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## New Requirements on Halal Certification and Permit

Following the commencement of the Halal Certificate and Halal Label (Amendment) Order, 2017 on 26 May 2017, it is now compulsory for all businesses that produce, supply, and serve food and beverages in Brunei to obtain a Halal Certificate and Halal Permit.

The Brunei Islamic Religious Council (“**MUIB**”) together with the Halal Food Control Division makes up the Halal Certifying Body.

### Understanding the Halal Certificate and Halal Permit

The new requirement to obtain a Halal Certificate and Halal Permit impacts businesses that deal with human consumption, such as restaurants, food factories, home-based food businesses, pharmaceuticals, health supplements and traditional medicines, etc.

The distinguishing features of a Halal Certificate and Halal Permit are summarised as follows:

**Halal Certificate:** The Halal Certificate is attached to the place of business certified to produce and serve Halal Products

**Halal Permit:** The Halal Permit is attached to each product certified Halal

### Obtaining a Halal Certificate and Halal Permit

In order to apply for a Halal Certificate and Halal Permit, applicants are required to complete and submit the application forms to the Halal Food Control Division at the Department of Syariah Affairs, Ministry of Religious Affairs.

In addition to the application process for the Halal Certificate and Halal Permit, the Halal Certifying Body will also ensure that the following requirements are met:

#### 1. Halal Supervisors

The applicant must employ at least 2 Muslim employees as Halal Supervisors. Halal Supervisors must ensure that the food products sold at the applicant’s place of business comply with Halal standards.

They must also possess basic knowledge on Hukum Syarak and product-handling ethics. At least 1 of the Halal Supervisors must be present at the business premise at all times.

#### 2. Audit and Inspections

Auditors assigned under the Halal Certificate and Label Order 2005 will conduct a desktop or document-based Adequacy Audit. In conducting such Adequacy Audits, auditors will examine the contents of all supportive documents including Halal Certificates, the list of ingredients used in product-making or manufacturing, product packaging materials, etc.

Subsequently, the auditors assigned to the Adequacy Audit will conduct on-site auditing. On-site auditing will cover entry (opening) meetings, site visits, documentation comments, audit meetings and exit (closing) meetings.



Should there be any Corrective Action Requests (CARs), such CARs will be presented during the exit meeting. The applicant will be allocated a certain time period to rectify the identified non-conformance. A follow up audit will be conducted after the CARs have been rectified.

Once the audit is concluded, the lead auditor will prepare a final recommendation report which will be submitted to the Inspection Committee.

The Inspection Committee will review the on-site audit report and report to MUIB. Upon approval, MUIB will then issue the Halal Certificate and Halal Permit.

Thereafter, a surveillance audit at the newly minted Halal-certified place of business will be conducted twice a year to ensure compliance with Halal conditions and requirements.

### **Penalties for non-compliance**

The penalty for failing to apply for the Halal Certificate and Halal Permit is a fine not exceeding BND8,000 (approximately USD5,800) or imprisonment not exceeding 2 years or both. Further fines not exceeding BND100 (approximately USD70) per day will be levied for continuing offences.

A fine not exceeding BND4,000 (approximately USD2,900), or imprisonment for a term not exceeding 1 year, or both, will be levied on offences such as:

- the exhibition of expired certificates;
- alterations to certificates and permits; and
- non-compliance, or refusal of entry or obstruction of an enforcement officer.

A fine not exceeding BND8,000 (approximately USD5,800), or imprisonment for a term not exceeding 2 years, or both, will be levied on establishments or businesses that use any label other than that of the official Halal label on their premises or products. Unauthorised terms include unofficial use of the words “Halal”, “Ditanggung Halal”, “Makanan Islam” or any other term exuding similar expressions to indicate that Muslims are permitted to dine at the establishments or consume the labelled food products.

If you have any questions or require any additional information, please contact [Mohamad Rozaiman Abdul Rahman](#) or the ZICO Law Partner you usually deal with.

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