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# Understanding Brunei's Employment Laws & Regulations

**Presenter:** Alan Liew

**Organiser :** **BIPO** | Make Life Easier.

# Speaker



## Alan Liew

HR Service Delivery Manager, Brunei

Alan Liew is a HR Service Delivery Manager with BIPO, based in Brunei

- Certified as a Global Professional in Human Resources (GPHR) by HR Certification Institution (HRCI)
- Over 10 years of HR experience in Talent Acquisition, Compensation & Benefits, Learning & Development, Performance Management, Employee Relations, and HR Compliance
- Has industry experience in Banking, Telecommunication, and Oil & Gas fields

# About Us

Established in 2010 and headquartered in Singapore, BIPO is a global payroll and people solutions provider.

Our enterprise-ready **HR Management System** automates HR processes, simplifies workflows, and delivers actionable insights. Complemented by our **global payroll outsourcing** and **Employer of Record (EOR)** services, we support your global workforce needs through a network of 30+ offices, four R&D centres, and business partners in 100+ countries.

**30+**

Global Offices

**3,300+**

Clients

**460,000+**

Users



# Global Footprint

## Legend

○ BIPO Offices (39)

◆ BIPO Business Partners (147)

## Coming Soon (14)

Argentina  
Bosnia and Herzegovina  
Denmark  
Egypt  
France  
Italy  
Ivory Coast  
Kenya  
Nigeria  
Portugal  
Romania  
Rwanda  
Saudi Arabia  
Switzerland

An **Asia-Based** Global HR Tech & Service Provider.

BIPO



# Awards & Recognition

HR Magazine  
**AWARDS  
2021/22**

## Hong Kong

- Best HR Vendor (HRIS) – **Gold**



## Singapore

- Best Payroll Software – **Gold**

## Hong Kong

- Best Consultancy of the Year – **Grand Prize Winner**
- Best HR Outsourcing Service Provider – **Gold**



## HRM Asia Readers' Choice Awards 2021

- Best HR Tech
- HRIS – **Gold**
- Time & Attendance Management System – **Gold**

## Malaysia

- Best HRMS (Enterprise) - **Gold**
- Best HRMS (SMB) - **Gold**
- Best Employer of Record Service Provider - **Gold**
- Best Payroll Software - **Silver**



## Singapore Business Review

### Management Excellence Awards 2020

- COVID Management Initiative of the Year – HR Tech

## Hong Kong Business

### Management Excellence Awards 2020

- COVID Management Initiative of the Year – HR Tech



ISO27001

Information Security Management System

certification

**BIPO**

# Awards & Recognition



## The Global Service Provider Program The HR Service Project Partner

Presented by the Shanghai Municipal Human Resources and Social Security Bureau and Jing'an District People's Government



## Best Human Resources Service Award in Greater China in 2021

Awarded by HRTech China



## Top 100 Human Resource Service Institutions in China –Top 30

Awarded by Tophr



## China's Top 10 Best Compensation Management and Outsourcing Solution Providers 2021

Awarded by HR Excellence Centre (China)



## BIPO HRMS 2021 Digital HRTech Awards (Best HRTech Providers/ Best HRTech Products)

Awarded by HRTech China



## 2021 Best overseas human resources service organisation

Awarded by HRSalon

# Scale Up Your Business with BIPO



## Globalisation

- Global Payroll Outsourcing
- Employer of Record (EOR)
- Enterprises Going-Global
- Enterprises Global Mobility Solutions



## Digitalisation

- **BIPO HRMS + Workio**  
Cloud and mobile-based platform
- Supports the **Employee Lifecycle** from onboarding to off-boarding
- **Payroll and Reporting**
  - > Payslips
  - > Attendance
  - > Leave Management
  - > Multi-language
  - > Multi Statutory Compliance



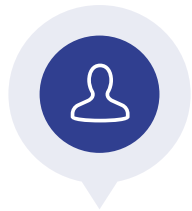
## Compliance

- Employment practices and labour regulations
- Payroll, Statutory Benefits & Tax Submission
- Visa & Work Permit applications
- Data security and privacy
  - > ISO 27001 certification
  - > Hosted on AWS and Ali Cloud

# About BIPO

- Supported by a professional team of experienced local talents, BIPO's service network **Enterprises and SMEs** scale with ease, **with or without a local HR**.
- Our integrated, one-stop HR service model offers comprehensive solutions for businesses – from global recruitment options, outsourced HR functions, local HR legal consulting to HR compliance management. Stay compliant, achieve efficiency and simplify overseas deployment and global mobility process with cost control.

## Without Overseas Business Entity Established



Employer of Record  
(EOR)



HR Compliance  
Consultancy



Dedicated local  
support and  
communication



Work Permit  
Application

## With Overseas Business Entity Established



Local salary  
computation



HR Compliance  
Consultancy



Dedicated local  
support and  
communication



Work Permit  
Application

Payroll & People Solutions





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01

# Objectives

# Objectives

Participants to have an overview about the development streams in Brunei Darussalam

Learn about the different business structures available in Brunei Darussalam

Understand the Brunei Employment Laws & Regulations

Understand the principle of Statutory Contribution and the implications to company

Gain knowledge on the procedures and implication for foreign work permits and visa

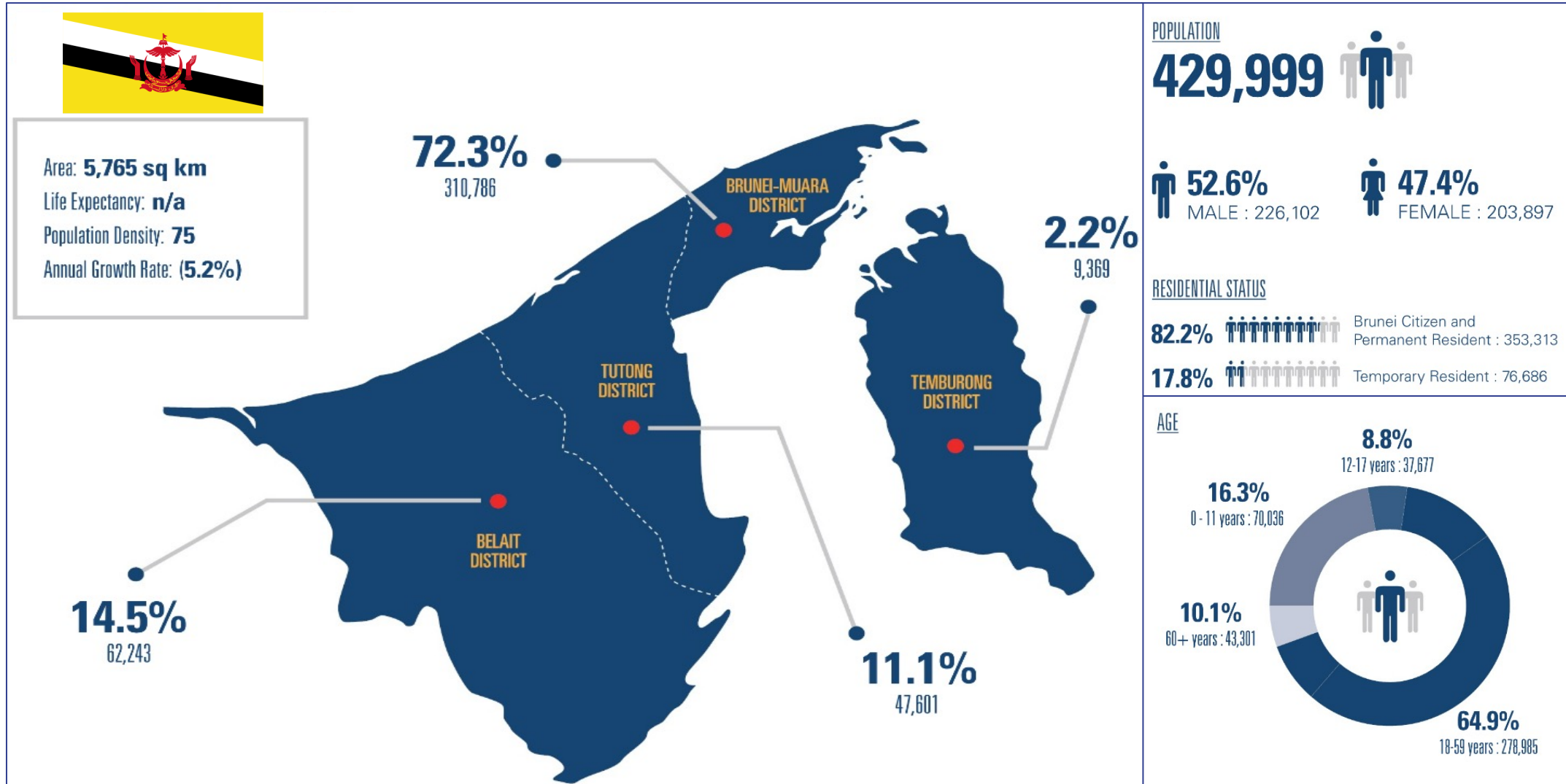
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## **Introduction to Brunei**

# About Brunei



# Brunei Fast Facts



Source: Department of Economic Planning & Development (JPES); Borneo Bulletin Yearbook 2022

# Brunei Fast Facts

<b>Official Name</b>	<b>Capital</b>	<b>Time Zone</b>	<b>Official Language</b>	<b>Official Religion</b>
Negara Brunei Darussalam ('Negara Brunei' means 'the state of Brunei', and 'Darussalam' means 'abode of peace')	Bandar Seri Begawan	GMT+8	Malay is the official language in Brunei. Other languages include English and Chinese. English is normally the language of business.	Islam, as stated in Brunei Constitution. Other religions practiced in the State include Christianity and Buddhism.
<b>Government of Brunei</b>	<b>Judiciary</b>	<b>Human Development Index (HDI)</b>	<b>GDP per Capita (PPP)</b>	<b>Currency</b>
Absolute Monarchy	English Common Law / Islamic Syariah Law	0.829 (2021)	USD31,722.7 (2021)	Brunei Dollar 'BND' (interchangeable with the Singapore dollar at par)

Source: Department of Economic Planning & Development (JPES); The world Bank

# Brunei Darussalam's Vision

## Brunei Vision 2035 (Wawasan Brunei 2035)

Brunei Vision 2035 aspires for Brunei Darussalam to develop into a nation that will be widely recognised for:

1. **Educated, highly skilled & accomplished people** – Based on the Highest International Standards
2. **High Quality of life** – Top 10 countries in the world based on the UNDP HDI; and
3. **Dynamic and sustainable economy** – Top 10 countries in the world in terms of Income Per Capita

## Investment Opportunities

The **Brunei Economic Development Board ("BEDB")** promotes Brunei Darussalam as the preferred investment destination for the five priority business areas, namely Downstream Oil & Gas, Manufacturing & Other Services, Food, Tourism and Info-Communications Technology.

The Foreign Direct Investment and Downstream Industry (FDIDI) Steering Committee, FDI Action and Support Centre (FAST) provides complete facilitation to investors in obtaining their project requirements.



# Useful Information

Useful Information	Website
<b>Incorporation of a Company / Registration of a Business Name</b>	<a href="https://www.ocp.mofe.gov.bn/">https://www.ocp.mofe.gov.bn/</a>
<b>Brunei Economic Development Board (BEDB)</b>	<a href="http://bedb.com.bn/">http://bedb.com.bn/</a>
<b>InvestBN</b>	<a href="http://www.invest.gov.bn/">http://www.invest.gov.bn/</a>
<b>Digital Economy Masterplan 2025</b>	<a href="https://edtech.moe.gov.bn/digital-economy-masterplan-2025/">https://edtech.moe.gov.bn/digital-economy-masterplan-2025/</a>
<b>Brunei Tourism</b>	<a href="https://www.bruneitourism.com/">https://www.bruneitourism.com/</a>
<b>Prime Minister's Office Brunei Darussalam</b>	<a href="https://www.pmo.gov.bn/">https://www.pmo.gov.bn/</a>
<b>Borneo Bulletin Yearbook 2022</b>	<a href="https://borneobulletinyearbook.com.bn/">https://borneobulletinyearbook.com.bn/</a>

03

# **Incorporation of Companies / Business Registration**

# Overview

Business Type	Sole-Proprietorship	Partnership	Company
<b>Definition</b>	A business owned by one person	A business firm/ organization of two or more business partners	A business form which is a legal entity separate and distinct from its shareholders and directors
<b>Owned by</b>	One person	Generally between 2 to 20 partners.  A partnership of more than 20 partners must incorporate	<u>Private Company</u> Private Company has at least 2 shareholders and a maximum of 50 shareholders.  <u>Public Company</u> Public Company has at least 7 shareholders/members.
<b>Registration requirement</b>	- Age 18 years or above - Brunei Citizens and Permanent Residents only - Undischarged bankrupt cannot manage business without court or Official Receivers' Approval	- Age 18 years or above - Brunei Citizens and Permanent Residents only - Undischarged bankrupt cannot manage business without court or Official Receivers' Approval	- Age 18 years or above - Minimum of 2 directors (if 2, At least one of the directors shall be Ordinarily Resident in Brunei Darussalam) - Undischarged bankrupt cannot manage business without court or Official Receivers' Approval - At least two shareholders
<b>Legal Status</b>	- Not a separate legal entity - Owner has unlimited liability - Can sue or be sued in individual's own name - Can also be sued in business names - C5 Owner personally liable for debts and losses of business	- Not a separate legal entity - Partners have unlimited liability - Can sue or be sued in firm's name - Cannot own property in firm's name - Partner's personally liable for partnership's debts and losses incurred by other partners	- A separate legal entity from its members and directors. - Members have limited liability - Can sue or be sued in company's name - Can own property in company's name - Members not personally liable for debts and losses of company
<b>Formalities and expenses</b>	- Quick and easy to set up - Easy to administer and manage - Registration cost is minimal Less administrative duties to adhere to	- Quick and easy to set up - Easy to administer and manage - Registration cost is minimal Less administrative duties to adhere to	- Costlier to set up and maintain - More formalities to comply with - Annual Returns must be filed as Statutory - Requirement of General Meetings, directors, share allotments, etc
<b>Set-up fee</b>	\$30 registration fee	\$30 registration fee	\$300 incorporation fee
<b>Continuity of the business entity</b>	Exists as long as the owner is alive and desires to continue the business	Exists subject to Partnership Agreement	A company has perpetual succession until wound up or struck off
<b>Closing of the business</b>	By owner – Cessation of business	By partners – Cessation of business or dissolution of partnership	Winding up – Voluntarily by members, compulsorily by the High Court Striking Off

Source: *businessBN* ([www.business.gov.bn](http://www.business.gov.bn))

# Regulatory Agency

## Type of business activity

Depending on the nature and type of business activity, you may require specific agency approval.

For example:

1. Food businesses are now required to apply for a Halal Certificate or Halal Permit.
2. Opening a medical clinic will require approval from the Ministry of Health;
3. Import certain telecommunications equipment may require to get clearance from the Authority for Information Communications Technology Industry (AITI).

## Workplace safety and Health

The **Safety, Health and Environment National Authority (SHENA)** have specific legal powers to enforce and regulate workplace safety and health, environment and radiation laws.

Orders that are under the purview of SHENA:

- Workplace Safety and Health Order, 2009 (WSHO,2009)
- Radiation Protection Act, Chapter 228

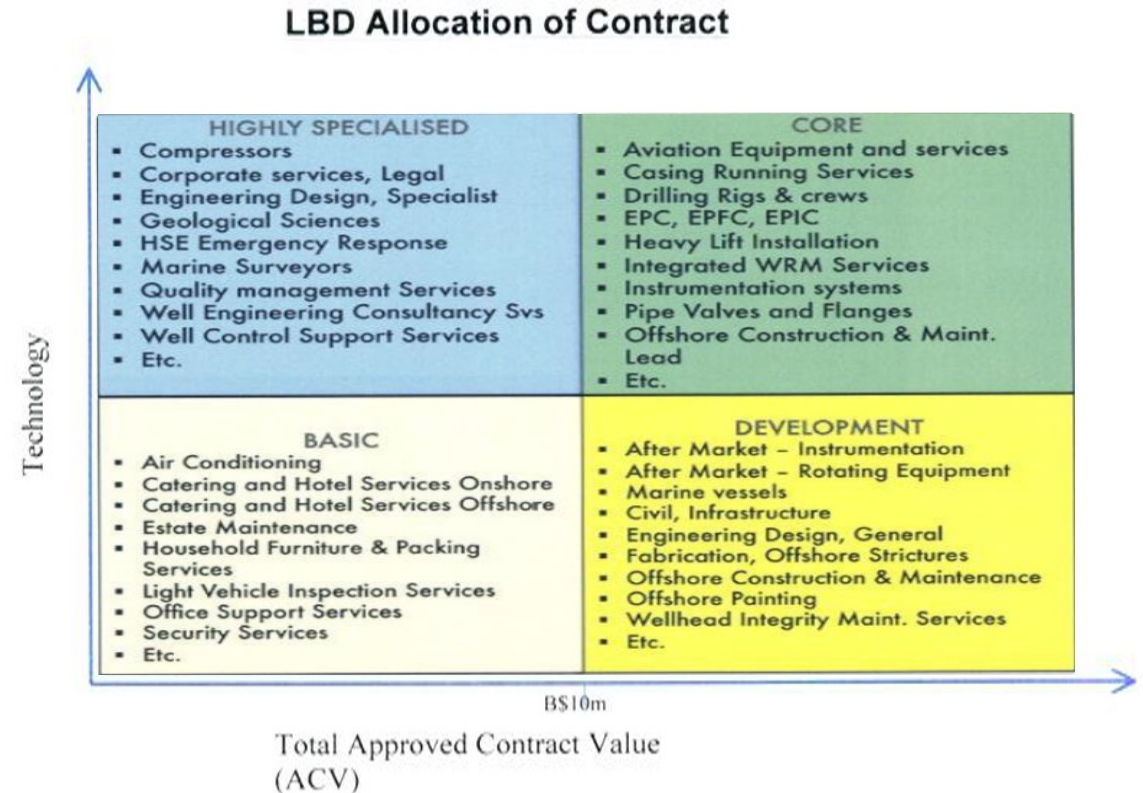
# Local Business Development (LBD) Framework – Oil & Gas Industry

## Scope

The Framework implementation will guide to ensure Operators, Contractors and Sub-Contractors in the oil & Gas industry apply consistent approach in the implementation of the LBD Directive.

## Objective

- To increase the country's economy through use of local goods and services
- To create employment opportunities for locals
- To develop truly Bruneian businesses that are able to compete regionally



Note: Bumiputra companies registered or active in other quadrants are excluded from "Basic" Quadrant

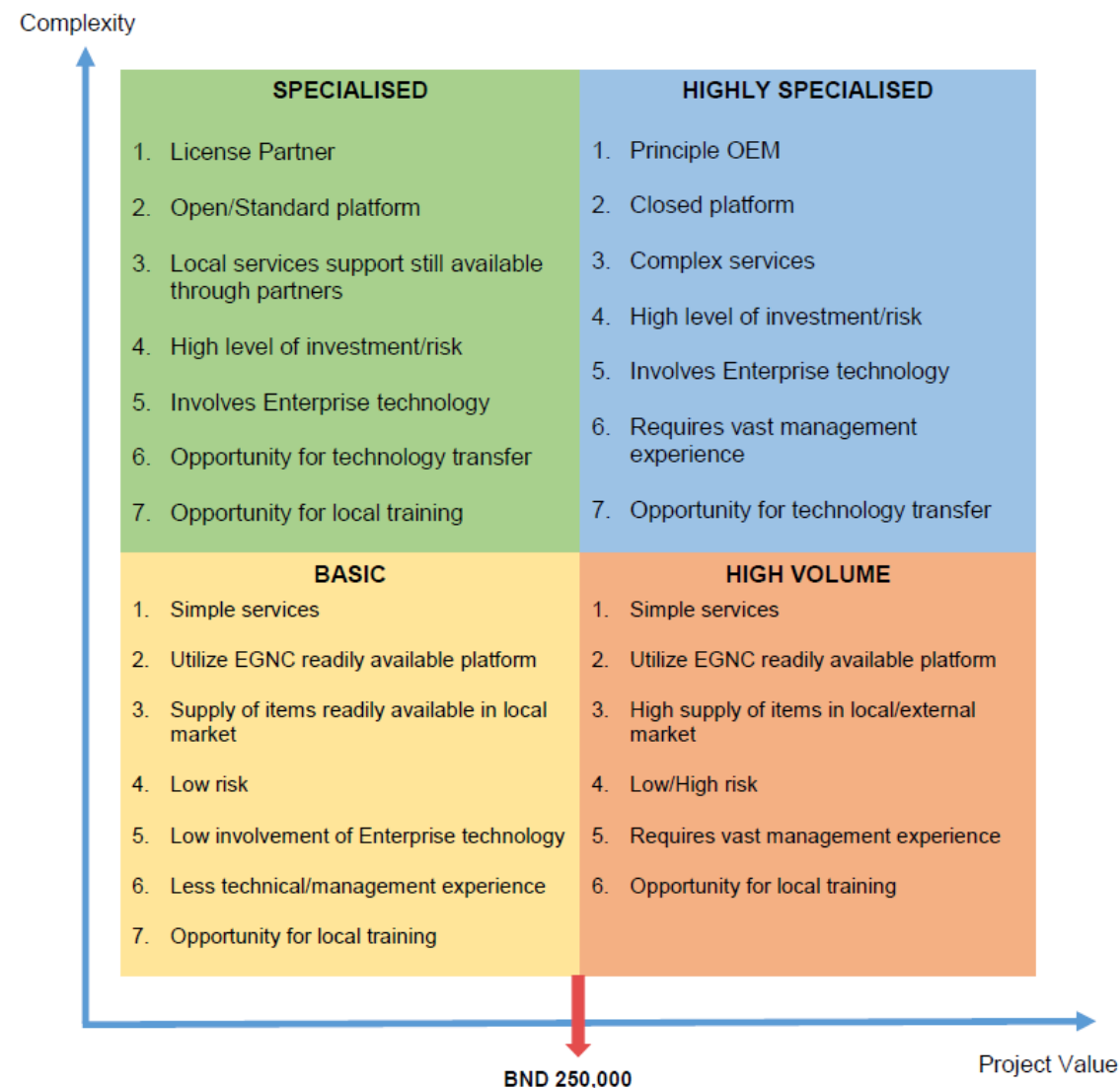
# LOCAL BUSINESS DEVELOPMENT (LBD) FRAMEWORK – ICT INDUSTRY

## Scope

All Information Communication and Technology (ICT) companies participating in the government ICT projects and all the Project Owners and Project Managers of the government ministries and agencies executing their respective e-government and ICT projects are required to comply with this policy framework.

## Objective

- To maximise local content through greater participation of capable local ICT companies and workforce in the government ICT projects
- To achieve the development of local skills, technology transfer, as well as use of local manpower and local products and services
- Aligned with LBD policy apply for Oil & Gas Industry



04

# Employment Laws & Regulations

# Introduction

## Employment Order, 2009

- Main legislation governing the terms and conditions of employment in Brunei Darussalam.
- As it states out the minimum terms and conditions of employment, Employers are encouraged to provide better terms and conditions than those stipulated.
- To respect and fulfil the rights of workers, for example, on the working hours, rest day, overtime payment, paid leave and maternity leave for all workers.

## Workmen's Compensation Act, 1957

- The main aim of this act is to compensate an injured worker for the loss of earning capacity as a result of an injury arising out of and in the course of employment.

## Workplace Safety and Health Order, 2009

- It is an order relating to the safety, health and welfare of employees at work in workplaces.



# Introduction

## Employment Agencies Order, 2004

- This Order is designed to regulate the employment agency activities within Brunei Darussalam.
- It is aimed to prevent human/labour trafficking, forgery of documents and irresponsible employment agencies.
- Protection of employers and employees.

## Employment Information Act , 1974

- It provide for the collection of information regarding employed persons in the private sectors.
- Annual census will be conducted by Department of Labour every year which employers are required to submitted the report by 30th November yearly.

# Employment Contract Service

- A contract of service creates an employer and an employee relationship between the two parties.
- It shall be in writing and signed by both parties (subject to Section 10 of Employment Order, 2009).
- The agreed terms and conditions of employment cannot be less favourable than the Employment Order, 2009.
- Any employer who fails to provide a contract of service is guilty of an offence and liable on conviction to a fine not exceeding \$3,000, imprisonment for a term not exceeding one year or both.

# Probationary Period

- Upon appointment as an employee of the Company, employee shall undergo a period of probation of 90 consecutive days.
- Subject to Company's discretion, probationary period may be extended to another 90 consecutive days if the position of the Employee is not confirmed. No further extension is allowed after 1<sup>st</sup> extension.
- During the period of probation, either the Employee or the Employer may terminate the employment contract in accordance to the written Termination Clause agreed in the Contract of Employment. If the Termination Clause is not stated in the contract, employee on probation may terminate his contract of employment without notice.
- An employee on probation found unfit for the job may be dismissed by the employer without notice and without severance pay.

# Work Hours

## Non-shift worker

- Not more than 8 hours in one day / Not more than 44 hours in one week
- Not more than 12 hours in a day (inclusive of overtime work)
- Not required to work more than 6 consecutive hours without a period of leisure.

## Shift Worker

- May be required to work for more than 6 consecutive hours, for more than 8 hours in any one day or for more than 44 hours in any one week. However, the average number of hours worked over any continuous period of 3 weeks shall not exceed 44 hours per week. (e.g. 11hours, 4 days/week)
- Not allowed to work for more than 12 hours a day under any circumstances.

Employee may be required by his employer to exceed the limit of hours and to work on rest day or public holiday in case of:

- Accident, actual or threatened
- Work which is essential to the life of the community;
- Work which is essential to national defence or security;
- Urgent work to be done to machinery or plant
- An interruption of work which was impossible to foresee.

All work in excess of the above hours shall be considered as **Overtime Work**.

# Ramadan Working Hours

<b>Working Days \ Working Hour</b>	<b>Normal Working Hour</b>	<b>Ramadan Working Hour (For Muslim Employee)</b>
<b>Monday – Thursday</b>	8am - 5pm (1 hour lunch break)	8am - 2pm (no lunch break)
<b>Friday</b>	8am - 5pm (2 hours lunch break)	8am - 12pm

- During Ramadan month, Muslims observe a strict daily fast from dawn to sunset. They are not allowed to eat or drink during daylight hours.
- Ramadan is the ninth month of the Islamic calendar; it is a time for Muslims all over the world to renew their focus on spiritual life and its practical application in daily life.
- In conjunction with the Ramadan Month, Working hours for Muslim Employees will be shorten to allow employees to have sufficient rest since fasting during long working hours may lead to fatigue and safety.

# Overtime & Rest Day

## Overtime

Overtime has to be paid if the employee is required to work beyond his contractual hours of work.

- The rate of payment is **1.5 times the hourly basic rate of pay**.
- An employee is permitted to work up to a **limit of 72 hours of overtime in a month**. However, this limit may be exceeded if approval has been granted by the Commissioner of Labour.
- Payment for overtime work must be paid within 14 days after the last day of the salary period.

## Rest Day

- An employee is entitled to 1 rest day (midnight to midnight) each week without pay. The rest day shall be on a Sunday or any other day as scheduled and informed by an employer before the beginning of each month.
- For a shift worker, the rest day can be a continuous period of 30 hours.

# Public Holiday

Public Holiday	Date	No. of Days	Remarks
New Year's Day	1 <sup>st</sup> Jan	1	<p>If Public Holiday falls on Saturday / Sunday, Monday following shall be recognised off-in-lieu.</p> <p>If Saturday is a working day, off in-lieu will be not applicable as actual day will be off day.</p>
Lunar New Year		1	
National Day (23rd Feb)	23 <sup>rd</sup> Feb	1	
Isra' and Mi'raj		1	
First day of Ramadan		1	
Nuzul Al-Quran		1	
Hari Raya Aidilfitri		3	
Royal Brunei Armed Forces	31 <sup>st</sup> May	1	
Hari Raya Aidiladha		1	
His Majesty the Sultan's Birthday	15 <sup>th</sup> Jul	1	
Islamic New Year		1	
Prophet Muhammad's Birthday		1	
Christmas Day	25 <sup>th</sup> Dec	1	
<b>Total</b>		<b>15</b>	

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## Leave Types



# Leave Entitlement

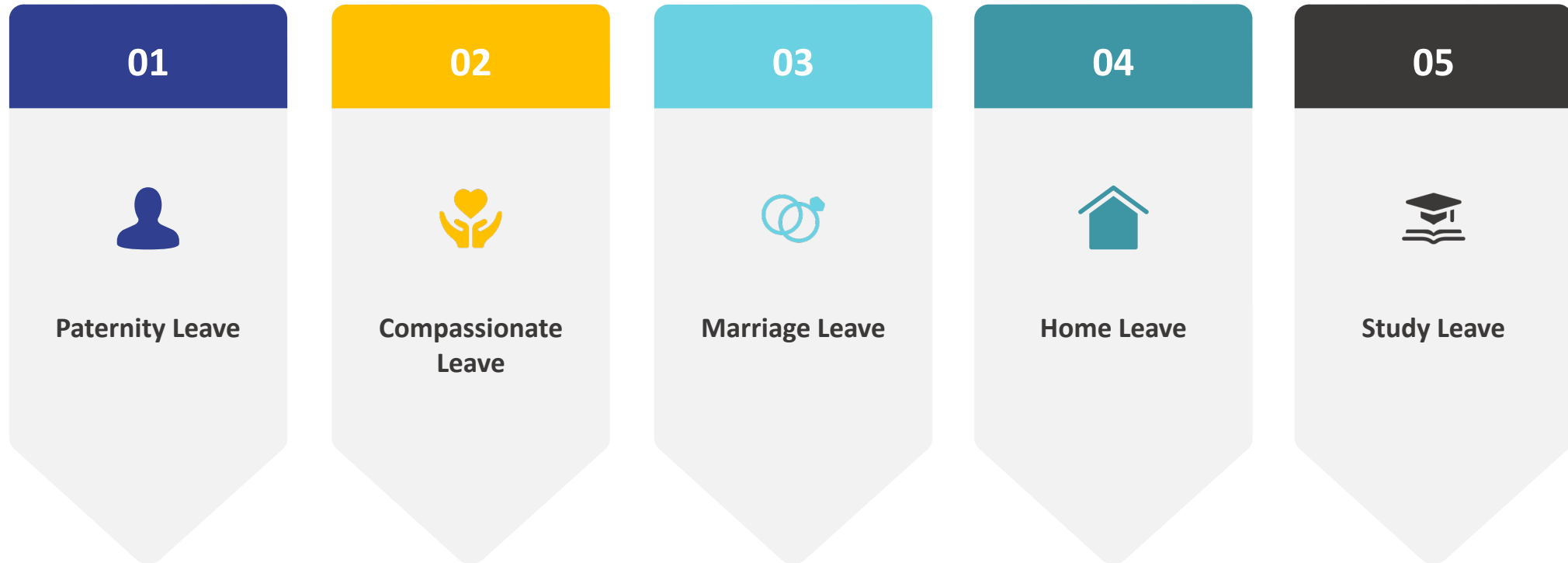
Type of Leave	Years of Service	Days of Leave	Remarks
Annual Leave	1st	7	<ul style="list-style-type: none"> <li>It depends on what is stated in the employment contract which shall not be less than the stated number of leave stipulated in Employment Order.</li> <li>Most common Annual Leave Entitlement – 14 days / 18 days / 21 days / 24 days.</li> </ul>
	2nd	8	
	3rd	9	
	4th	10	
	5th	11	
	6th	12	
	7th	13	
	8th and thereafter	14	
Sick Leave	< 6 months	14	<ul style="list-style-type: none"> <li>Must have worked for at least 6 months.</li> <li>Has obtained a medical certificate from the company doctor. If no such doctor is appointed, from a government doctor or a doctor employed by any of the approved hospitals.</li> <li>Must inform employer of the sick leave within 48 hours.</li> </ul>
Hospitalisation Leave		46	<ul style="list-style-type: none"> <li>Sick Leave to be utilised if Hospitalised period up to 60 days</li> </ul>

# Leave Entitlement

Type of Leave	Years of Service	Days of Leave	Remarks
Maternity Leave	< 6 months (180 days)	105 days	<p><b><u>Local Employee</u></b> All citizen or permanent resident female employees are covered under the Employment Order and are entitled to 15 weeks of maternity leave as follows:</p> <ol style="list-style-type: none"> <li>i. The period of 2 weeks immediately before the delivery of her child.</li> <li>ii. The period of 13 weeks immediately after the delivery of her child.</li> </ol> <p><b><u>Payment of Salary</u></b></p> <ul style="list-style-type: none"> <li>• The employer pays the basic salary for the first 8 weeks.</li> <li>• Following this, the government helps to compensate for a period of 5 weeks. However, the employer is obliged to make advance salary payments for the above-mentioned 5 weeks period and then make claim to the government for repayment.</li> <li>• The final 2 weeks of the remaining leave is unpaid leave.</li> </ul>
		63 days	<p><b><u>Foreign Employee</u></b> All foreign female employees are covered under the Employment Order and are entitled to 9 weeks of maternity leave as follows:</p> <ol style="list-style-type: none"> <li>i. 4 weeks immediately before the delivery of her child</li> <li>ii. .5 weeks immediately after the delivery of her child.</li> </ol> <p>By mutual consent, the last 4 weeks of the maternity leave can be taken within 6 months from the date of delivery.</p> <p>All female employees must satisfy that she has served an employer for more than 180 days and only 8 weeks are entitled to receive payment benefit.</p>

# Other Leave Entitlement

The following Leave Entitlement is not mandatory which are not stipulated in Employment Order. However, company may consider the such leave entitlement subject to the Company's Leave Policy.



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# Termination of Employment Contract

# Termination of Contract

## A termination of contract may occur when

- The work specified in the contract has been completed or when a date specified in the contract for the expiry of the contract has been reached.
- Either party has decided to end the contract with appropriate notice in accordance with terms of the contract.
- There has been a breach of employment contract
- **Termination of contract without notice**
- Either party to a contract of service may terminate the contract of service without notice, or if notice has already been given, without waiting for the expiry of that notice, the terminating party is obligated to compensate the other Party with the equivalent full / pro-rated salary in accordance to the agreed notice period.
- Either party to a contract of service may terminate the contract of service without notice in the event of any wilful breach by the other party of a condition of the contract of service.

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## Salary Payment

# Salary Payment & Deadline

## Salary Pay Run & Payment Deadline

Employee must be paid at least once a month.

Salary must be paid within 7 days after the end of salary period. Overtime Pay must be paid within 14 days after the end of the salary period.

## Resigned Employee's Salary Payment

- Served the required notice period – Last day of employment
- Without notice or without serving the required period – Within 7 days from the last day of employment.

## Termination of Employee's Contract of Employment

Salary must be paid on the last day of employment.

If this is not possible, it must be paid within 3 working days from the date of dismissal or termination.

# Authorised Deductions

No deductions other than those allowed under the Employment Order, 2009 or ordered by the Court, can be made by an employer. The following deductions may be made from the salary of employee includes:

- Absence from work
- Damage to or loss of goods/money
- Cost of meals supplied by the employer at the request of the employee;
- House accommodation
- For amenities and services
- The recovery of advances, loans or adjustment of overpayment of salary
- Income tax payment
- TAP/SCP/TBK contributions
- Contributions to superannuation scheme/ provision fund
- Payments to any registered co-operative society
- Any other deductions which may be approved by the Minister



# Minimum Wage / Reasonable Wage

There is no minimum wage in Brunei Darussalam. It is subject to negotiation and mutual agreement between an employer and employee.

Reasonable Wage (RW) was introduced to enhance Local Employment in the oil and gas industry in Brunei and to ensure that all lower qualified local employee working in the Industry in the Business Areas as referred to Annex 1 Part A.

## **ANNEX 1**

A. The Business Areas are as follows:

1. Drilling Rigs
2. Well Services
3. Marine Industries
4. Offshore Works

B. The Reasonable Wage (RW) is as follows:

- Onshore - B\$700.00 per month ( for Technical workers only )
- Offshore - B\$1,000.00 per month ( for all workers including Technical & Non-technical workers offshore )

and based on following working hours\*:-

- In accordance with Employment Order, 2009
- Onshore/Offshore Shift period as a maximum
  - 2 weeks on / 2 weeks off

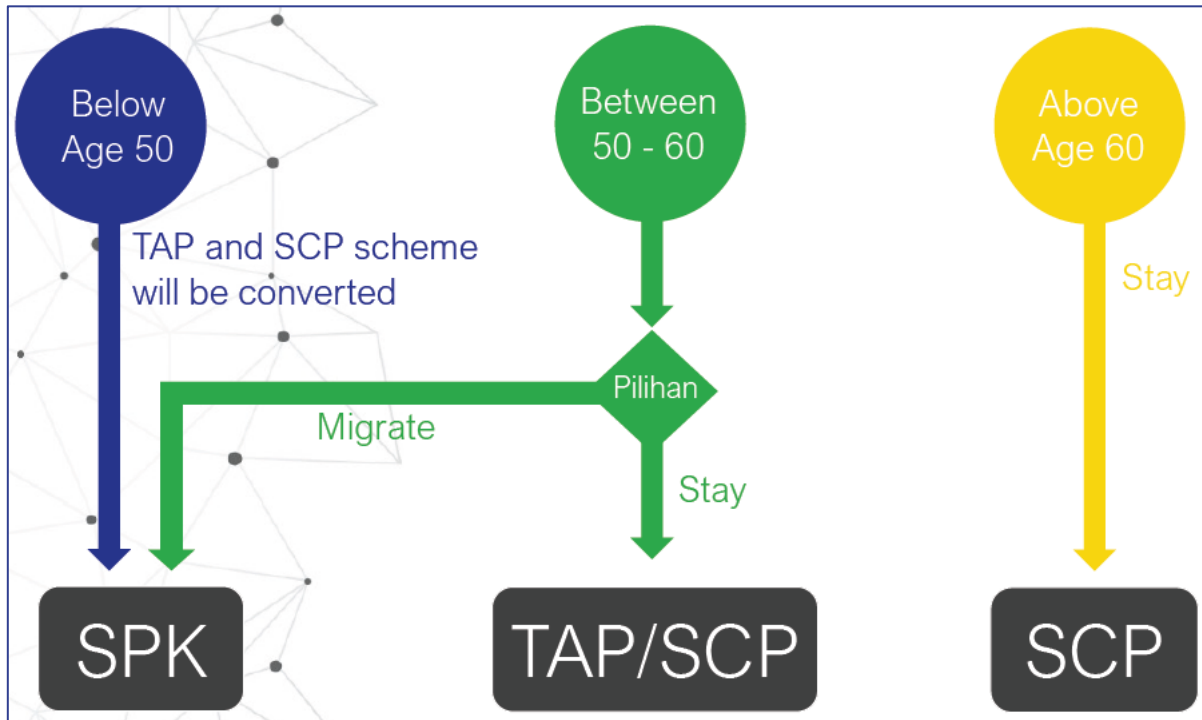
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**Statutory Contribution**  
**TAP / SCP / SPK**

# Statutory Contribution

- No Personal Income Tax - There are no social security taxes in Brunei. This applies to both local and expatriates.
- However, all citizens and permanent residents of Brunei Darussalam must contribute the following schemes of their salary to a State managed provident fund (Tabung Amanah Pekerja (TAP)).
  - **TAP Scheme** – 5% of basic salary : Below 55 years old
  - **SCP Scheme** – 3.5% of basic salary (minimum contribution is BND17.50 and capped at BND98): Between 18-60 years old
- All type of employment including employees under probation should contribute to the mentioned schemes.
- The employer will have to also contribute the same amount for its employees to the provident fund.
- **Skim Persaraan Kebangsaan (SPK)** to be implemented **in 2023**, which will be converted from TAP&SCP. Implementation date to be confirmed.

# TAP / SCP / SPK Provision Fund



## SPK Contribution:

- Employee Contribution – 8.5% of Basic Salary
- Employer Contribution – 8.5% - 11.5% of Basic Salary\*

\*Contribution % is based on the following salary range:

<\$500	Minimum \$57.50
\$500.01 - \$1,500	10.5%
\$1,500.01 - \$2,800	9.5%

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# Employment & Immigration Regulation

# Expat Permit

Foreign Worker License (LPA) | Special Authorisation Work Pass (SAWP) | Professional Visit Visa (PVV)

Type of Visa	Description	Duration Term	Requirements	Application Process Time
<b>Foreign Worker License (LPA)</b>	This applies to all professionals who wish to come to Brunei Darussalam for the purpose of professional work or expertise for a long-term employment or project.	1 - 2 years subject to the duration endorsed by the Government Agencies  Renewable	<ol style="list-style-type: none"><li>Obtain Endorsement prior submission to Labour Department from:<ol style="list-style-type: none"><li>Jobcentre Brunei</li><li>Government Agencies / Statutory Bodies / Associations (if applicable)</li><li>Employee Trust Fund (TAP)</li></ol></li><li>Security Deposit (Cash Deposit / Bank Guarantee / JITPA (Insurance))</li><li>Medical Examinations (X-Rays &amp; Blood Test)</li><li>Signed Employment Contract</li><li>Mandatory Inspections - Accommodation</li></ol>	Approximately 2 months

# Expat Permit

Type of Visa	Description	Duration Term	Requirements	Application Process Time
<b>Special Authorisation Work Pass (SAWP)</b>	Any professionals that is coming to Brunei for the purpose of professional work or expertise for a short-term period in Brunei Darussalam. This includes Training, Short-term project, call-off basis and urgent works.	Maximum 12 months Non-renewable	<ol style="list-style-type: none"> <li>1. Obtain Endorsement prior submission to Labour Department from:               <ol style="list-style-type: none"> <li>i. Ministry Office</li> <li>ii. Supporting Letter from Contract Owner/Main Contractor (if applicable)</li> </ol> </li> </ol>	Approximately 1 month
<b>Professional Visit Visa (PVV)</b>	Any professionals that is coming to Brunei for the purpose of professional work or expertise for a short-term period in Brunei Darussalam. This includes Meeting, Consultation and Lecture Training.	Maximum 3 months Non-renewable	Supporting Letter from Contract Owner/Main Contractor (if applicable)	Approximately 1 week

# Visa on Arrival / Visa-Free

## Countries eligible for 90-day entry:

Austria	Greece	Norway
Belgium	Hungary	Poland
Bulgaria	Iceland	Portugal
Croatia	Ireland	Romania
Cyprus	Italy	Slovakia
Czech Republic	Latvia	Slovenia
Denmark	Liechtenstein	Spain
Estonia	Lithuania	Sweden
Finland	Luxembourg	Switzerland
France	Malta	United Kingdom
Germany	Netherlands	United States

## Countries eligible for 30-day entry:

Laos  
Malaysia  
New Zealand  
Oman  
Singapore  
South Korea  
Turkey  
Ukraine  
United Arab Emirates

## Countries eligible for 14-day entry:

Cambodia  
Canada  
Costa Rica  
Hong Kong  
Indonesia  
Japan  
Macau  
Maldives  
Myanmar  
Peru  
Philippines  
Russia  
Thailand  
Vietnam

Source: [www.byevisa.com](http://www.byevisa.com)



# Visa on Arrival / Visa-Free

The VoA (Category C) is only available for nationals of the following 7 countries and territories when entering through Brunei International Airport:

- Category C1:
  - Australia: Single- or Multiple-Entry, 30 days
- Category C2:
  - Kuwait: Single-entry, 30 day
  - Saudi Arabia: Single-Entry, 30 days
- Category C3:
  - Qatar: Single- or Multiple-Entry, 14 days
  - Taiwan: Single- or Multiple-Entry, 14 days
- Category C4:
  - China: Single- or Multiple-Entry, 14 days
  - Bahrain: Single- or Multiple-Entry, 14 days

Source: [www.byvisa.com](http://www.byvisa.com)

09

# **Workmen Compensation & Health Insurance**

# Workmen Compensation

## What is Workmen Compensation Insurance and how it works?

Workmen Compensation Insurance covers employer against any liability that the employer would incur to any workmen employed where applicable under the Workmen's Compensation Act 1957 (Cap.74).

This Policy indemnifies liability coverage under:

- The Law of Brunei Workmen's Compensation Act Chapter 74 (Revised Edition 1984).
- The Common Law. The standard Common Law limit is B\$2,000,000.00 in the aggregate (inclusive of all costs and expenses) during the period of insurance, subject to a sublimit of B\$100,000.00 per employee (inclusive of all costs and expenses) for class 3 occupations or B\$250,000.00 per employee (inclusive of all costs and expenses) for other than class 3 occupations. No common law cover for class 3 construction/construction related occupations.

## Who should pay the compensation?

Every employer should pay compensation if his worker suffers personal injury by accident arising out of and in the course of employment, the employer will be liable to pay compensation where applicable under the Workmen's Compensation Act 1957 (Cap.74).

"Injury" includes any condition listed in the Second Schedules (chapter 5, Occupation Diseases) to the Workmen's Compensation Act (Revised Edition 1984).

# Health Insurance

Subject to the Company's Compensation & Benefit Policy, the Company may consider the following insurance which are available in Brunei:

- Group Term Life and Total Permanent Disability
- Group Personal Accident
- Group Hospitalisation and Surgical
- Group Critical Illness
- Group Insurance – Inclusive group of coverages
- Travel Insurance
- Customised Insurance Coverage from various Insurance Agencies

# Employer Cost

On top of Employee's Salary, Employer may have to pay the following expenses during employee's mobilisation:

	Cost Type	Local	Expatriate
<b>Work Permit</b>	Work Permit Application + Guarantee Insurance +Foreign Worker Health Screen + Renewal of Employment Contract	N/A	Est. \$1000
<b>Onboard</b>	Pre-employment Health Assessment (Subject to company's Recruitment Policy)	\$100	N/A
	Workmen Compensation Insurance + Other	\$80 - \$190	
	Statutory Contribution - TAP/SCP/SPK	8.5% of Employee's Basic Salary	N/A
<b>Specific Position</b>	Training / Certification	Cost may vary depending on the position requirement	
	Personal Protective Equipment (PPE)	\$200 - \$300	
	Health Screening (Optional)	\$200 - \$500	

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### 老挝劳动法及雇佣条例解读

Lao Labour Law & Employment Regulations

**概述**

老挝人民民主共和国是东南亚快速发展的经济体之一。该国拥有丰富的矿产、农产品和林业。至2020年，在其国内生产总值(GDP)中，农业贡献了21%，工业贡献了14%，服务业贡献了65%。该国经济受益于湄公河沿岸水电站(FDI)的海外直接投资，以及铜和黄金开采业务增长。

**首都**  
万象

**人口**  
750万

**货币**  
老挝基普  
(LAK (1美元=10,000老挝基普))

**人均GDP**  
USD 2,629.70  
(截至2020年)

**一、雇佣合同**

在老挝，雇佣合同必须以书面形式呈现，并由双方共同签署。雇佣合同可以规定固定期限或无固定期限。固定期限雇佣合同可以延期不超过30天，一旦合同到期，该合同将被视为无固定期限合同。固定期限合同由雇佣合同订立之日起，由雇佣合同订立之日起在合同期限届满前30天内发出。雇佣合同必须包含以下条款：

- 雇主和雇员的姓名；
- 雇主的工作范围、权利、义务、责任和职业要求；
- 雇员的职责；
- 雇佣期限、雇佣生效和终止日期；
- 雇主提供的福利；
- 薪酬支付方式；
- 试用期限；
- 为雇员提供的福利及其他政策；
- 工作目的、任务和职责；
- 雇员在雇佣期间应遵守的纪律规定的其他事项；
- 双方同意达成的其他事项。

雇佣期限	试用
固定期限	不得超过30天
无固定期限	不得超过30天
试用期	不得超过30天

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### Lao Labour Law & Employment Regulations

**Overview**

**Laos**

The Lao People's Democratic Republic is one of the fastest-growing economies in East Asia. The country is rich in minerals, agricultural commodities, and forestry.

In terms of gross domestic product (GDP) by sector, agriculture contributed 16.21%, the industry sector contributed 12.16%, and services contributed about 40.73% in 2020. The country's economy has also benefited from foreign direct investments (FDI) in hydropower dams along the Mekong river and copper and gold mining, among other projects.

**Capital**  
Vientiane Capital

**Population**  
7.5 million

**Currency**  
Lao Kip (LAK)

**GDP Per Capita**  
USD 2,629.70  
(as of 2020)

**1. Lao Labour Law**

The Lao labour law provides the minimum standards of operations for organisations to establish their system of governance, monitoring, recruitment, evaluation, and labour protections.

The labour law is a guideline for both employer and employee relations under the specific employment, as it is tailored to fit organisational purposes. Organisations, however, typically have their own practice, giving enhanced benefits while still respecting the implications of the Lao labour law.

**2. Employment Contract**

Employment contracts have to be in written format. The employer has to give at least 15 days' notification for fixed-term contracts before the contract expires. The extension will have to commence within 60 days of the contract's expiration.

雇佣期限	试用
固定期限	不得超过30天
无固定期限	不得超过30天
试用期	不得超过30天

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# Q&A

THANKS



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