

Brunei Darussalam's Bogor Goals Progress Report (as at 13 August 2012)*

Highlights of Achievements and Areas for Improvement

- Tariffs are generally low, although some tariff peaks remain.
- Gradual openness in the telecommunications sector.
- In the air transportation sector, Brunei Darussalam offers a reciprocal open skies policy.
- However, there is a perception that additional efforts in terms of services liberalization need to be done.
- Concerns in terms that certifications and licensing requirements become more burdensome and trade-restrictive than necessary.
- No restrictions in terms of repatriation of capital, remittances of profits or royalties from investments.
- International standards are adopted when relevant.
- Amendments to legislations to streamline customs procedures.
- Brunei Darussalam enacted the Patents Order and became part of the Paris Convention for the Protection of Intellectual Property.
- Increased transparency needed as information on policies and guidelines in some areas are not available online.

Summary of Updates

Tariffs

By 2008, tariffs in Brunei Darussalam were low in general, as zero-tariff lines were equivalent to 74.7 percent of all tariffs. Some tariff peaks remain, in particular in chemicals and cereals and preparations.

Non-Tariff Barriers

Some import prohibitions, restrictions and licensing requirements are kept for health, security, protection of wild life and moral reasons. However, there are some concerns that certifications and licensing requirements become more burdensome and trade-restrictive than necessary. Exports restrictions for few products remain to ensure the internal market with domestic supply.

Services

It is perceived that additional efforts in terms of the liberalization of the services sector need to be implemented. Nevertheless, in telecommunications, the market has been gradually opened and there is some competition in the mobile telephone and internet access sub-sectors.

In the air transport sector, Brunei Darussalam applies a reciprocal open skies policy to attract more foreign companies to fly to/from there.

Investment

Foreign investment is generally open, except in some sectors in which the Government is the major provider such as mass media, post office, energy and utilities. Full majority or minority of

* This brief report was prepared with information from Brunei Darussalam's submission of 2012 APEC Individual Action Plan (IAP) template, IAP 2008 and the minutes of the meeting of Brunei Darussalam's WTO Trade Policy Review from February 2008.

foreign ownership is allowed depending on the type of activity. There are no restrictions in terms of repatriation of capital, remittances of profits or royalties from investments.

Standards & Conformance

Brunei Darussalam adopts international standards when relevant, in particular taking as reference ISO and IEC standards. In terms of quality system certification/registration, Brunei Darussalam promotes the acceptance of the certificates issued by the bodies that have been accredited by the members of the Pacific Accreditation Cooperation. Conformance certificates and laboratory accreditations are accepted from Asia Pacific Laboratory Accreditation Cooperation (APLAC) Mutual Recognition Arrangement members.

Brunei Darussalam established the National Standards Council in December 2009, which is chaired by the Ministry of Industry and Primary Resources. This Council endorsed the National Standards Centre, as Brunei Darussalam's accreditation body in April 2010. The National Standards Act is currently being drafted.

Customs Procedures

Brunei Darussalam has been amending legislations in order to streamline customs procedures and facilitate trade. The improvements include the upgrade of infrastructure in checkpoints; the provision for temporary importation of goods; the introduction of risk-management techniques and the implementation of clear appeals provisions; among others.

Intellectual Property Rights

Brunei Darussalam is implementing legislation to protect IPR. In this regard, the Patents Order was put in force in January 2011. In addition, Brunei Darussalam acceded to the Paris Convention for the Protection of Intellectual Property in November 2011 and put it in force since February 2012.

Dispute Mediation

For investor-state disputes, Brunei Darussalam is a Contracting State to the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention).

The New York Convention has been incorporated to the laws of Brunei Darussalam. Any arbitrator awards made by virtue of an arbitration agreement in a state or territory outside Brunei Darussalam, which is a party of the New York Convention, shall be enforceable in Brunei Darussalam in the same manner as a judgment of a Brunei Court.

Transparency

It is perceived that increased transparency is needed as information on policies and guidelines in some areas are not available online.

RTA/FTAs

Brunei Darussalam has put in force eight RTA/FTAs with 16 partners around the world.