

No. S 34

**MUNICIPAL BOARDS ACT
(Chapter 57)**

**BANDAR SERI BEGAWAN MUNICIPAL BOARD
(STANDING ORDERS) BY-LAWS, 2018**

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By-Law

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**MUNICIPAL BOARDS ACT
(Chapter 57)**

**BANDAR SERI BEGAWAN MUNICIPAL BOARD
(STANDING ORDERS) BY-LAWS, 2018**

In exercise of the power conferred by section 5 of the Municipal Boards Act, the Bandar Seri Begawan Municipal Board hereby passes the following By-Laws —

PRELIMINARY

Citation

1. These By-Laws may be cited as the Bandar Seri Begawan Municipal Board (Standing Orders) By-Laws, 2018.

Interpretation

2. In these By-Laws, unless the context requires otherwise —

“Board” means the Bandar Seri Begawan Municipal Board;

“meeting” means any meeting of the Board;

“member” means member of the Board;

“secretary” means the person appointed by the Chairman to be the secretary;

“working day” means any day other than a Friday, Sunday or public holiday.

MEETING OF BOARD

Procedure

3. The procedure prescribed under these By-Laws shall be observed for the order and conduct of business of the Board and any of its committee.

Frequency, time and place of meetings

4. The Board shall convene as often as may be required, but in any case, it shall meet at least six times a year at such time and place as may be notified by the Board.

Notice of meetings

5. The Chairman shall cause notice of the meeting to be given to members not less than 7 days prior to the date of the meeting:

Provided that accidental omission to give such notice shall not invalidate any proceedings at any such meetings:

Provided further that in a case of urgency, the Chairman may direct that notice to be disposed with.

Doa

6. All meetings of the Board shall open with a *doa*.

ORDER OF PROCEEDINGS

Quorum

7. (1) At a meeting, two-thirds of the members shall form a *quorum*.

(2) No business of the Board shall be transacted at any meeting thereof unless a *quorum* is present.

Chairman to preside

8. (1) As soon as a *quorum* is present, the Chairman shall take the chair and call the members to order.

(2) The Chairman shall preside at any meeting of the Board and shall have the general control of all deliberations and proceedings of the meeting.

(3) If the Chairman is absent or for any other reason is unable to discharge his functions, the members present may elect one of them to preside at the meeting.

Duties of secretary

9. The secretary shall —

(a) under the direction of the Chairman, have charge of all correspondence and documents of the Board; and

(b) in all other respects, carry out such duties as may be imposed upon him by these By-Laws or assigned to him by direction of the Chairman.

Minutes

10. (1) The secretary shall keep minutes of all meetings.

(2) As soon as possible after every meeting, a copy of the draft minutes shall be sent to members. If on confirmation such draft minutes are amended, the Chairman shall forthwith be informed of the amendments made.

Adjournment of meeting

11. The Chairman of a meeting may, with consent of the members, adjourn the meeting.

Absence of *quorum*

12. If there is no *quorum* present within one-half hour after the time appointed for the meeting, the secretary shall take down the names of the members then present and the meeting shall be adjourned to such day as the Chairman may appoint, being not less than 7 nor more than 21 days after the day first appointed.

Chairman to preserve order and *decorum*

13. The Chairman shall preserve order and *decorum* and shall decide all question of order subject to an appeal by any member.

Right of precedence in speaking

14. When two or more members arise to speak at the same time, the Chairman shall name the member who, in his opinion, has right of precedence.

Member to address Chairman while speaking

15. Every member while speaking shall respectfully address the Chairman.

Offensive word or epithet not to be used

16. No member shall —

(a) apply any offensive word or epithet to the Board or any member; or

(b) speak outside the question under debate.

Member speaking not to be interrupted except on point of order

17. When a member is speaking or a question is being put, no member shall hold any private discourse, or make any noise or disturbance, or interrupt a speaker except to raise a point of order.

Member to speak once only on same question

18. No member shall speak more than once on the same question without the leave of the Chairman, except a member who has made a substantive motion who shall be allowed a reply. No member shall speak on the same question, or in reply, for longer than 5 minutes.

Questions or enquiries relating to by-law etc.

19. Questions or enquiries may be put to the Chairman or through him to any member relating to any by-law, motion or other matter connected with the business of the Board, but no argument or opinion is to be offered or facts to be stated.

Every member present to vote

20. (1) Every member, who shall be present in the meeting when a motion is put, shall have the right to vote thereon, unless he is disqualified by interest, in which case he shall not vote.

(2) Any member who is directly or indirectly interested with respect to any motion shall disclose the nature of his interest after the relevant facts of the motion has come to his knowledge.

(3) A disclosure under sub-by-law (2) shall be recorded in the minutes of meeting and after the disclosure, the member shall be disqualified from taking part in any deliberation or decision of the Board with respect to that motion.

Voting

21. All motions arising at any meeting shall be decided by a majority of votes of the members present and, in the case of an equality of votes, the Chairman or, in his absence, the member acting as Chairman, shall have a casting vote.

ORDERS OF THE DAY

General Orders of the day

22. The secretary shall notify the members in the meetings "The General Orders of the day" as follows —

- (a) confirmation of the agenda;
- (b) presentation and consideration of reports;
- (c) motions;

- (d) the giving of notices of motion;
- (e) confirmation of the minutes of meeting;
- (f) any other businesses arising from the meeting.

MOTIONS

Notice of motions

23. Notice of all motions introducing any new matter shall be given within 5 working days, and all motions shall be placed in "The General Orders of the day".

Motion in writing and seconded

24. Every motion shall be in writing and read by the Chairman, but shall be seconded before being put or debated.

Motion recorded

25. All motions shall be recorded by the secretary together with the voting thereon.

Repeal of S 97/1963

26. The Brunei Municipal Board (Standing Orders) By-Laws, 1963 is hereby repealed.

Made this 3rd. day of Ramadhan, 1439 Hijriah corresponding to the 19th. day of May, 2018.

AWANG HAJI ALI BIN MATYASSIN
Chairman,
Bandar Seri Begawan Municipal Board.

Confirmed this 26th. day of Syawal, 1439 Hijriah corresponding to the 10th. day of July, 2018.

PEHIN ORANG KAYA SERI KERNA DATO SERI SETIA
(DR.) HAJI AWANG ABU BAKAR BIN HAJI APONG
Minister of Home Affairs,
Brunei Darussalam.