## **Bilateral Investment Agreement and Taxation Treaties**

Brunei is a member of the ASEAN, an association of ten Southeast Asian nations, which has Free Trade Agreements (FTA) with Australia, New Zealand, China, India, and South Korea, and a Comprehensive Economic Partnership Agreement with Japan.

Brunei currently has Bilateral Investment Treaties with Bahrain, China, Germany, India, the Republic of Korea, Kuwait, Oman, and Ukraine. Brunei does not currently have a Bilateral Investment Treaty with the U.S. Information on Brunei's Bilateral Investment Treaties can be found on the [Ministry of Finance's website](#).

Brunei served as the ASEAN Coordinator in negotiations for the ASEAN-Australia-New Zealand Free Trade Agreement (AANZFTA), which was signed February 2009 in Thailand and entered into force January 2010. Brunei is also negotiating party to the



Regional Comprehensive Economic Partnership (RCEP), and was a founding member of the TPP trade agreement.

## **Legal Regime**

### **Transparency of the Regulatory System**

Brunei's regulatory system is generally seen as lacking in transparency. There is little to no transparency in lawmaking processes, nor is there any available information on whether impact assessments are made prior to proposing regulations. Each ministry is responsible for coordinating with the Attorney General's Chambers to draft proposed legislation. Legislation does not received broad review and few outside of the originating ministry are able to provide their input. The Sultan has final authority to approve proposed legislation. Laws and regulations that are in effect are readily available and accessible from the Attorney General's Chambers.

### **International Regulatory Considerations**

Brunei is an active member of ASEAN, through which it has concluded FTAs with Australia, New Zealand, China, India, Japan, and South Korea. Brunei became a WTO member in 1995 and a signatory to the General Agreement on Tariffs and Trade (GATT) in 1993.

### **Legal System and Judicial Independence**

Brunei's constitution does not specifically provide for judicial independence, but in practice the court system operates without government interference. Brunei's legal system includes parallel systems; one based on Common Law and the other based on Islamic law. In 2016, Brunei began to recognize the importance of protecting investors' rights and contracts enforcement, and established a Commercial Court. In 2014, Brunei implemented Phase one of three of the Sharia Penal Code (SPC), which expanded existing restrictions on minor offenses—such as eating during Ramadan—that are punishable by fines.

The second phase of the SPC, which would include amputating the hands of thieves, is not scheduled to come into effect until one year after the publication of a Sharia Courts Criminal Procedure Code (CPC). The CPC has yet to be published. Phase three of the SPC—which includes punishments, in certain situations, such as stoning to death for rape, adultery, or sodomy, and execution for apostasy, contempt of the Prophet Muhammad, or insult of the Quran—is scheduled to be implemented two years after the publication of the CPC. The punishments included in phases two and three include different standards of proof than the common law-based penal code, such as requiring four pious men to witness personally an act of fornication to support a sentence of stoning.

## **Laws and Regulations on Foreign Direct Investment**

The basic legislation on investment includes the Investment Incentive Order 2001 and Income Tax (As Amended) Order 2001. Investment Order 2001 supports economic development in strategically important industrial and economic enterprises and through the Energy and Industry Department of the Prime Minister's Office (EIDPMO), which offers investment incentives through a favorable tax regime. Although Brunei does not have a stock exchange, government plans to establish a securities market are reportedly under way.

Foreign ownership of companies is not restricted, although under the Companies Act, at least one of two directors of a locally incorporated company must be a resident of Brunei, unless granted an exemption from the appropriate authorities.

### **Business Registration**

All businesses in Brunei must be registered with the Registry of Companies and Business Names at the Ministry of Finance. Except for sole proprietorships and partnerships, foreign investors can fully own incorporated companies, foreign company branches, or representative offices. FDI from multinational corporations may not require local partnership in setting up a subsidiary of their parent company in Brunei. However, at least one company director must be a Brunei citizen or permanent resident of Brunei. The country's "one-stop-shop" for investments and business start-ups can be found on [Brunei's Business.BN website](#).

### **Competition and Anti-Trust Laws**

Brunei does not have any competition legislation pertaining to the regulation of competition issues. In May 2012, Brunei formally started drafting the Brunei Competition Order, which seeks to enact prohibitions against anti-competitive agreements, abuse of dominance, and anti-competitive mergers. As of March 2017, there is no information on when the law might be approved and implemented.

### **Expropriation and Compensation**

There is no history of expropriation of foreign owned property in Brunei. There have been cases of domestically owned private property being expropriated for infrastructure development. Compensation was provided in such cases, and claimants were provided with due process regarding their disputes.

### **Dispute Settlement**

Brunei is a member state to the convention on the International Center for Settlement of Investment Disputes (ICSID Convention) and a signatory to the Recognition and Enforcement of Foreign Arbitral Awards (1958 New York Convention).

### *Investor-State Dispute Settlement*

In 2016, Brunei's Supreme Court announced the establishment of a commercial court to deal with business-related cases.

[Brunei's judiciary website](#) provides more information about the country's legal system.

### *International Commercial Arbitration and Foreign Courts*

In May 2016, Brunei's Attorney General's Chambers announced the establishment of the Brunei Darussalam Arbitration Center (BDAC). BDAC delivers services and administration for arbitration and mediation to fulfil the needs of domestic and international users in relation to commercial disputes, as a resolution alternative to court proceedings.

The International Arbitration Order (IAO) which regulates international and domestic arbitrations came into effect in February 2010. More information about Brunei's Attorney General's Chambers is available online.

### *International Commercial Arbitration and Foreign Courts*

In May 2016, Brunei's Attorney General's Chambers has announced the establishment of the Brunei Darussalam Arbitration Center (BDAC). BDAC delivers services and administration for arbitration and mediation to fulfil the needs of domestic and international users in relation to commercial disputes, as a resolution alternative to court proceedings.

The International Arbitration Order (IAO) which regulates international and domestic arbitrations came into effect in February 2010. For more information please see [Brunei's Attorney General's Chambers webpage](#).

### **Bankruptcy Regulations**

In 2012, amendments to Brunei's Bankruptcy Act increased the minimum threshold for declaring bankruptcy from Brunei dollar (BND) 500 to BND 10,000 (US \$357 to US \$7,133) and enabled the trustee to direct the Controller of Immigration to impound and retain the debtor's passport, certificate of identity, or travel document to prevent him from leaving the country. The amendment also requires the debtor to deliver all property under his possession to the trustee. [Brunei's judiciary website](#) provides a pamphlet containing more information related to the country's bankruptcy laws.

## **Industrial Policies**

### **Investment Incentives**

Companies involved in the exportation of agriculture, forestry, and fishery products can apply for tax relief on export profits. For non-pioneer enterprises, the tax relief period is eight years and up to 11 years for pioneer enterprises.

The corporate income tax rate in Brunei has been reduced from 30 percent (2007 and earlier) to the current rate of 18.5 percent (2015 onwards).

Sole proprietorships and partnerships are not subject to tax. Individuals do not pay any capital gains tax and profits arising from the sale of capital assets are not taxable. Brunei has double-taxation agreements with the United Kingdom, Indonesia, China, Singapore, Vietnam, Bahrain, Oman, Japan, Pakistan, Malaysia, Hong Kong, Laos, Kuwait, Tajikistan, Qatar, and United Arab Emirates. Under the Income Tax (Petroleum) Act, a company is subject to taxes of up to 55 percent for any petroleum operation pursuant to production sharing agreements.

### **Foreign Trade Zones/Free Ports/Trade Facilitation**

Muara Port is Brunei's main seaport with an established Free Trade Zone called the Muara Export Zone (MEZ), which was established to promote and develop Brunei as a trade hub of the region. The establishment of the MEZ was an initial step towards developing other Free Trade Zones in the country. In Brunei's 2017 Legislative Council session, the government announced that a 96 hectare area near Muara Port will be designated to be a Free Trade Zone.

### **Performance and Data Localization Requirements**

The Brunei government seeks to increase the number of Bruneians working in the private sector. Brunei's 2014 Energy White Paper calls for the number of people employed in the energy sector to increase from 20,000 in 2010 to 50,000 in 2035, and for the number of locals employed in the sector to increase from 10,000 to 40,000 during the same period. To advance this goal, all companies competing for a tender in the oil and gas industry are required to have at least half of their employees be Bruneian.

Expatriate employment is controlled by a labor quota system administered by the Labor Department and the issuance of employment passes, by the Immigration Department. Brunei allows new companies to apply for special approval to expedite the recruitment of expatriate workers in select positions. According to the Ministry of Home Affairs, the special approval is only available to new companies for up to six months, and covers businesses such as restaurants and shops. The special approval cuts the waiting time for a quota to seven days instead of twenty one.

Currently, Brunei has not announced any specific legislation pertaining to data storage and data localization requirements. In early 2016, the PMO announced plans to develop a National Cyber Defense Framework which is expected to be completed by the end of 2017.

## **Protection of Property Rights**

### **Real Property**

Mortgages are recognized and enforced in Brunei; however, only Bruneians can own land property in Brunei. Foreigners and permanent residents can only hold properties under long-term leases. Most banks are reluctant to grant housing loans to foreigners and permanent residents. According to the International Monetary Fund (IMF) Brunei country report, Brunei did not attract any FDI for real estate, rentals, and business activity in 2011 (latest data available). Brunei's Department of Economic Planning and Development do not publish FDI data for real estate. The country is currently ranked 135 out of 190 economies for Registering Property in the World Bank's Doing Business Report, this is because every transfer of ownership in Brunei Darussalam requires the approval of "His Majesty in Council" which is a council of officials representing the Sultan. This process can be lengthy and at times opaque.

Amendments to the Land Code are being considered to ban past practices of proxy land sales to foreigners and permanent residents using power of attorney (PA) and trust deeds (TD). PAs and TDs are no longer recognized as mechanisms in land transactions involving non-citizens. The proposed laws will also be retroactive, converting all existing property owned through PAs and TDs into 60-year leases. The government may grant temporary occupation permits over state land to applicants, for licenses to occupy land for agricultural, commercial, housing or industrial purposes. These licenses are not registered, and are granted for renewable annual terms.

### **Intellectual Property Rights**

Brunei's IPR protection and enforcement regime is still in development but is increasingly strong and effective. The country was removed from the U.S. Trade Representative's Special 301 report in 2013, and has stayed off in recognition of its improving IPR protections, increasing enforcement, and efforts to educate the public about the importance of IPR.

Brunei's Copyright (Amendment) Order 2013 was finalized and adopted in December 2013, a development long requested by the U.S. government. The amendment enhanced enforcement provisions for copyright infringement by increasing the penalties for IP offences; adding new offenses; strengthening the enforcement

powers of the Royal Brunei Police Force and the Ministry of Finance Customs and Excise Department; and allowing for sanctioned private prosecution. The amendments are designed to deter copyright infringements with fines of BND 10,000 (US \$7,400) to BND 20,000 (US \$14,800) per infringing copy, imprisonment for a term up to five years, or both. The new penalty is up to four times more severe than the previously existing penalty. Enforcement agencies are authorized to enter premises and arrest without warrant, to stop, search, and board vehicles and also to access computerized and digitized data. The amendments further allow for admissibility of evidence obtained covertly and protect the identity of informants. Statistics on seizures of counterfeit goods are unavailable.

Brunei transferred its Registry of Trademarks from the Attorney General's Chambers (AGC) to the Brunei Intellectual Property Office in 2013. The transfer expanded the country's Patents Registry Office's (PRO) ability to accept applications for trademarks registration, in addition to patents and industrial designs.

In September 2013, Brunei acceded to the Geneva (1999) Act of the Hague Agreement Concerning the International Registration of Industrial Designs to protect IP from industrial designs, making it the second ASEAN Member country, following Singapore, to accede. The accession emphasized Brunei's commitment under the ASEAN Intellectual Property Rights Action Plan 2011-2015. Brunei also plans and has publicly committed to acceding to other [World Intellectual Property Organization's \(WIPO\)](#) treaties including the Madrid Protocol for the International Registration of Marks, the WIPO Performances and Phonograms Treaty (WPPT), and the UPOV Convention 1991 for the protection of New Varieties of Plants (PV). In February 2016, Brunei signed the Trans-Pacific Partnership which includes new commitments to IPR.

#### *Contact Information*

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### **Financial Sector**

#### **Capital Markets and Portfolio Investment**

In 2013, Brunei signed a Memorandum of Understanding (MOU) with the Securities Commission Malaysia (SCM) to boost cooperation in the capital markets. The MOU was designed to strengthen collaboration in the development of fair and efficient capital markets in the two countries. It also provided a framework to facilitate

greater cross-border capital market activities and cooperation in the areas of regulation as well as capacity building and human capital development, particularly in the area of Islamic capital markets. In 2015, Autoriti Monetari Brunei Darussalam (AMBD)–Brunei’s central bank–announced plans to launch a capital market in Brunei, if the preconditions required for launching a security exchange are met. The plans to open a domestic exchange are welcomed by the finance industry players though it may be difficult to identify the companies interested to be listed.

## **Money and Banking System**

Brunei has a small banking sector which includes both conventional and Islamic banking. The Monetary Authority of Brunei Darussalam (AMBD) is the sole central authority for the banking sector, in addition to being the country’s central bank. Banks in the country have high levels of liquidity, good capital adequacy ratios and well-managed levels of non-performing loans. A handful of foreign banks have established operations in the country such as Standard Chartered and Bank of China (Hong Kong). In late 2016, HSBC announced that it will be down-sizing its operations in Brunei. All banks are under the supervision of AMBD, which has also established a credit bureau that centralizes information on an applicant’s credit worthiness.

The Brunei dollar is pegged to the Singapore dollar and is accepted currency in the country.

## **Foreign Exchange and Remittances**

### *Foreign Exchange*

In June 2013, the Financial Action Task Force (FATF) announced that Brunei is no longer subject to FATF’s monitoring process under its global Anti-Money Laundering/Countering the Financing of Terrorism (AML/CFT) compliance process. Brunei will work with the Asia-Pacific Group (APG) as it continues to address the full range of AML/CFT issues identified in its Mutual Evaluation Report. The report cited Brunei’s significant progress in improving its AML/CFT regime and noted that Brunei had established the legal and regulatory framework to meet its commitments in its Action Plan regarding the strategic deficiencies that the FATF identified in June 2011.

### *Remittance Policies*

Remittance services are provided by local financial institutions including banks such as Bank Islam Brunei Darussalam (BIBD) and Standard Chartered Bank. AMBD, Brunei’s central bank, regulates and supervises these financial institutions that provide remittance services.

## **Sovereign Wealth Funds**

The Brunei Investment Agency (BIA) manages Brunei's General Reserve Fund and their external assets. Established in 1983, BIA's assets are estimated to be USD 170 billion. BIA's activities are not publicly disclosed and are ranked the lowest in transparency ratings by the Sovereign Wealth Fund Institute.

## **Responsible Business Conduct**

Responsible business conduct is a relatively new concept in Brunei, and there are no specific government programs encouraging foreign and local enterprises to follow generally accepted corporate social responsibility (CSR) principles. However, there is broad awareness of CSR among producers and consumers, and individual private and public sector organizations have formalized CSR programs and policies. There are no reporting requirements and no independent NGOs in Brunei that promote or monitor CSR.

## **OECD Guidelines for Multinational Enterprises**

Brunei does not adhere to the OECD guidelines for multinational enterprises. OECD's guidelines for multinational enterprises can be found on [OECD's website](#).

## **Corruption**

Since 1982, Brunei has enforced the Emergency (Prevention of Corruption) Act. In 1984, the Act was renamed the Prevention of Corruption Act (Chapter 131). The Anti-Corruption Bureau (ACB) was established in 1982 for the purpose of enforcing the Act. The Prevention of Corruption Act provides specific powers to the ACB for the purpose of investigating accusations of corruption. The Act authorizes ACB to investigate certain offences under other written laws, provided such offences were disclosed during the course of ACB investigation.

The ACB strives to ensure a corruption-free public service. Corrupt practices are punishable under the Prevention of Corruption Act. The Act also applies to Brunei citizens abroad. There is the perception that corruption is more prevalent in the private sector than in the public sector. This has prompted the ACB to focus on the private sector, as the private sector plays a critical role in Brunei's economic diversification. Brunei is a member of the International Association of Anti-Corruption Authorities.

In 2016, Brunei was ranked the 41<sup>st</sup> of 176 countries worldwide in Transparency International's corruption perception index. No scores were recorded for 2014 and 2015, but the ranking is an improvement from its 2013 ranking.

U.S. companies do not generally identify corruption as an obstacle to conducting business in Brunei.



The level and extent of corruption in Brunei is relatively low. For example in June 2016, a police officer was found guilty of accepting a USD 30 bribe in exchange for not taking action over a driver's alleged traffic offenses of not wearing a seatbelt and using a mobile phone while driving.

Apart from the Anti-Corruption Bureau, there are no international, regional, local or nongovernmental organizations operating in Brunei that monitor corruption.

*UN Anticorruption Convention, OECD Convention on Combatting Bribery*

Brunei has signed and ratified the UN Anticorruption Convention.

### **Resources to Report Corruption**

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### **Political and Security Environment**

Brunei is an absolute monarch and has no recent history of political violence. Sultan Hassanal Bolkiah is an experienced and popular monarch who rules the country as Prime Minister while also retaining the titles of Minister of Finance, Minister of Defense, and Minister of Foreign Affairs and Trade. The country experienced an uprising in 1962, when it was a British protectorate, which ended through the intervention of British troops. The country has been ruled peacefully under emergency law ever since. Brunei has managed to avoid demands for political reform by making use of its hydrocarbon revenues to provide its citizens with generous welfares and subsidies.

### **Labor Policies and Practices**

Brunei relies heavily on foreign labor in lower-skill and lower-paying positions, with approximately 6.9 percent of the labor force coming in from abroad to fulfill specific contracts. The largest percentage of those work in construction, followed by wholesale and retail trade, and then professional, technical, administrative and support services. Most unskilled laborers in Brunei are immigrants from

Bangladesh, India, Indonesia, Malaysia, and the Philippines, and enter the country on renewable two-year contracts.

The skilled labor pool includes both foreign laborers on short-term visas and Bruneian citizens and permanent residents, who often are well-educated but who generally prefer to work for the government due to generous benefits such as bonuses, education allowances, interest-free loans, and housing allowances. The 2014, the latest year for which there are available statistics, Labor Force Survey stated that approximately 43.5 percent of the total Brunei citizen workforce is employed in the public sector. In 2016, the Department of Labor under the Ministry of Home Affairs, introduced the improved Foreign Workers License process that with stricter policies in an effort to create more employment opportunities for Brunei citizens.

While Brunei law permits the formation of trade union federations, it forbids affiliation with international labor organizations unless there is consent from the Minister of Home Affairs and the Department of Labor. Under the Trade Unions Act of 1961, unions must be registered with the government. The government prohibits strikes, and the law makes no explicit provision for the right to collective bargaining. The law prohibits employers from discriminating against workers in connection with union activities, but it does not provide for reinstatement for dismissal related to union activity.

All workers, including civil servants other than those serving in the military and those working as prison guards or police officers, may form and join trade unions of their choice without previous authorization or excessive requirements. The only active union in the country, which is composed of Brunei Shell Petroleum workers, appears to have minimal activity in recent years. There are no other active unions or worker organizations.

Various domestic laws prohibit the employment of children under age 16. Parental consent and approval by the Labor Commission are required for those under age 18. Female workers under age 18 may not work at night or on offshore oil platforms. The Department of Labor, which is part of the Ministry of Home Affairs, effectively enforced laws related to the employment of children. There were no reports of violations of child labor laws.

The law does not set a minimum wage, but most employed citizens receive good salaries. The public sector pay scale covers all workers in government jobs. Wages for employed foreign residents are wide ranging. Some foreign embassies set minimum wage requirements for their nationals working in the country.

Government data from 2014, the latest data available, indicated approximately 86,500 foreigners lived in the country temporarily. Foreign workers receive a mandatory brief on labor rights from the Department of Labor when they sign their contract. The government also protects the rights of foreign workers through inspections of facilities and a telephone hotline for worker complaints. Immigration law allows prison sentences and caning for workers who overstay their work permits, for workers who fall into irregular status due to their employers' negligence.

### **OPIC and Other Investment Insurance Programs**

Overseas Private Investment Corporation (OPIC) programs are not available in Brunei given the country's affluence.

### **Foreign Direct Investment and Foreign Portfolio Investment Statistics**

*Table 10: Key Macroeconomic Data, U.S. FDI in Brunei*

	<b>Host Country Statistical source*</b>		<b>USG or international statistical source</b>		<b>USG or International Source of Data: BEA; IMF; Eurostat; UNCTAD, Other</b>
<b>Economic Data</b>	<b>Year</b>	<b>Amount</b>	<b>Year</b>	<b>Amount</b>	
<b>Host Country Gross Domestic Product (GDP) (\$M USD)</b>	2016	\$11.25 Billion	2015	\$12.93 Billion	<a href="#">World Bank</a>
<b>Foreign Direct Investment</b>	<b>Host Country Statistical source*</b>		<b>USG or international statistical source</b>		<b>USG or international Source of data: BEA; IMF; Eurostat; UNCTAD, Other</b>
<b>U.S. FDI in partner country (\$M USD, stock positions)</b>	2015	\$6.92 million	2015	\$7.0 million	<a href="#">BEA</a>

<b>Host country's FDI in the United States (\$M USD, stock positions)</b>	2015	N/A	2015	\$9.0 million	<a href="#">BEA</a>
<b>Total inbound stock of FDI as % host GDP</b>	2015	\$170 million	N/A	N/A	N/A

Note: Brunei's GDP data obtained from [Brunei Darussalam 2015 Statistical Yearbook](#). Data is not available for US-Brunei's stock FDI positions.

*Table 11: Sources and Destination of FDI*

No data available.

*Table 12: Sources of Portfolio Investment*

No data available.

### **Contact for More Information on the Investment Climate Statement**

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# **Trade and Project Financing**

## **Methods of Payment**

Brunei's banking system offers a full range of export finance instruments, including letters of credit and drafts.

## **Banking Systems**

Although small, Brunei's banking system is reliable and well monitored. The Ministry of Finance oversees the Department of Financial Services (Treasury) and the Brunei Investment Agency. The Brunei Monetary Authority (Autoriti Monetari Brunei Darussalam - AMBD) acts as the central bank of Brunei and handles the formulation and implementation of monetary policies, supervision of financial institutions and currency management.

## **Foreign Exchange Controls**

There is no restriction on foreign exchange. Banks permit non-resident accounts and there is no restriction on borrowing by non-residents.

## **U.S. Banks and Local Correspondent Banks**

This information is derived from the State Department's Office of Investment Affairs' 2015 Investment Climate Statement. Please email any questions on the ICS to [EB-ICS-DL@state.gov](mailto:EB-ICS-DL@state.gov).

## **Project Financing**

### **Multilateral Development Banks**

Brunei is classified as a graduated developing member country of the Asian Development Bank, and a non-borrowing member. Brunei is also a member of the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area.

## **Financing Web Resources**

[Commercial Liaison Office to Asian Development Bank](#)

*Brunei Government Contacts*

[Brunei Monetary Authority](#)

[Ministry of Finance](#)

*U.S. Government Contacts*

[Country Limitation Schedule](#)

[Export-Import Bank of the United States](#)

[OPIC](#)

[SBA's Office of International Trade](#)

[Trade and Development Agency](#)

[Trade Finance Guide: A Quick Reference for U.S. Exporters](#)

[U.S. Agency for International Development](#)

[USDA Commodity Credit Corporation](#)

*Regional Resources*

[Asian Development Bank](#)

# **Business Travel**

## **Business Customs**

Brunei is a predominately Muslim country and a hereditary Sultanate. Visitors are expected to show respect for both Islam and the Royal Family. The national language is Malay although English, Hokkien, and Mandarin are widely spoken.

Introductions and connections are important and necessary in Brunei. Relationship-building precedes business negotiations and brokering deals can sometimes require several visits.

Visitors should avoid passing in front of a seated person or pointing with the index finger; Bruneians point with their thumb and clenched hand. Yellow is the royal color and should not be worn in the presence of royalty. When invited for a meal, the host will likely be offended if the guest offers to pay the bill. Guests should remove shoes before entering a private home. Handshakes are common among male businessmen. Business visitors should not reach to shake the hand of the opposite sex, unless that person extends it, but one can touch a hand to one's chest as a sign of respect instead.

The visitor to Brunei will find restaurants to fit all budgets and tastes. Malaysian, Indian, Chinese, and Western food are all ubiquitous. Tipping is not customary in Brunei. Large hotels and restaurants may add a 10% service charge to the bill. Alcohol is not available for purchase in Brunei and restaurants do not serve alcohol. The consumption of alcohol in any public place is prohibited and should be avoided. Offering alcohol to a Muslim is a crime in Brunei. Public consumption of food or drink during Ramadan is illegal in Brunei; takeout can be purchased in restaurants and should be eaten in a private location.

## **Travel Advisory**

Brunei has a warm, humid climate year-round but most places of business are well air-conditioned. The Department of State advises travelers to view its [travel advisory site](#) for the latest updates. [Brunei's official website](#) offers tourism, government, business, and other information. Within Brunei, the information centers at the airport and hotels can provide maps and tourist services. Travel agencies are located throughout the capital.

## **Visa Requirements**

Business visitors and tourists from the United States do not need visas for visits of up to 90 days. Renewals and residency permits are routine and simple.

Brunei citizens are eligible to participate in the U.S. Visa Waiver Program allowing travel to the United States without a visa for short business and leisure trips.

U.S. companies that require travel of foreign business persons to the United States should be advised that security evaluations are handled via an interagency process.

### **Contact Information**

[State Department Visa](#)

[U.S. Embassy Brunei](#)

### **Currency**

The Brunei dollar is pegged to the Singapore dollar at a one-to-one ratio, and the Singapore dollar is legal tender in the Sultanate.

### **Telecommunications/Electric**

Brunei has a good telecommunication system and is in the midst of a major fiber-to-home improvement project which will increase bandwidth access. There are three operators providing telecommunications services in Brunei: Syarikat Telekom Brunei Berhad (TelBru), DST Communications (DSTCom), and Progresif Cellular. Most hotels, cafes and restaurants have wifi coverage.

Brunei Voltage: The voltage in Brunei is 240 V.

Brunei Electrical Frequency: The electrical frequency in Brunei is 50 Hz.

Brunei Plug/Socket Type(s): Brunei uses the G plug. Universal travel adapters can be bought from hardware and electrical stores.

Brunei Mobile Network Frequencies: Brunei currently uses 1 GSM 900 Band, 2 UMTS B1 (2100) Bands, and 1 LTE Band B3 (1800+) frequencies. When travelling, mobile phones used in Brunei must support the GSM frequency.

AITI administers the regulatory function and development of the Info-Communications industry in Brunei. Brunei aims to establish itself as the cyber hub of the region, and under the Ninth National Development Plan (NDP), the government plans to continue enhancing telecommunications infrastructure as well as the integration of ICT/on-line services. As with past NDPs, ongoing training will be provided in the government's efforts to enhance human and institutional capital.



Brunei is connected with the rest of the world through the SEA-ME-WE3 Submarine Cable System at Tungku Submarine Cable Station. The SEA ME WE3 has a total capacity of 2,634,214 minimum investment unit kilometers (Miu\*km) with at least 80% of this capacity open for further utilization. This link is diversified and backed up through a land-based transmission system, the Trans-Borneo Optical Fiber System. The Intelsat Satellite Network and new teleport at Telesai Earth Station sustain highly reliable international services via satellite while simultaneously providing back up and alternative telecommunication services via submarine cable system.

To date, the main licensed operators are:

[DST](#) – First cellular operator in the country, provides a range of mobile services.

[Kristal-Astro](#): a satellite television company, partners with Astro Malaysia to deliver cable TV services.

[Progresif Cellular](#): Mobile (prepaid and postpaid) and broadband operator.

[TelBru](#): Sole fixed-line operator, and provides fixed and wireless internet services.

In 2017, state-owned broadcaster, Radio Television Brunei has introduced a new High Definition (HD) channel to give local audiences access to digital quality viewing and to provide full digital broadcasting. HD trials were carried out using a 100 Watt transmitter located at the Subok earth station near Bandar Seri Begawan.

## **Transportation**

The international airport is a fifteen-minute drive from downtown Bandar Seri Begawan, the capital, and should cost approximately US \$18-21. Taxis and buses serve the capital and the outskirts although hours of operation are limited. Taxis are required to use meters as of September 2016. Buses also travel to the oil towns of Seria and Kuala Belait. Rental cars and drivers are the most reliable form of transportation and can be hired with ease at competitive rates.

## **Language**

Brunei's official language is Malay, with English, Hokkien, and Mandarin also widely spoken. English is normally the language of business. Menus and signs in English are common. The Chinese community that makes up 12% of the total population generally speaks Mandarin and Hokkien.

When in doubt, Sir, Mr., Mrs. and Ms. can be used without fear of insult. Should U.S. businesses wish to follow local custom, Bruneian males can be called Awang, and women, Dayang. These titles roughly correspond to Mr. and Ms.

Additionally, Pehin and Dato are the two principal titles bestowed by the Sultan. Pehin is a conferred honorary title generally associated with an official position within the royal court. Dato is a state honorary medal conferred by the Sultan, and may be bestowed on anyone the Sultan wishes to honor, regardless of nationality. The female equivalent to Dato is Datin, as is the wife of a Dato. Dato is roughly equivalent to Sir in Britain.

Pengiran refers to a Bruneian of royal descent. Children of Pengirans are referred to as Dayangku (daughter) and Awangku (son), and assume the title of Pengiran upon marriage. At the highest end of the scale is the title Pengiran Anak, denoting Bruneians closely related to the Sultan's family.

## **Health**

Brunei offers all its citizens free and modern health care at state run hospitals and clinics across the country. Most doctors speak English, and many have studied in the United Kingdom, United States, and Europe.

There is adequate care for basic medical conditions in Brunei; however, for certain elective surgery or complicated care, the Brunei medical system will send patients to Singapore. Brunei has a number of public hospitals and clinics. The biggest ones are RIPAS Hospital in Bandar Seri Begawan and Tutong Hospital in the district of the same name. The largest private hospital is Jerudong Park Medical Center about 20 minutes by car outside of Bandar Seri Begawan.

Brunei also hosts a number of private clinics, many of which are staffed by expatriates. More information can be found at the [U.S. Embassy's Brunei website](#).

Medication and prescriptions for common conditions are generally available, although finding specific medications, such as decongestants, may be challenging. Local pharmacies may not carry the same brands as U.S. pharmacies. Visitors are advised to bring sufficient quantities of medicines that they know they will need prior to arriving in Brunei. It is important to be aware however of Brunei's strict laws on the import of controlled substances. To avoid complications, a prescription note should accompany any prescribed medicine brought to Brunei.

There has been a surge in cases of dengue fever in Southeast Asia, including Brunei. As there is no vaccine for dengue fever, visitors are advised to avoid mosquito bites by wearing skin-covering clothing and using insect repellent containing DEET.

[The Center for Disease Control and Prevention](#) maintains information on vaccinations and other health precautions.

For information about outbreaks of infectious diseases abroad, consult the [World Health Organization \(WHO\) website](#). The WHO website also contains additional health information for travelers, including [detailed country-specific health information](#).

### **Local Time, Business Hours, & Holidays**

Government offices are open for business from 7:45 a.m. to 12 noon, and from 1:30 p.m. to 4:30 p.m. Monday through Thursday and Saturday, and are closed on Fridays and Sundays. The Ministry of Defense is the only ministry open on Fridays and closed on Saturdays. By law, everything in Brunei is closed on Fridays from 12 noon to 2:00 p.m. for Friday prayers. Most shopping centers are open daily from 10 a.m. to 10 p.m. including Sundays. Private offices generally conduct business from 8 a.m. to 5 p.m. on weekdays and from 8 a.m. to 12 noon on Saturdays. Banks generally open from 9 a.m. to 3 p.m. on weekdays, and from 9 a.m. to 11 a.m. on Saturdays. Some banks have branches open seven days a week until late. Most have ATMs and can exchange foreign currency. During Ramadan government work hours and other business hours may be shortened to facilitate personnel who are fasting. In late 2012, a government ruling was announced that all businesses must close for two hours every Friday from 12 noon to 2 p.m. to respect the Muslim prayer times.

*Table 13: Brunei 2017 Official Holidays*

Date	Holiday
January 2, 2017	New Year's Day in lieu of Sunday, January 1
February 23, 2017	33rd National Day
February 28, 2017	Chinese New Year
April 24, 2017	Isra' Mi'raj
May 27, 2017*	1st Day of Ramadhan
May 31, 2017	Royal Brunei Armed Forces Day
June 12, 2017*	Nuzul Al-Qur'an
June 25 - 28, 2017*	Hari Raya Aidil Fitri
July 15, 2017	His Majesty the Sultan's Birthday
September 1, 2017*	Hari Raya Aidil Adha
Spetember 22, 2017	1st Day of Hijrah
December 1, 2017	Prophet Muhammad's Birthday
December 25, 2017	Christmas Day

\* Actual Holiday Subject to Sighting of the Moon

### **Temporary Entry of Materials and Personal Belongings**

There is no sales tax in Brunei. Arriving passengers over 17 years old are eligible to import 60 ml of perfume and 250 ml of eau de toilette. Non-Muslims at least 17 years old may bring in up to two bottles of liquor or wine and 12 cans of beer for personal consumption, but these goods must be declared to customs upon entry.

### **Travel Related Web Resources**

[Brunei Tourism Government Agency](#)