

No. S 10

**COMPETITION ORDER, 2015
(S 1/2015)**

COMPETITION (COMPOSITION OF OFFENCES) REGULATIONS, 2020

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
2. Compoundable offences
3. Acceptance of composition of offence

SCHEDULE 1 — COMPOUNDABLE OFFENCES

SCHEDULE 2 — ACCEPTANCE OF OFFER OF COMPOSITION
MADE BY COMPETITION COMMISSION OF
BRUNEI DARUSSALAM

**COMPETITION ORDER, 2015
(S 1/2015)**

COMPETITION (COMPOSITION OF OFFENCES) REGULATIONS, 2020

In exercise of the power conferred by section 65(2) of the Competition Order, 2015, the Minister of Finance and Economy, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement

1. These Regulations may be cited as the Competition (Composition of Offences) Regulations, 2020 and shall be deemed to have commenced on 1st January 2020.

Compoundable offences

2. (1) The offences set out in the first column of Schedule 1 may be compounded by the Director or any officer of the Commission authorised by the Director in accordance with section 65.

(2) The maximum sum for which each such offence may be compounded is specified in the second column of Schedule 1.

Acceptance of composition of offence

3. (1) An offence may be compounded only if the person reasonably suspected of having committed the offence —

(a) accepts the offer of composition made by the Commission in writing in the form set out in Schedule 2; and

(b) pays the composition sum to the Commission,

within 14 days after the offer of composition is made or such longer period as the Commission may specify.

(2) Where the person referred to in sub-regulation (1) is not an individual, the acceptance of composition shall be made —

(a) in the case of a body corporate, by an officer of that body corporate;

(b) in the case of a partnership, by a partner of that partnership; or

(c) in the case of an unincorporated association (other than a partnership), by an officer of that association or a member of its governing body.

(3) In sub-regulation (2), “officer” —

(a) in relation to a body corporate, means a director, member of the committee of management, manager, secretary or other similar officer of the body; or

(b) in relation to an unincorporated association (other than a partnership), means the president, the secretary or any member of the committee of the association and includes persons holding positions analogous to those of president, secretary or member of a committee.

SCHEDULE 1

(regulation 2)

COMPOUNDABLE OFFENCES

<i>Compoundable offences</i>	<i>Maximum composition sum</i>
Sections 38(6), 53, 54, 55, 56, 57, 58 and 70(2)	\$5,000

SCHEDULE 2

(regulation 3(1)(a))

**ACCEPTANCE OF OFFER OF COMPOSITION MADE BY
COMPETITION COMMISSION OF BRUNEI DARUSSALAM**

1. I, _____ [Name and IC/Passport Number] [If made by an officer of a body corporate, partner of partnership, or officer or member of governing body of unincorporated association, to state his position], acknowledge that the Competition Commission has by way of a letter dated _____ made an offer of composition under section 65 in respect of an offence [or offences] under the Order, committed by _____ [myself/my business trading as (Business Name/Name of body corporate, partnership or unincorporated association) of which I am a representative authorised by the body corporate/partnership/unincorporated association.].

2. The offer made by the Competition Commission is as follows —

S/No.	Offence and date of offence	Composition sum offered
1.	<i>(Brief description of the offence, and state the provision of the Order breached and the date of the breach)</i>	<i>(State composition sum)</i>

3. I agree to the offer of composition as stated above and enclose, with this form, payment of the composition sum.

Signature of person accepting the offer of composition or authorised person accepting the offer of composition on behalf of a body corporate, a partnership, or an unincorporated association

Date: _____

If the person to whom the offer of composition is made and who accepts the composition is not literate in the Malay or English languages, the person interpreting it shall attest as follows —

BRUNEI DARUSSALAM GOVERNMENT GAZETTE

I, _____ [Name and IC/Passport Number], have interpreted this form to the person accepting the offer of composition in _____ [state language] and have ascertained that he understands the contents of the form and agrees to the composition.

Signature of interpreter

Date: _____

Made this 24th. day of Rabiulawal, 1442 Hijriah corresponding to the 10th. day of November, 2020.

**HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN,
BRUNEI DARUSSALAM
Minister of Finance and Economy.**