

## NOTICE TO INDUSTRY

Subject: <b>Request for Exception for Expatriates with Valid Work Permit/Visa &amp; Mandatory Quarantine/Isolation in Facilities Provided by the Government</b>		
Reference: <b>NTI 09/2020</b>	Issue Date: <b>21 April 2020</b>	Expiry Date: <b>None</b>

This supercedes the previous NTI/8-2020 and is amended to take into account the Ministry of Health's advisory ("MOH Advisory") dated 16 April 2020, whereby all foreign individuals arriving in Brunei Darussalam shall be required to bear the cost of the COVID-19 laboratory testing of B\$1,000.00 per individual in addition to bearing costs for self-isolation in facilities provided by the Government.

Purpose: This Notification to Industry serves to provide guidance on the process and requirements for seeking Entry of **Critical** Expatriate Worker who have valid permit/visa which shall require the following:

1. All applications are to be made via the contract owners (which in the context of this specific NTI shall refer only to BSP, TOTAL, PCBL, BLNG, BSM, BGC, BFI, Hengyi, PB, BMC and AHEAD (the "Contract Owners"). Contract Owners for their own foreign staff, and with input from their contractor if for contractor staff, shall provide full justification on the criticality of any request to be submitted to the Immigration Department.
2. All forms must include a letter of justification and job scope deemed critical to Contract Owners:
  - a) Based on Safety, Asset Integrity and Production (regrets if not supported)
  - b) No other option (e.g. in country resources exhausted, delay not an option)
3. Quarantine/Isolation shall be carried out in facilities provided by the Government only and therefore all applications are required to provide full written undertaking to pay all costs that may be imposed by the Ministry of Health including for COVID-19 laboratory testing, quarantine/isolation requirements and all other associated medical costs including any arising pursuant to their arrival in Brunei Darussalam in the event such person develops illness requiring medical support and/or repatriation back to their country of departure/origin (the "Medical Costs"). Required insurances remain an obligation of the requestor.
4. Authorised Director from the Contract Owners to sign support letter, which includes (but not limited to):
  - a) Business case (Justification of criticality of each staff);
  - b) Worker's details;
  - c) Written undertaking to pay all Medical Costs ("Cost Undertaking"), which –

- i. for staff of Contract Owners, such Cost Undertaking is to be issued under the hand of the authorised representative of the Contract Owner; and
- ii. for contractor staff under Contract Owners, the Contract Owners in lieu of providing Cost Undertaking for contractor staff, may instead provide suitable financial instruments such as bank guarantees (from local banks) from their contractors for each incoming contractor staff immediately payable on default to the Ministry of Health.

For the purposes of clarity, the obligations under the Cost Undertaking has 2 parts. The first part constitutes an obligation that the Contract Owners and/or contractor shall deposit the minimum costs as required by the Ministry of Health from time to time (“Minimum Upfront Costs”), which at the date of this NTI provides such Minimum Upfront Costs shall be for COVID-19 laboratory testing and initial 14 days quarantine/isolation costs to be paid to the Ministry of Health 3 days prior to the arrival of each incoming foreign person (or as specified from time to time), and the second part is for the Contract Owners and/or contractor to provide an undertaking to fully bear any further costs (if any) under the Cost Undertaking and/or provided financial instruments, as applicable. This para constitutes mandatory conditions for each request.

5. The Contract Owners/Contractor may download the relevant request form from [www.immigration.gov.bn](http://www.immigration.gov.bn) and to submit Immigration Application Form and Support letter to [info@immigration.gov.bn](mailto:info@immigration.gov.bn) and CC'ed to [LBD@me.gov.bn](mailto:LBD@me.gov.bn) and relevant ME ICV officer fourteen (14) days prior to departure of the foreign personnel (1 support letter for each individual).
6. Immigration receives application, 14 days prior to planned arrival:
  - a) ME (ICV) will communicate decision to Contract Owner focal point (SCM Head or equivalence) within 3 business days;
  - b) If supported: Immigration to provide Entry Support letter to Contractor via Contract Owner focal point; and
  - c) Contract Owner/Contractor makes payment for the Minimum Upfront Costs, failure of which may cancel the provided approvals to enter and the Contract Owner/Contractor bears the cost of repatriation.
7. Prior to arrival to Brunei Darussalam, approved applicant shall carry out necessary medical screening and take additional precautionary measures to minimise risk of infection.
8. All incoming persons shall be subject to 14 days quarantine/isolation upon arrival in Brunei Darussalam and any further quarantine/isolation durations deemed necessary by the Ministry of Health. Such persons shall subsequently be required to obtain final medical clearance either through the Ministry of Health and/or registered medical centres in accordance with advisories in force from the Ministry of Health and Petroleum Authority, and approval from the latter prior to commencing work.
9. The Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam reserves all rights to refuse any application in its sole discretion and all costs of application and related to or arising from pursuing such applications shall be for the account of the Contract Owners and/or requestors. No guarantee is made that any particular request shall be accepted and any approved requests shall be subject to prevailing conditions at any point in time as the situation develops.

10. For cases where the expatriates are new application (in other words, no valid work permit), the contractor through the Contract Owners (or Contract Owners for Contract Owners's own resources) will be required to submit the standard work permit application (together with support letter, template as per norm process) to ICV ME that will coordinate with Labour Department PRIOR to the submission to Immigration. For further information, please contact relevant ME ICV Officer. In any event, the above requirements shall similarly apply to all new applications.

Also attached is the updated process flow for your reference.

