

**TEMPORARY EXCLUSION LIST  
FOR THE OPENING UP OF INDUSTRIES FOR SERVICES INCIDENTAL TO THE  
MANUFACTURING, AGRICULTURE, FISHERY, FORESTRY,  
MINING AND QUARRYING SECTORS**

**BRUNEI DARUSSALAM**

SECTOR	I S I C / C P C Provisional	SUBMISSIONS	
		SECTOR / INDUSTRIES	RESTRICTION / REQUIREMENTS
Industries Open with Restriction to Foreign Investors			
Services Incidental to Agriculture	0140 / 88110 88120	Agricultural and animal husbandry service activities on a fee or contract basis	30% local participation is required for access to Government facilities and sales to domestic market
		Services rendered on a fee or contract basis for the followings:	
	7121 / 88110	Renting of agricultural machinery and equipment	30% local participation is required for access to Government facilities and sales to domestic market
	8520 / 88120	Veterinary services	
	7310 / 88110	Agriculture research and experimental development	
7413 / 88110	Agricultural Market Research		
Services Incidental to Forestry	0200 / 88140	▪ Forest Plantations and Nurseries ▪ Forest-Based Industry Processing	30% local participation is required for access to Government facilities and sales to domestic market

**SENSITIVE LIST  
FOR THE OPENING UP OF INDUSTRIES FOR SERVICES INCIDENTAL TO THE  
MANUFACTURING, AGRICULTURE, FISHERY, FORESTRY,  
MINING AND QUARRYING SECTORS**

**BRUNEI DARUSSALAM**

SECTOR	I S I C / C P C Provisional	SUBMISSIONS	
		SECTOR / INDUSTRIES	RESTRICTION / REQUIREMENTS
Industries Open with Restriction to Foreign Investors			
Services Incidental to Manufacturing	88411	Food related products manufacturing services	To utilise local resources, domestic market access and government facilities, foreign investment must have at least 30% local participation
	2310 / 88450	Manufacture of coke oven products	Restriction on 100% Foreign Company Participation
	2330 / 88450	Manufacture of refined petroleum products	Foreign Participation will be considered on a case by case basis
	2411 / 88460	Manufacture of basic chemicals (eg. basic organic chemicals)	
	2412 / 88460	Manufacture of fertilizers and nitrogen compounds (urea)	
	2413 / 88460	Manufacture of plastics in primary forms and synthetic rubber (eg. ethylene polymers, synthetic rubber derived from oils, etc)	
Services Incidental to Fishery	0500 / 88200	Offshore capture fisheries (purse-seines and long lines)	30% local participation is required

SECTOR	I S I C / C P C Provisional	SUBMISSIONS	
		SECTOR / INDUSTRIES	RESTRICTION / REQUIREMENTS
		Aquaculture	30% local participation is required
<b>Services Incidental to Mining and Quarrying</b>	<b>88300</b>          <b>1120 / 88300</b>	<p>Sectors rendered on a fee or contract basis at petroleum fields eg. drilling services, derrick building and dismantling services, petroleum well casings, cementing services</p> <p>Excludes: Mineral prospecting services, petroleum filed exploration and geophysical (eg. seismic) and geological surveying services are classified in a separate category (class 8675 Engineering related scientific and technical consulting services)</p>	<p>Restriction on 100% Foreign Company Participation</p> <p>Foreign participation will be considered on a case by base basis</p>

**SENSITIVE LIST  
FOR THE GRANTING OF NATIONAL TREATMENT FOR SERVICES INCIDENTAL TO  
THE MANUFACTURING, AGRICULTURE, FISHERY, FORESTRY,  
MINING AND QUARRYING SECTORS**

**BRUNEI DARUSSALAM**

<b>SUBMISSIONS</b>	
<b>MEASURES</b>	<b>DESCRIPTION OF TREATMENT</b>
<b>Services Incidental to Manufacturing, Agriculture, Fishery, Forestry, Mining and Quarrying Sectors</b>	
<b>Ownership of Land</b>	<p><b>Manufacturing Sector</b> Foreigners are not allowed to own land unless consented by His Majesty Council.</p> <p><b>Agriculture Sector</b> With the consent of His Majesty Council.</p> <p><b>Fishery Sector</b> All activities are only allowed on land gazetted to the Fishery Department.</p>
<b>Government Procurement</b>	<p><b>Manufacturing Sector</b> To participate in government tendering process foreign nationals and companies must have local representation in the company. There is no requirement that a supplier must get the supplies from 100% owned manufacturing company.</p>
<b>Incentives</b>	<p><b>Manufacturing, Agriculture, Fishery, Forestry, Mining and Quarrying Sectors</b> Any company that is incorporated or registered under the Company's Act can enjoy investment incentives under the Investment Incentives Order 2001.</p>
<b>Government Paddy Purchasing Scheme</b>	<p><b>Agriculture Sector</b> Applicable to local farmers only.</p>

SUBMISSIONS	
MEASURES	DESCRIPTION OF TREATMENT
<b>Services Incidental to Manufacturing, Agriculture, Fishery, Forestry, Mining and Quarrying Sectors</b>	
<b>SME Development Policy</b>	<p><b>Manufacturing Sector</b>  Foreigners are not allowed to enjoy privileges reserved for local SMEs - soft loans and grants.</p>
<b>Corporate Equity Requirements / Domestic Market Access</b>	<p><b>Manufacturing Sector</b>  To utilise local resources, domestic market access and government facilities, foreign investment must have at least 30% local participation. However, 100% foreign ownership is allowed if 100% of the product is exported with exception of the manufacturing of food related products and use of local resources.</p> <p><b>Fishery Sector</b>  30% local participation is required. All produce/catches must be processed / landed in Brunei Darussalam.</p>
<b>Directorship</b>	<p><b>Manufacturing, Agriculture and Fishery Sectors</b>  Directorship of company under the Company's Act (Chapter 39); "Every company registered under the Company's Act shall have at least 2 directors. One of the 2 directors or where there are more than 2 directors, 2 or not less than half of the number of such director whichever is greater shall be nationals of Brunei".</p>
<b>Existing Conditions Imposed to Existing Industries</b>	<p><b>Manufacturing Sector</b>  Existing conditions imposed on industries which are services incidental to manufacturing utilising government facilities before the enforcement of the AIA Agreement shall continue to be applicable. Any changes shall be subjected to approval.</p> <p><b>Agriculture and Fishery Sector</b>  Existing conditions imposed on industries which are incidental to agriculture utilising government facilities before the enforcement of the AIA Agreement shall continue to be applicable. Any changes shall be subjected to approval.</p>

SUBMISSIONS	
MEASURES	DESCRIPTION OF TREATMENT
<b>Services Incidental to Manufacturing, Agriculture, Fishery, Forestry, Mining and Quarrying Sectors</b>	
<b>Work Permit</b>	<b>Manufacturing, Agriculture, Fishery, Mining and Quarrying Sectors</b> All foreign investors and employees must obtain work visas and work permit.
<b>Registration as Importer of Meat Products</b>	<b>Agriculture Sector</b> Reserved for local registered companies.
<b>Application of Import Permit for Halal Meat</b>	<b>Agriculture Sector</b> Under the jurisdiction of the Ministry of Religious Affairs.
<b>Registration as Importer</b>	<b>Agriculture Sector</b> Reserved for local registered companies.