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| **Brunei Darussalam’s Bogor Goals Progress Report (as at 30 September 2016)[[1]](#footnote-1)\*** |
| **Highlights of Achievements and Areas for Improvement** |

* Tariffs applicable to certain goods have been amended or are in the process of being amended.
* The Business License Act was enacted to facilitate the process of starting a business.
* Various functions are progressively being added to the Brunei Darussalam National Single Window so as to improve customs procedures.
* Restrictions apply to foreign investors in specific sectors.
* Intellectual property environment is being enhanced through several initiatives.
* The Brunei Competition Order was passed to establish a legal framework to prohibit anti-competitive activities.
* Threshold amount for tender approval within the jurisdiction of Mini Tender Board in every ministry was reduced.
* All national laws and regulations are published on the website of the Attorney General’s Chambers.

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| **Summary of Topics** |

**Tariffs**

Brunei Darussalam amended tariffs applicable to motor vehicles based on its capacity cylinder. For environmental reasons, tariffs for diesel vehicles were increased by 5 percentage points, while tariffs for hybrid vehicles went down by 5 percentage points. Tariffs have been eliminated for bicycles, computers and computer accessories, but import duties continue to be applied to some goods, including automotive parts and components, as well as certain apparel and clothing accessories.

**Non-Tariff Measures**

Brunei Darussalam is currently reviewing, updating and classifying its existing non-tariff measures so that they are in line with the classification released by UNCTAD in 2012. These measures will be uploaded in the National Trade Repository for greater transparency.

Licenses/permits are required for importing and exporting certain goods due to health, safety, environmental, moral or religious grounds and they must be obtained from the relevant department/agency. On top of the license/permit, an approval permit from the Royal Customs and Excise Department is also needed for some controlled and prohibited items.

**Services**

The Business License Act went into force on 1 January 2015 and stipulates that certain businesses no longer need to apply for a miscellaneous license when incorporating a company. The Act is expected to facilitate the process of starting a business and create an environment that is more pro-business.

**Investment**

Brunei Darussalam continues to implement measures to attract investments. The corporate tax rate was reduced to 18.5 per cent for the financial period beginning 1 January 2014 onwards (i.e. from Year of Assessment 2015). Tax exemptions are also granted to some firms for a period of time if they satisfy requirements set under different investment promotion programmes such as Pioneer Industry and Pioneer Service Company. Brunei Darussalam has no minimum requirement level for investment and there are no restrictions on repatriation of capital, remittance of profits or royalties abroad, and exchange control. While the setting up of a private company is open to foreigners, Brunei Darussalam requires at least one of the directors to be resident.

Foreign investors may face restrictions in some sectors. For example, full foreign investment may not be allowed in certain activities related to the use of natural resources, food security and industrial sites. Moreover, domestic and foreign participation in some sectors could be subject to the approval of the relevant regulatory authorities.

**Standards and Conformance**

In 2014, Brunei Darussalam started to transfer work responsibilities related to standards and conformance from the Authority for Building Control and Construction Industry (ABCi) to the National Standards Centre (NSC). While ABCi will continue to facilitate and assist in certain standards and conformance activities including those for construction sector, NSC is the focal point for international and regional standards organization and fora. As of December 2015, Brunei Darussalam has 83 national standards, all of which are voluntary with the exception of one that pertains to Halal food.

**Customs Procedures**

Brunei Darussalam has progressively added various functions into its National Single Window (BDNSW) portal since launching it in 2013, such as allowing for the online application of Certificates of Origin, as well as for the online submission of customs declarations. Since July 2015, BDNSW can also be used for the submission of permit applications. 11 agencies were part of the BDNSW by December 2015.

Brunei Darussalam became a contracting party to the Harmonized System (HS) Convention in June 2014.

**Intellectual Property Rights**

Brunei Darussalam continues to improve its intellectual property environment. Among some of its initiatives in 2015 are the adoption of its first National IP Strategy, the implementation of Plant Variety Protection Order and the setting up of Technology Innovation Support Centre.

Brunei Darussalam is at various stages of preparation for accession to other international IP protocols such as the International Union for the Protection of New Varieties of Plants (UPOV) and the Madrid Protocol for the International Registration of Marks.

**Competition Policy**

The Brunei Competition Order was passed in January 2015 and gazetted in March 2015 to establish a legal framework to prohibit anti-competitive activities. This framework prohibits price fixing and bid-rigging, as well as mergers that could result in a substantial lessening of competition within the Bruneian market. The Order, which also provides for the functions and powers of the Competition Commission and Competition Tribunal to enforce the competition law, is expected to promote economic efficiency, economic development and enhance consumer welfare. Various provisions of the Order will come into effect in phases.

**Government Procurement**

Brunei Darussalam reduced the threshold amount for tender approval within the jurisdiction of Mini Tender Board in every ministry from BND 500,000 to BND 250,000. In addition, all evaluation for the procurement of vehicles must be submitted to the State Tender Board at the Ministry of Finance for approval.

**Deregulation/Regulatory Review**

Brunei Darussalam has a Law Review Committee whose responsibilities include reviewing and updating laws that are administered by all ministries and departments as well as facilitating the formulation and/or amendment of laws. Its monitory role is assisted by the Attorney General’s Chambers.

Brunei Darussalam has not adopted any Regulatory Impact Assessment (RIA) processes and instead rely on individual agencies to conduct research and undertake measures to ensure a more effective, efficient and innovative economy.

**Dispute Mediation**

Brunei Darussalam repealed its Arbitration Act by Arbitration Order 2009 and now has International Arbitration Order 2009 which is based on UNCITRAL Model Law. Brunei Darussalam also has Islamic Arbitration but it is limited to family, succession, personal and religious matters.

**Mobility of Business People**

The Department of Immigration and National Registration provides visa exemptions to passport holders from 58 economies worldwide. Subject to laws and regulations, visa on arrival facility is extended to 7 economies.

**Transparency**

Brunei Darussalam indicated that all national laws and regulations are published on the website of the Attorney General’s Chambers.

**RTA/FTAs**

Brunei Darussalam has eight RTA/FTAs in force[[2]](#footnote-2). Negotiations of the Trans-Pacific Partnership Agreement (TPP) were concluded in October 2015. Currently, Brunei Darussalam is participating in the negotiations of the Regional Comprehensive Economic Partnership (RCEP), ASEAN-Hong Kong Free Trade Agreement (AHKFTA) and trade in services and investment chapters of the ASEAN-Japan Comprehensive Economic Partnership (AJCEP).

1. \* This brief report was prepared with information from Brunei Darussalam’s submission of 2016 APEC Individual Action Plan (IAP) template; the 2015 WTO Trade Policy Review - Report by the Secretariat – Brunei Darussalam; and Ministry of Finance and the Brunei Economic Development Board websites. [↑](#footnote-ref-1)
2. Brunei Darussalam’s RTA/FTAs in force are: ASEAN (1992), ASEAN-China (2005), P4 (2006), ASEAN-Korea (2007), Brunei Darussalam-Japan (2008), ASEAN-Japan (2009), ASEAN-Australia-New Zealand (2010), and ASEAN-India (2010). [↑](#footnote-ref-2)