

## OFFENCES UNDER IMMIGRATION ACT CHAPTER 17

REGULATION AND DEFINITION	SENTENCE
<p style="text-align: center;"><b>5 (1)</b></p> <p>No person shall, unless compelled by accident or other reasonable cause, enter Brunei Darussalam from any place outside Brunei Darussalam except at an authorised landing place, airport or point of entry.</p>	<p>Guilty of an offence and liable on conviction to a fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.</p> <p>Compound the offence by collecting from that person a sum not exceeding \$600 under Section 58(1)(a)</p>
<p style="text-align: center;"><b>5 (2)</b></p> <p>No person shall, unless compelled by accident or other reasonable cause, leave Brunei Darussalam except at an authorised place of embarkation, airport, point of departure or place of departure</p>	<p>Guilty of an offence and liable on conviction to a fine not exceeding \$2,000, imprisonment for a term not exceeding 6 months or both.</p> <p>Compound the offence by collecting from that person a sum not exceeding \$600 under Section 58(1)(a)</p>
<p style="text-align: center;"><b>6 (1)(c)</b></p> <p>No person other than a citizen of Brunei Darussalam shall enter Brunei Darussalam from any place outside Brunei Darussalam unless:</p> <p>(i) he is in possession of a valid pass lawfully issued to him to enter Brunei Darussalam</p>	<p>Liable on conviction to imprisonment for a term of not less than 3 months and not more than 2 years and whipping with not less than 3 strokes cumulatively:</p>
<p style="text-align: center;"><b>15 (1)</b></p> <p>It shall be unlawful for any person to remain in Brunei Darussalam after:</p> <p>(a) the cancellation of any Entry Permit or Re-entry Permit;</p> <p>(b) the making of a declaration under section 14(4); or</p> <p>(c) the expiration or cancellation of any pass relating to or issued to him, unless he is otherwise entitled or authorised to remain in Brunei Darussalam under the provisions of this Act or of any regulations made thereunder.</p>	<p>In the case where he remains unlawfully for a period <b>not exceeding 90 days</b>, is liable on conviction to a fine not exceeding \$4,000, imprisonment for a term not exceeding 6 months or both under Chapter 15 (2)(a)</p> <p>In the case where he remains unlawfully for a period <b>exceeding 90 days</b>, is liable on conviction to imprisonment for a term of not less than 3 months and not more than 2 years and whipping with not less than 3 strokes cumulatively,</p> <p>Compound the offence by collecting from that person a sum not exceeding \$600 under Section 58 A (1)(a)</p>

<p style="text-align: center;"><b>28(3)(d)</b></p> <p>Any such person who:</p> <p>(i) knowingly produces any false or misleading document, is guilty of an offence.</p>	<p>Any person guilty of an offence against this Act for which no special penalty is provided is liable on conviction to a fine of \$2,000 and imprisonment for 6 months under Section 58</p>
<p style="text-align: center;"><b>36</b></p> <p>Any person who, having been removed or otherwise lawfully sent out of Brunei Darussalam under the provisions of this Act and any person, other than a person entitled to enter Brunei Darussalam under the provisions of section 7(1), having been removed or otherwise lawfully sent out of any territory within the Commonwealth, enters or resides in Brunei Darussalam without the written authority of the Controller under this section is guilty of an offence.</p>	<p>Liable on conviction to a fine of \$6,000 and imprisonment for not less than one year and not more than 3 years, and shall, in addition to any penalty for such offence, be liable to be removed or again removed, as the case may be, from Brunei Darussalam.</p>
<p style="text-align: center;"><b>55 (1)(a)</b></p> <p>Any person who:</p> <p>(a) attempts unlawfully to enter Brunei Darussalam;</p>	<p>In the case of an offence against paragraph (a), a fine not exceeding \$4,000 and imprisonment for a term of not less than 3 months and not more than 2 years and cumulatively.</p>
<p style="text-align: center;"><b>55 (1)(b)</b></p> <p>Any person who:</p> <p>(b) abets any person to enter or leave Brunei Darussalam in contravention of the provisions of this Act or of any regulations made thereunder</p>	<p>In the case of an offence against paragraph (b) or (c), imprisonment for a term of not less than 2 years and not more than 7 years and whipping with not less than three strokes cumulatively:</p>
<p style="text-align: center;"><b>55(1)(c)</b></p> <p>Any person who:</p> <p>(c) engages in the business or trade of conveying to Brunei Darussalam in or on any vessel, aircraft or vehicle any person whom he knows or has reasonable grounds for believing is a prohibited immigrants</p>	<p>In the case of an offence against paragraph (b) or (c), imprisonment for a term of not less than 2 years and not more than 7 years and whipping with not less than three strokes cumulatively:</p>

<p style="text-align: center;"><b>55 (1)(d)</b></p> <p>Any person who: (d) harbours any person who has acted in contravention of the provisions of this Act or of any regulations made thereunder;</p>	
<p style="text-align: center;"><b>55 (1)(e)</b></p> <p>Any person who: (e)employs any person who has acted in contravention of the provisions of section 6, 15 or 36 or of any regulations made under this Act;</p>	<p>In the case of an offence against paragraph (d) or (e), in respect of each person harboured or employed, a fine of not less than \$3,000 but not exceeding \$6,000, imprisonment for a term not exceeding 2 years or both, and in the case of a second or subsequent offence, a fine of not less than \$6,000 but not exceeding \$12,000, imprisonment for a term not exceeding 4 years or both;</p>
<p style="text-align: center;"><b>55 (1)(k)</b></p> <p>Any person who: k)by making a false statement obtains or attempts to obtain an Entry Permit, Re-entry Permit, pass or certificate for himself or for any other person;</p>	<p>In the case of an offence against paragraph (k) or (l), a fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both.</p>
<p style="text-align: center;"><b>55 (1)(l)</b></p> <p>Any person who: (l)uses or without lawful authority has in his possession any forged, unlawfully altered or irregular Entry Permit, Re-entry Permit, pass or certificate or other document issued under this Act or any regulations made thereunder, or any permit, pass or certificate or other document so issued on which any endorsement has been forged or unlawfully altered,</p>	<p>In the case of an offence against paragraph (k) or (l), a fine not exceeding \$4,000, imprisonment for a term not exceeding one year or both.</p>
<p style="text-align: center;"><b>55B (1)</b></p> <p>No occupier of a work place who has control of access to the work place shall permit any immigration offender to enter or remain at the work place.</p>	<p>Any person who contravenes subsection (1) is guilty of an offence and is liable on conviction to a fine of not less than \$6,000 and not more than \$12,000, imprisonment for a term not exceeding one year or both for each immigration offender found at the work place, and in the case of a second or subsequent conviction, to a fine of not less than \$12,000 and not more than \$24,000, imprisonment for a term not exceeding 2 years and or both for each immigration offender found at the work place.</p>