

FREQUENTLY ASKED QUESTIONS

Frequently Asked Questions

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BUSINESS ENVIRONMENT

1. What is the population growth rate in Brunei Darussalam? What is the working age population?

Brunei Darussalam's total population stands at 422,678, according to the 2016 Population and Housing Census Update (KBPP). In the 2011 Population and Housing Census, the country's population was estimated at 393,372. During the 2011-2016 period, the Sultanate's population registered an average annual growth rate of 1.4%.

Brunei Darussalam's total population of 422,678 is made up of 216,832 males (51.3%) and 205,846 females (48.7%).

In 2016, about a quarter of the population (22.3% or 94,239 persons) were below 15 years of age, more than two-thirds (71.8% or 303,618 persons) were in the working age group of 15-64 years and 5.9% (24,821 persons) were aged 65 years and above. The working age population (aged 15 years & over) was 310,400, of which slightly more than one-half (51.4%) were male. The labour force participation rate was 65.6%, however the rate for males was considerably higher than that for females (by a difference of 14.1%). Out of the total labour force of 203,600 thousand, temporary residents (non-local) accounted for one-quarter.

2. What is Brunei Darussalam's currency?

The currency used is Bruneian Dollar (BND or B\$) which is on par and interchangeable with the Singapore dollar (SGD). Stability has allowed for minimal exchange rate fluctuations.

STARTING OR ACQUIRING A BUSINESS IN BRUNEI DARUSSALAM

3. Is it a requirement to engage the services of a professional firm for registering a new company?

No. Investors can incorporate a company without engaging the service of a professional firm. Further guidance is provided at www.mof.gov.bn.

4. What are the steps to incorporate a business in Brunei Darussalam?

All companies must be registered with the Registry of Companies, Ministry of Finance. Setting up a business can be done online in a single step, by creating and logging into an account at www.roc.gov.bn, complete the application form for a flat fee of B\$300.00 (establishing a Sendirian Berhad – Private Limited) and upload the required documents for business registration or company incorporation.

Payment of the registration fee is then made before submitting the application online. Once the application has been processed and approved, the Company Incorporation Certificate or Business Registration Certificate will be sent via email within one working day.

5. What are the requirements for a company shareholder and director?

A company must have at least 2 shareholders and at least 2 directors. If there are only 2 directors, one of the directors must be an ordinarily resident. If there are more than 2 directors, at least 2 of them must be an ordinarily resident. Being considered an ordinarily resident requires a person to be physically present or who exercises an employment in Brunei Darussalam for 183 days or more (non-consecutive) during the year preceding the year of assessment.

6. How do I apply to be an Ordinarily Resident?

You will need to make the application to the Ministry of Finance. The Ordinarily Resident application and guidelines are available at the ROCBN Division, Ministry of Finance or at their website www.mof.gov.bn

CONSTRUCTION AND CONNECTION TO UTILITIES

7. What is the cost of power per Kwh?

Tariffs may vary depending on Power Purchase Agreement.

Generally, industrial sectors would adopt these rates:

(Commercial /Industrial Sector – Block pricing)

The Basic Calculation formula are as follows:-

The First 10 Units	[10 Units x kVA]	x	B\$0.20 cents
The Second 100 Units	[100 Units x KVA]	x	B\$0.07 cents
The Third 100 Units	[100 Units x KVA]	x	B\$0.06 cents
Remaining Units (if applicable)		x	B\$0.05 cents

Example:

Monthly Power consumption (kWh)	= 26,880 kWh
Subscribed capacity (kVA)	= 140 kVA

Bill charged for that particular month:

The First 10 Units	[10 Units x 140 kVA] x B\$0.20 cents	= B\$280.00
The Second 100 Units	[100 Units x 140 KVA] x B\$0.07 cents	= B\$980.00
Remaining Units	26,880 – [(10 x 140) + (100 x 140)] x B\$0.06 cents	
	(26,880 – 15,400) x B\$0.06 cents	= B\$688.80
Bill charged	B\$280.00 + B\$980.00 + B\$688.80	<u>= B\$1,948.80</u>

<http://www.des.gov.bn/SitePages/Electricity%20Tariff.aspx>

8. If there is no pipeline connection to the land, what is the possibility of resourcing LPG/NLG with tanker trucks?

LPG is produced by Brunei Liquefied Natural Gas (BLNG) and sold by Brunei Shell Marketing Company Sdn Bhd (BSM). Darussalam Enterprise (DARE) can facilitate the company to further discuss any specific requirements directly with BLNG and/or BSM.

9. What are the risks of the shortage of gas fuel supply?

The respective utility providers BLNG/BSM, Department of Water Services and Department of Electrical Services provide their services to all industrial/commercial and residential customers in the country. Depending on the project's specific requirements, detail discussions can be held with the respective providers on quantity, reliability specifications to meet the project needs.

10. What is the cost of water per cubic meter?

*Temporary supply (during construction phase) – B\$1.10/m³
Light Industry – B\$0.66/m³*

Source: Department of Water Services (DWS), Ministry of Development

11. What is the arrangement for effluent treatment?

According to the Code of Practice from the Environmental Department, trade effluent shall be treated to the allowable limits before discharge into a public sewer or watercourse. The recommended standards for industrial effluents to sewers that discharge themselves to a sewage treatment plant and direct discharges to the environment are available in the Code of Practice.

Link:

http://www.env.gov.bn/SiteCollectionDocuments/Environmental%20Guidelines/industryguideline_brunei.pdf

12. Do local sewers exist or would effluent need to be tankered away from an industrial site?

Companies can connect into the existing sewers system. However, cost will depend on the type of waste materials and effluent (content of waste, amount etc).

13. What are the obligations for the waste water treatment for the plant?

The tenant is required to specify their methodology or procedures to dispose the said waste for authorities' assessment. Disposal of solid waste, chemicals or liquids directly to the drains is strictly prohibited.

Projects on DARE industrial land are expected to conduct Environmental Appraisals, Environmental Impact Assessments and Studies as appropriate to the complexity and environmental impacts of the project.

Tenants and their Projects and Main Contractors are expected to develop and implement Constructions and Operations phase Environmental Management Plans as appropriate to the complexity and environmental impacts of the project, facility or activity.

14. Are there any environmental or sustainability restrictions associated with manufacturing?

There are no environmental restrictions specifically for biscuits manufacturing in Brunei Darussalam. Kindly refer to the following guidelines on pollution and waste management,; <http://www.env.gov.bn/SitePages/Pollution%20Control%20Guidelines%20for%20Industrial%20Development.aspx>

Environmental Impact Assessment (EIA) and Environmental Monitoring and Management Programme (EMMP) are required for construction of a factory. More information on environmental acts in Brunei Darussalam are available on this website:

<http://www.env.gov.bn/Theme/Home.aspx>

15. What is the approximate cost of setting up a factory?

This will depend on the size and design of the facility. The price will likely range from \$55.00 to \$100.00 per square metre. It is advisable to seek for a more accurate quotation from local contractors.

16. What are the requirements for the assigned construction company?

A local Qualified Person (QP) is required to be appointed and will ensure all drawings, etc meet the guidelines. However if it is highly specialized and there are no local contractors able to build the facility then a foreign owned company can be appointed. The list of local QP registered with the Ministry of Development can be found at this website:: <http://bapeqs.gov.bn/SitePages/Authorised%20Practitioner%20Services%20in%20Brunei%20Darussalam.aspx>

17. What are the rules related to a building approaching limits of the boundary of the land?

The setback distance measured from the lot boundary to the building roof line is generally 6 metres. There are also further Primary & Secondary buffers required based on activities within the plot.

All development shall comply with requirements set in the DARE Industrial Park Guidelines and land uses are required to comply with the Standard Design Guidelines for Industrial Development by Town and Country Planning, Ministry of Development, Brunei Darussalam.

18. Are there any restrictions on the ratio of total maximum covered area (i.e. buildings area) / land?

The Plot Ratio, ie. Maximum GFA compared to lot area is 2.0.

19. What is the main wind directions at Industrial Sites?

The prevailing winds in Brunei Darussalam have diurnal (daily) and seasonal variations.

EMPLOYMENT

20. What is the average cost per hour for industrial labour?

Minimum Daily Wage for Workers

There is no minimum wage legislation in Brunei Darussalam.

Basic Wage rates

Unskilled workers B\$20.00 per day

Semi-skilled workers B\$20.00 – B\$27.00 per day

Skilled workers B\$27.00 – B\$35.00 per day

Paid Annual Leave

Variable, on average amounts to 21 days (including 14 days of public holidays and 7 days annual leave).

Paid Maternity Leave

A total of 105 days.

Position	Average Monthly Salary
Manager Entry Level	B\$ 2,000.00
Manager Middle Level	B\$ 3,000.00
Manager Senior Level	B\$ 4,500.00
Accountant	B\$ 1,200.00
Typist	B\$ 450.00
Office Clerk	B\$ 300.00 – B\$ 500.00
Secretary	B\$ 1,000.00 – B\$ 1,300.00
Stenographer	B\$ 750.00
Messenger	B\$ 500.00
Store Supervisor	B\$ 650.00 or more
Constructor Supervisor	B\$ 1,000.00 or more
Laboratory Technician	B\$ 750.00
Mixing Machine Operator	B\$ 750.00
Plant Maintenance Mechanic	B\$ 750.00
Professional	B\$ 1,000.00 or more
Packers	B\$ 350.00 – B\$ 400.00
Drivers	B\$ 500.00 – B\$ 650.00
Janitor	B\$ 500.00
Quality Control Inspector	B\$ 750.00
Laborers	B\$ 350.00 – B\$ 500.00

Source: Labour Department

21. What are the total additional employment costs that would need to be paid in addition to the salary?

Payment of Overtime

Usually 1.5 or 2 times the daily wage for each day of payment of overtime, paid accumulative at the end of the month (depending on the condition of the company).

Employees Provident Fund

All private sector employers and Bruneian employees are required to contribute to a provident fund known as the Employees Provident Fund (TAP). Employees contribute 5% of their wages and employers contribute a further 5%. In addition all employees are required to contribute to the Supplemental Contributory Pension Scheme (SCP), which is a further 3.5% of the employee's wages and an equal 3.5% contribution from the employer.

Health Insurance

Employers are required to pay for the insurance and medical check-up for their employees. The amount of insurance paid for the employees is based on their income.

22. What is the availability of skilled engineering talent, technical talent and managerial talent?

Brunei Darussalam has introduced several programmes to cultivate technical and managerial talent. The Centre for Capacity Building (PPK) is currently training young talent through skilled technical work programmes.

23. Are there any restrictions regarding the availability of skilled labour?

The 3-year i-Ready Apprenticeship Programme, introduced last year, is a programme whereby companies may employ fresh graduates. Under the apprenticeship, companies may employ graduates skilled in technical and managerial fields. While the Brunei Government will provide a monthly allowance of B\$800 for a maximum of three years, the host company has the option to permanently employ the apprentice at any time.

24. Are there any restrictions on expat employees working in Brunei?

There is a requirement to advertise job opening to locals at www.jobcentre.gov.bn website for 2 weeks before offering to expats.

If there is a lack of suitable candidates after being assessed by the potential employer, the employer can proceed to apply for a work permit for foreign workers: <http://www.labour.gov.bn/SitePages/Services%20-%20LPA.aspx>

However, if the available position is for Managerial level and above (such as CEO, CFO, etc), the employer may be able to skip the advertisement and proceed to applying for the work permit directly.

25. Are there any restrictions on operating hours?

There is no restriction on operating hours for a factory. There are however guidelines for employees working hours.

For a non-shift worker, the hours of work shall not be more than 8 hours a day or more than 44 hours a week.

For a shift worker, the hours of work shall not be more than an average of 44 hours a week over any continuous period of 3 weeks subject to a maximum of 12 hours a day.

More details can be found:

<http://www.labour.gov.bn/Download/GUIDE%20TO%20BRUNEI%20EMPLOYMENT%20LAWS%20-%20english%20version-3.pdf>

IMPORT, EXPORT AND TAXATION

26. What are the import duties and taxes into Brunei Darussalam?

Items are categorized and are imposed different tariff rates. Further information on tariffs can be found here:

- <http://www.bdntr.gov.bn/SitePages/home.aspx>
- <http://www.tradingcrossborders.gov.bn/Downloadable/BDTTC%202017.pdf>

27. What are the import tariffs to other countries from Brunei Darussalam?

Brunei Darussalam is a party to various FTAs whereby selected imported goods are subject to a reduction or elimination of custom duties (Preferential Tariffs), provided that the goods meet the Rules of Origin for the relevant FTA.

Further details can be found here: <http://www.mofat.gov.bn/customs-duties-and-prefential-tariffs-rates>

28. What is the taxation regime relating to companies profit in Brunei Darussalam?

Corporate Income Tax in Brunei Darussalam is set at 18.5%, which is one of the lowest in the region. As a comparison, Malaysia’s standard corporate tax is at 24% and Indonesia stands at 25%. (Source: KPMG)

Incoming foreign companies are able to apply for the ‘Pioneer Status’ and if granted, they will be exempted from paying Brunei’s corporate income tax and import duties on Raw Materials, Equipment and Machinery for a period of up to 5 years (with further extensions of 3 + 3 years possible). However, companies assuming Pioneer Status are not exempted from any excise duty.

29. What are the applicable licenses of permits required before the importation or exportation of any given commodity?

A License or Permit issued by the relevant Government Agency is required before the importation or exportation of any given commodity. The application is undertaken in writing via the submission of an application form to the Government Agency responsible for the regulation of particular controlled or prohibited commodity.

Types of Commodities and relevant Issuing Government Department/ Agency are as follows:

Commodity Type	Government/ Agency	Hotlines/Emails
Publication Materials/ Prints, Films, Compact Disc (CD), Laser Disc (LD), Video Compact Disc	Royal Brunei Police Force	+673-2459500 (info@police.gov.bn)

(VCD), Digital Video Disc (DVD), Cassette, Recital of Al-Quran, Hadith, Religious Books, Talisman commodities (such as textiles/clothing etc.), bearing dubious chops/photos	Islamic Dakwah Centre	+673-2382525 (info@pusat-dakwah.gov.bn)
	Internal Security Department	+673-2223225 (info@internalsecurity.gov.bn)
Fresh, Cold and Frozen Meat (Halal)	Agriculture and Agri-food Department	+673-2380144 (info@agriculture.gov.bn)
	Food Safety and Quality Unit, Ministry of Health	+673-2381640 (info@moh.gov.bn)
	Halal Import Permit Issuing Board	+673-2382525 (info@religiousaffairs.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)
Firearms, Explosives, Fire Crackers, Dangerous Weapons, Scrap Metals.	Royal Brunei Police Force	+673-2459500 (info@police.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)
Rice	Supply and State Store Department	+673-2423151 (info@itss.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)
Vehicles (such as Cars, Motorcycles, Mini Buses, Pickups, Trucks and Trailers).	Land Transport Department	+673-2451979 (info@landtransport.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)
Alcoholic Beverages	Ministry of Foreign Affairs and Trade (Protocol & Consular Department)	+673-2261177 (dprocon@mfa.gov.bn)
	Prime Minister's Office	+673-2224645 (info@jpm.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)
Radio Transmitter and Receiver, Communications Equipment (such as Telephone, Fax machines, Walkie-Talkie etc), Broadcasting Equipment (such as Parabola, Decoder, etc).	Info-Communication Technology Industry (AiTi)	+673-2333780 (aiti@brunet.bn)
Plants, Crops, Live Animals, Vegetables, Fruits, Eggs, Soil,	Agriculture and Agri-food Department	+673-2380144 (info@agriculture.gov.bn)
Fishes, prawns, Shells, Water Organisms and Fishing Equipment, etc.	Fisheries Department	+673-2382068 (info@fisheries.gov.bn)
Timber and Timber Products	Forestry Department	+673-2381013 (info@forestry.gov.bn)
Medicines, Herbal Products, Cosmetics.	Ministry of Health (Refer to the Pharmaceutical Services Department)	+673-2381640 (info@moh.gov.bn)
Health Foods, Soft Drinks and Snacks.	Ministry of Health (Refer to the Food Safety and Quality Control Unit)	+673-2331100 (fsqc@moh.gov.bn)

Tobacco Products	Ministry of Health (Refer to the Tobacco Control Unit)	+673-2381640 (prohealth@moh.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)
Poisons, Chemicals and Radioactive Materials.	Prime Minister's Office (Refer to Radiation Safety and Quality Unit)	+673-2381640 (info@moh.gov.bn)
Mineral water	Prime Minister's Office	(Industrial Site's Management) +673-2384488 (energy@jpm.gov.bn)
	Ministry of Health (Refer to the Food Safety and Quality Control Unit)	+673-2331100 (fsqc@moh.gov.bn)
Cements	Darussalam Enterprise (Industrial Site's Management)	+673-2384488 (energy@jpm.gov.bn)
Badges, Banners, Souvenirs comprising of Government Flags and Emblems, Royal Regalia, Government Flags and Crests.	Royal Custom and Tradition Department	+673-2243971 (info@adat-istiadat.gov.bn)
Historical Antiques (made or found in Brunei Darussalam)	Museums Department	+673-2244545 (info@museums.gov.bn)
Gases that are characterized as Ozone Depleting Substances (ODS), under the purview of the Montreal Protocol	Environment, Parks and Recreation Department (JASTRE)	+673-2241262 (jastre.brunei@env.gov.bn)
	Ministry of Health (Refer to Pharmaceutical Services Department)	+673-2381640 (info@moh.gov.bn)
Petroleum Products	Ministry of Energy and Industry (MEI) at Prime Minister's Office	+673-2384488 (energy@jpm.gov.bn)
	Royal Customs and Excise Department	+673-2382333 (info@customs.gov.bn)

<http://www.tradingacrossborders.gov.bn/TAB/downloadable/Respective%20Responsible%20Agency%20Table.pdf>

30. What are the local operating costs that are payable as a manufacturing facility in Brunei Darussalam?

No tax on:

- Personal Income
- Sales
- Capital Gains
- Manufacturing

Tax must be withheld from payments made to a non-resident person at the following rates:

Nature of Payment	Section 37 read with Sections	Tax Rate	Tax Rate Effective 1 January 2016)*	Tax Rate (Effective 1 April 2017)*
Interest, commission, fee or other payment in connection with any loan or indebtedness	9(4) and 35(2)	15%	No change	2.5%
Royalties, lump sum payments or otherwise for the use of movable properties	9(5)(a) and 35(3)	10%	No change	No change
Payment for the use of or the right to use scientific, technical, industrial or commercial knowledge or information	9(5)(b) and 35(3)	10%	No change	No change
Payment for rendering assistance or services in connection with the application or use of scientific, technical, industrial or commercial knowledge or information	9(5)(ba)* and 35(6)	20%	10%	No change
Payment for the management or assistance in the management of any business	9(5)(c) and 37A	20%	15%	10%
Rent or other payments for the use of movable property	9(5)(d) and 35(2A)	10%	No change	No change
Non-resident directors' remuneration	37B	20%	10%	No change

* The gazetted amendment to the Income Tax Act relating to these changes once it is available

As stated above, Pioneer Status (upon successful application):

- Provides exemption from paying Corporate Income Tax, Import Duties on Raw Materials, Equipment and Machinery
- Lasts for a period of up to 5 years (with further extensions of 3 + 3 years possible)
- Does not include exemption on Excise Duties

31. What is the possibility of receiving financing assistance for a project?

There are a number of local banks that offer financing, subject to their assessment of the proposed project. The project can also be offered to the Government's investment arm, Strategic Development Capital Fund (SDC), Ministry of Finance who, depending on their evaluation, can provide equity to the project.

Co-Investment partnership is available with other existing companies including both Government linked & local private companies.

32. Are there any unofficial barriers to trade from Brunei to other free trade members in the region?

Brunei Darussalam is a member of ASEAN, WTO and APEC, and has multiple trade agreements in these organisations as well as others. To date, Brunei Darussalam has concluded FTAs through ASEAN with Australia and New Zealand, China, India, Japan, and South Korea.



There are no unofficial trade barriers in Brunei Darussalam. However, Brunei Darussalam 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.

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.

More information can be found here: <https://www.export.gov/article?id=Brunei-Prohibited-Restricted-Imports>

LOGISTICAL SERVICES

33. Where is the ferry terminal?

The ferry terminal located in Serasa and is a passenger terminal for Labuan, Malaysia and also Pulau Muara Besar (PMB).

34. Where is the main sea port in Brunei Darussalam? What is the freight cost from Serasa Industrial Site to the main sea port?

Brunei Darussalam's main sea port is Muara Port which is only 3km away from Serasa Industrial Park. The freight cost from Serasa to Muara port trucking costs for a container is around B\$60.00-80.00 per trip. This may vary based on total volume, frequency and specific service providers.

35. What is the cost of shipping a standard 40 foot dry container via sea freight?

From Muara to Manila (North Port)			From Muara to Melbourne, Australia	
Charges in BND	20'GP	40'HC	Amount in BND	20'GP
1. Ocean Freight	900.00	1,500.00	1. Ocean Freight	3,000.00
2. Terminal Handling Charges	182.00	270.00	2. Custom Documentation fees (5 items per set)	20.00
3. BL Fees	80.00	80.00	3. Handling and Forwarding Charges	130.00
4. BL Surrender Fees	80.00	80.00	4. Transportation Charges – Bandar Area	140.00
5. Custom Declaration	50.00	50.00	5. MUA Terminal Handling Charges	182.00
6. Custom clearance and Handling	150.00	150.00	6. BL Fees	80.00
7. Transportation	120.00	140.00	7. BL Surrender	80.00
8. LOLO	30.00	45.00	8. LOLO	45.00
9. Wharfage	32.00	64.00	9. Wharfage	64.00
10. Seal	15.00	15.00	10. Seal	15.00
Total	1639	2394	Total	3756.00
Terms and Conditions:			Term and Conditions :	
Subject to other surcharge (if any)			The commodity must be Non-DG goods	
Commodity : Non – DG goods			Transit time is 30 days and vessel departs on every saturday	
Transit Time 7 days and frequency is every Friday			The above does not include custom duties, stuffing, unstuffing, port store rent, marine insurance and etc.	
			The above is subject to other surcharge if any.	

From Muara to Shanghai, China	
Amount in BND	20'GP
1. Ocean Freight	490.00
2. Custom Documentation fees (5 items per set)	20.00
3. Handling and Forwarding Charges	130.00
4. Transportation Charges – Bandar Area	120.00
5. MUA Terminal Handling Charges	182.00
6. BL Fees	80.00
7. BL Surrender	80.00
8. LOLO	30.00
9. Wharfage	32.00
10. Seal	5.00
Total	1169.00
Transit Time	15 days
Sailing Frequency	Every Sunday
Terms and Conditions	
The commodity must be Non-DG goods	
The above does not include custom duties, stuffing, unstuffing, port store rent, marine insurance and etc.	
The above is subject to other surcharge if any.	

36. Are there any costs associated with exporting from Brunei Darussalam to the regional trading partners in addition to freight and handling costs?

For each new food product, lab tested must be done for micro test and heavy metal with the total cost of B\$160.00 for both tests. This only applies once to obtain the health certificate and certificate of free sale. The company will not be required to do the tests to export the same product the second time and onwards to obtain the certificates.

37. How many shipping lines are connected to Muara Port?

There are a total of 13 shipping lines with connectivity to 15 ports regionally. The ports of call include Port of Singapore; Port of Shekou (China); Port of Hong Kong; Port of Tanjung Pelepas, Port Klang, Kota Kinabalu, Kuching, Labuan, Bintulu, Pasir Gudang (Malaysia); Davao, Cebu, Cagayan (Phillippines) and Port of Thailand.