

Brunei-Internal Security Act (1982, 2002)

Chapter III Offences relating to security areas

Supplies:

42. (1) Any person who whether within or outside a security area demands, collects or receives any supplies from any other person in circumstances which raise a reasonable presumption that he intends, or is about, to act, or has recently acted, in a manner prejudicial to public security or the maintenance of public order, or that the supplies so demanded, collected or received are intended for the use of any person who intends or is about, so to act, or has recently so acted, or for the use of any terrorist, shall be guilty of an offence: Penalty, imprisonment for life.

(2) Any person who whether within or outside a security area is found in possession of any supplies for which he cannot satisfactorily account in circumstances which raise a reasonable presumption that such supplies are intended for the use of any person who intends, or is about, to act, or has recently acted, in a manner prejudicial to public security or the maintenance of public order, or that such supplies are intended for the use of any terrorist, shall be guilty of an offence: Penalty, imprisonment for life.

(3) Any person who whether within or outside a security area provides, whether directly, or indirectly, any supplies to any other person in circumstances which raise a reasonable presumption that such other person intends, or is about, to act, or has recently acted, in a manner prejudicial to public security or the maintenance of public order, or that the supplies so provided are intended for the use of any person who intends or is about, so to act, or has recently so acted, or that such supplies are intended for the use of any terrorist, shall be guilty of an offence: Penalty, imprisonment for life: Provided that no person shall be convicted of any offence against this subsection if he proves that prior to being charged with or accused of such offence by a police officer or a person in authority he voluntarily gave full information of the offence to a police officer.

(4) In any charge for an offence against any provision of this section it shall not be necessary to specify the person or persons from whom any supplies were demanded, collected or received or to whom any supplies were provided or intended to be provided.

PART I PRELIMINARY

Citation.

1. This Act may be cited as the Internal Security Act.

Interpretation.

2. In this Act, unless the context otherwise requires —

“advisory board” means an advisory board constituted under section 5(3);

“ammunition” means ammunition for any firearm as hereafter defined and includes grenades, bombs and other like missiles whether capable of use with such firearm or not and any ammunition containing or designed or adapted to contain any noxious liquid, gas or other thing;

“Commissioner of Police” includes a Deputy Commissioner of Police and any gazetted police officer for the time being lawfully authorised to exercise the powers and perform the duties conferred or imposed upon the Commissioner of Police by this Act;

“controlled area” means any area declared to be a controlled area under section 32;

“danger area” means any area declared to be a danger area under section 31;

“document” includes any substance on which is recorded any matter, whether by letters, figures, marks, pictorial or other representation, or by more than one of these means;

“entertainment” means any game, sport, diversion, concert or amusement of any kind to which the public has or is intended to have access and in which members of the public may or may not take part, whether on payment or otherwise;

“exhibition” includes every display of goods, books, pictures, films or articles to which the public has or is intended to have access, whether on payment or otherwise;

“explosive” —

(a) means gunpowder, nitroglycerine, dynamite gun cotton, blasting powder, fulminate of mercury or of other metals, coloured fires and every other substance, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect; and

(b) includes fog-signals, fireworks, fuses, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions and every adaption or preparation of an explosive as above defined; and

(c) includes any material for making any explosive and any apparatus, machine, implement or material used or intended to be used or adapted for causing or aiding in causing any explosion in or with any explosive, and any part of any such apparatus, machine or implement;

“firearm” means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged or which can be adapted for the discharge of any such shot, bullet or other missile and any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing, and includes any component part of any such weapon as aforesaid;

“offence against this Act” includes an offence against any regulations made under section 53;

“officer commanding a Police District” means the officer appointed to perform the duties of that office and when such officer is unable through absence, illness or otherwise to perform his duties, means the police officer present and acting in the Police District who is next in rank below such officer appointed as aforesaid;

“police force” has the same meaning as in the Royal Brunei Police Force Act (Chapter 50), and includes—

(a) the Brunei Volunteer Police Force, or any part thereof, when on active service; and

(b) any auxiliary or special police force constituted under any written law for the time being in force, or any part of any such force, when on active service;

“police officer” means any member of the police force;

“prison officer” has the same meaning as in the Prisons Act (Chapter 51);

“promoter” in the case of an entertainment or exhibition promoted by a society, includes the secretary and officials of such society and, in the case of a society organised or having its headquarters outside Brunei Darussalam, the officials in Brunei Darussalam of such society;

“proprietor” includes the owner, tenant or other person in possession or control of premises and any person who receives payment for the use of premises;

“protected place” means any place or premises in relation to which an order made under section 33 is in force;

“public place” includes any highway, public street, public road, public park or garden, any sea beach, river, waterway, public bridge, lane, footway, square, court, alley or passage, whether a thoroughfare or not, any unalienated land, any theatre or place of public entertainment of any kind or other place of general resort admission to which is obtained by payment or to which the public have access, and any open space (whether enclosed or unenclosed) to which for the time being the public have or are permitted to have access, whether on payment or otherwise;

“public road” means any public highway or any road over which the public have a right of way or are granted access, and includes every road, street, bridge, passage, footway or square over which the public have a right of way or are granted access;

“security area” means any area in respect of which a proclamation under section 30 is for the time being in force;

“security force” means the police force, the Royal Brunei Armed Forces, any other armed force for the time being of Brunei Darussalam, or any visiting force present for the time being in Brunei Darussalam by virtue of any written law or by virtue of any lawful arrangement made by or on behalf of Brunei Darussalam;

“supplies” includes ammunition, explosives, firearms, money, food, drink, clothing, medicines, drugs or any other stores, instruments, commodities, articles or things whatsoever;

“terrorist” means any person who —

(a) by the use of any firearm, explosive or ammunition acts in a manner prejudicial to the public safety or to the maintenance of public order or incites to violence or counsels disobedience to the law or to any lawful order;

(b) carries or has in his possession or under his control any firearm, ammunition or explosive without lawful authority therefor; or

(c) demands, collects or receives any supplies for the use of any person who intends or is about to act, or has recently acted, in a manner prejudicial to public safety or the maintenance of public order.

(2) Any reference in this Act to a vehicle (however described), vessel or aircraft shall not include any vehicle, vessel or aircraft for the time being employed for the purposes of any security force.