Authority for Info-communications Technology Industry of Brunei Darussalam

POSTAL SERVICES ACT, CHAPTER 271

CODE OF PRACTICE FOR MAIL INTEGRITY IN THE POSTAL SECTOR (MAIL INTEGRITY CODE)

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In exercise of the powers conferred by Section 25(1) of the Postal Services Act, Chapter 271, the Authority for Info-communications Technology Industry of Brunei Darussalam ("Authority") hereby issues the following Code of Practice for Mail Integrity in the Postal Sector (Mail Integrity Code) **effective 01 December 2025.**

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1. PRELIMINARY

1.1 Citation and commencement

This Code may be cited as the Code of Practice for Mail Integrity in the Postal Sector (Mail Integrity Code) and shall come into operation on 01 December 2025.

1.2 Interpretation

(a) In this Code, unless the context otherwise requires:

"Act" means Postal Services Act, Chapter 271;

"Authority" means the Authority for Info-communications Technology Industry of Brunei Darussalam established by section 3 of the Authority for Info-communications Technology Industry of Brunei Darussalam Order, 2001 (S 39/2001);

"Damage" means any physical damage caused to a Postal Article after the acceptance of, and prior to the delivery of the Postal Article by the licensee;

"Employees" means permanent, temporary, casual or part-time workers hired by any Licensee who are involved in receiving, conveying, sorting and delivering Postal Articles, including those involved in administration, supervision and management;

"Identifier Mark" means such postage stamp, impression, mark, number or other identifier unique to each Licensee as may be applied by each Licensee and approved by the Authority from time to time;

"Interference" means an action that is contrary to the lawful handling process of a Postal Article, including wilful delay, tampering of items, opening without permission and other actions contrary to relevant laws and regulations;

"Letter" has the same meaning as in section 2(2) of the Act;

"Letter Redirection Service" refers to a service which allows a Recipient who has moved to a new address to continue to receive Basic Letters bearing the previous address, for a period of time;

"Licensee" means any entity to which the Authority has granted a licence under section 8 of the Act, and includes the Public Postal Licence holder, all International CEP Licence holders, and all Domestic CEP Licence holders;

"Loss" means the physical loss of a Postal Article other than as a result of theft, or being incorrectly addressed;

"Miscollected Letters" means Letters which have been collected in error by a Licensee which is not the intended Licensee;

"Misdelivered Letters" means Letters which are delivered to the wrong address by a Licensee;

"Misdirected Letters" means Letters which have been conveyed in error by a Licensee or an overseas postal operator to the wrong delivering Licensee;

"Misposted Letters" means Letters which due to a Sender error have entered the postal facility of a Licensee other than the intended Licensee;

"Postal Article" has the same meaning as in section 2(1) of the Act;

"Postal Article Handling" means the process by which a Postal Article is collected, conveyed, sorted and delivered including manual and automated tools that facilitate such handling;

"Postal Service" has the same meaning as in section 2(1) of the Act;

"Recipient" in relation to a Letter or other Postal Article, means a party who is the addressee of the Letter; and

"Sender" in relation to a Letter or other Postal Article, means a party whose communication it originates from.

(b) A reference in this Code to a "section" shall, unless otherwise stated, be construed as a reference to the corresponding section in this Code and shall include all sub-sections within that section.

(c) In this Code, unless the context requires otherwise, the words "include" and "including" are to be construed as being by way of illustration and do not limit or prejudice the generality of any foregoing words. The singular includes the plural and vice versa.

1.3 Purpose of this Code

This Code ensures the integrity of mail handled by Licensees. The purpose of this Code is as follows:

(a) To establish requirements on handling procedures to improve the general security of mail and Postal Articles and to reduce the risk of loss, theft, damage and interference of such items;

(b) To establish requirements on the handling of dangerous and suspicious items;

(c) To establish requirements on the reporting of incidents affecting the integrity of Postal Articles;

(d) To promote the welfare of consumers of Postal Services; and

(e) To promote the efficient conduct and inter-operability between Licensees so as to ensure that mail is delivered in a timely and efficient manner and safeguarding the integrity of mail delivered.

1.4 Scope and legal effect of this Code

(a) This code applies to:

(i) The Public Postal Licence holder;

(ii) All International CEP Licence holders; and

(iii) All Domestic CEP Licence holders

(b) Every Licensee is required to comply with this Code in accordance with section 25(7) of the Act.

(c) In particular, every Licensee must:

(i) comply with the requirement to obtain any other licences, permits or approvals that may be required under any written law in force in Brunei Darussalam; and

(ii) establish reciprocal arrangements with other Licensees to address the requirements specified in section 1 of this Code.

(d) The obligations contained in this Code are in addition to those contained in the Act, as well as any other regulations, licences or codes of practice issued by the Authority.

(e) Nothing in this Code shall be construed as allowing any party to contravene any laws or regulations in force in Brunei Darussalam. If any provision of this Code is held to be unlawful, all other provisions will remain in full force and effect.

1.5 Variation, Revocation, Exemption etc.

(a) The Authority may at any time review, add to, vary or revoke this Code in accordance with section 25(1)(c) of the Act.

(b) The Authority may exempt any Licensee from all or any of the provisions of this Code in accordance with section 25(8) of the Act. A Licensee that wishes to be exempted from any provision of this Code must submit a written request to the Authority containing the reasons supporting its request. An exemption shall be subject to such terms and conditions as the Authority may specify and may, without limitation, be on a one-time basis, temporary, permanent, for a fixed period or effective until the occurrence of a specific event. The Authority may provide an opportunity for public comments before granting or denying any request.

2. SECURITY OF MAIL

2.1 General Requirement

All Licensees must ensure that they provide an environment that ensures the security of mail under their care at all times, in accordance with the requirements set out below. The Authority may, from time to time and in accordance with Section 27 of the Act, make advisory guidelines to prescribe in further detail the requirements to be observed by Licensees in this regard.

2.2 Security of Premises

All Licensees must ensure that the premises within which they operate:

(a) Provide a safe environment for employees and customers, and conform to all applicable health and safety standards and requirements under the laws and regulations in force in Brunei Darussalam;

(b) Contain a separate area for the storage of Postal Articles which can only be accessed by authorised employees and agents of the licensee; and

(c) Contain a secure area for Postal Articles awaiting conveyance or collection which can be locked during hours when the Licensee is not operational.

2.3 Security of Vehicles

All Licensees must ensure that vehicles used by them to carry out postal activities:

(a) Are compliant with all applicable standards and requirements regarding vehicle testing, insurance and taxation under the laws and regulations in force in Brunei Darussalam;

(b) Are fit for the purpose(s) for which they are being used;

(c) Possess the capacity to be locked when the driver is away from the vehicle; and

(d) Possess security features to secure the vehicle against unauthorised access.

3. HANDLING PROCEDURES

3.1 Packaging

All Licensees must ensure that Postal Articles received from the Sender are packaged suitably and comply with the requirements set out below:

(a) Postal Articles must be packed in such a way that damage will be minimised if the package is mishandled or dropped;

(b) Postal Articles must be packaged in such a way that the movements of their contents inside the package is minimised;

(c) Postal Articles must be packaged in such a way that their contents are unable to fall out or are able to be accessed without unwrapping the package;

(d) Postal Articles must be addressed clearly with the name and address of the Recipient indicated in a prominent and permanent position on the package; and

(e) All Licensees must use its best endeavours to ensure that the packaging of Postal Articles contain the details of the Sender and telephone details of the Recipient to facilitate delivery of return of the Postal Article.

3.2 Handling and sorting

All Licensees must ensure that, in the course of its general handling and sorting of Postal Articles:

(a) Postal Articles are treated with sufficient care to minimise damage to their contents;

(b) Licensees do not carry out sorting operations in areas to which the general public has access; and

(c) Postal Articles are not left unattended in places where they are vulnerable to theft, damage or interference.

3.3 Collection

All Licensees must ensure that, when collecting Postal Articles from, or on behalf of, the Sender:

(a) The Postal Article is packaged properly and does not contain forbidden items; and

(b) The Postal Article is accounted for in accordance with the type of service for which the customer has made payment.

3.4 Transportation

All Licensees must ensure that, when transporting Postal Articles:

(a) The Postal Articles are properly secured within the vehicle and within containers using a reasonable standard of protection; and

(b) Postal Articles being transported by hand are contained in a secure bag which adequately protects the item from the weather, theft, damage and interference.

3.5 Delivery

All Licensees must ensure that, in the course of delivering the Postal Article:

(a) The Postal Article is handled in a way which does not cause damage to its contents;

(b) The other Postal Articles within the care of Licensees at the time of delivering a Postal Article are secured so as to minimise theft, damage or interference from third parties;

(c) The vehicle used to facilitate delivery is locked when that vehicle is making a delivery; and

(d) All receptacles used by Licensees during the delivery process are to be locked or secured.

3.6 Masterdoor Keys

Where applicable, all Licensees shall be prohibited from using masterdoor keys or any other methods which allow full access to the pigeonholes of letterboxes, unless permitted to do so by the Authority.

4. IDENTIFIER MARKS

4.1 Registration of Identifier Mark

Every Licensee must register its Identifier Mark with the Authority in accordance with the conditions of its licence. The Identifier Mark must be easily identifiable as the mark belonging to the relevant Licensee. The Authority may specify requirements relating to the design and use of the Identifier Mark.

4.2 Legibility and Identifiability of Identifier Marks

Every Licensee must ensure that its Identifier Mark, together with a date stamp, is clearly and legibly marked in accordance with industry practice on each Letter that it handles for the purpose of being conveyed by post. Licensees must ensure each article has a clear Identifier Mark or label on each item that:

(a) enables identification of the Licensee responsible for carriage of the item; and

(b) identifies the date the item was received for dispatch.

4.3 Unauthorised Tampering

A Licensee must not tamper with the Identifier Mark of another Licensee marked on a Letter. This includes any act which renders the Identifier Mark or date stamp of another Licensee unrecognisable or illegible.

4.4 International Inbound Items

In the case of Licensees carrying international inbound items the item must bear an identifier mark from the dispatching country.

5. SHARING OF POSTAL CODE INFORMATION

5.1 In accordance with the conditions of its licence, the Authority has designated the corporatised entity that was formerly known as the Brunei Darussalam Postal Service Department as the administrator to establish, maintain and administer the Brunei postal code.

5.2 The administrator must offer to share the use of the Brunei postal code with any Licensee at prices, terms and conditions that are just, reasonable and non-discriminatory. Unless the Authority specifies otherwise, the rates charged to any Licensee must be no worse-off than what the administrator charges for retail.

6. LETTER REDIRECTION SERVICES

6.1 Provision of Letter Redirection Service

Any Licensee that offers a Letter Redirection Service must, upon reasonable request, make available in a timely manner to other Licensees the redirected address of any Recipient who has requested for the Letter Redirection Service (“Redirection Information”), provided that consent has been granted by the Recipient to share the Redirection Information with other Licensees. In this respect, the Licensee providing the Letter Redirection Service must make it known to such Recipients that unless the Recipient expressly opts out, the Licensee may share the Redirection Information with other Licensees for the purposes as permitted by the Recipient.

6.2 Unauthorised Use of Redirection Information

Any Licensee that obtains the Redirection Information of any Recipient must not use such information for any purpose other than as permitted by the Recipient.

6.3 Charging for Redirection Information

The Licensee providing the Letter Redirection Service must not charge other Licensees for the Redirection Information. Instead, the Licensee may only recover costs from Recipients who request for the Letter Redirection Service.

7. DANGEROUS AND SUSPICIOUS POSTAL ARTICLES

7.1 General Requirement

All Licensees must ensure that potentially dangerous and suspicious Postal Articles are handled in accordance with the Post Office Rules (Cap 52, Rule 7) and the requirements set out below. The Authority may, from time to time and in accordance with Section 27 of the Act, make advisory guidelines to prescribe in further detail the requirements to be observed by Licensees in this regard.

7.2 Dangerous Postal Articles

For the purposes of this Code, a "dangerous" Postal Article is one which possesses, without limitation, one or more of the following characteristics:

(a) The Postal Article emits a noxious smell, which may indicate that it contains a dangerous liquid which is escaping its container;

(b) The Postal Article may be much heavier than a normal item, which may indicate that it contains heavy metals or other material associated with weapons;

(c) The Postal Article is making a noise, which may indicate that the package contains a timer inside; or

(d) The packaging of the Postal Article may be scorched, which may indicate that a battery has ignited.

7.3 Procedures for Handling Dangerous Postal Articles

All Licensees must carry out the following procedures when they identify a dangerous Postal Article:

(a) The Licensee must make an immediate assessment of the relative danger of the item;

(b) If the Licensee assesses that the Postal Article presents an immediate danger to life, the building should be evacuated, and the authorities should be informed immediately to deal with the Postal Article; and

(c) If the Licensee considers it safe to move the Postal Article, the Postal Article should be moved to a secure place away from all human activity and the relevant authorities should be called to deal with the Postal Article.

7.4 Suspicious Postal Articles

For the purposes of this Code, a "suspicious" Postal Article is one which must possess characteristics inclusive of, but not limited to, the following:

(a) There are regular Postal Articles going to and coming from the same location on a frequent basis that appear out of place, which may (depending on the size and shape of the Postal Article) indicate that the Postal Articles contain drugs, counterfeit goods or illicit materials;

(b) The same Postal Articles listed above are unlikely to have information identifying the Sender; and

(c) The Recipient and Sender of the Postal Articles are known or suspected to be involved in criminal activity.

7.5 Procedures for Handling Suspicious Postal Articles

All Licensees must, after identifying a suspicious article, without undue delay inform the police and provide all information and assistance as the police may require.

8. OPENING OF POSTAL ARTICLES

8.1 General Prohibition

All Licensees must ensure that Postal Articles are not opened without permission from the Sender and/or Recipient, save in accordance with the Act or in the circumstances including, but not limited to, those permitted by the Authority under this Code as follows:

(a) It is suspected that the Postal Article is carrying forbidden items;

(b) It is suspected that the Postal Article may cause harm or impact the safety of staff, customers and other Postal Articles;

(c) The Postal Article has been held back by customs officials for inspection; or

(d) The packaging of the item has been damaged to such a degree that it must be replaced in order to protect the contents of the package;

8.2 Opening of Postal Articles Under Permitted Circumstances

Where a Licensee opens a Postal Article under the permitted circumstances in accordance with section 8.1 above, the Licensee must open that Postal Article in the following manner:

(a) The Licensee must open the Postal Article under controlled circumstances with at least two members of staff, or video recorded, to ensure the integrity of the Postal Article; and

(b) The Licensee must make a full report of the circumstances of the opening of the Postal Article, which must include an account of the reasons why the item was opened and a record of the contents of the Postal Article.

9. REPORTING OF INCIDENTS

9.1 Records of Incidents of Loss, Damage, Interference or Theft, etc.

All Licensees must record, keep and maintain a record of all incidents of loss, damage to, interference with or theft of Postal Articles in reasonable detail and such record must be furnished to the Authority upon the Authority's request. As a minimum, such records must include:

(a) The date, time and place of the incident;

(b) The name of the Licensee's employee(s) or agent(s) involved in the incident;

(c) The nature of the incident and details of the impact of the incident; and

(d) Any other details that would be useful for later use when informing the customer, licensee management and/or police of the incident.

9.2 Record of Suspicious Incidents

All Licensees must keep and maintain a record of all suspicious incidents that have taken place within each calendar year and such record must be furnished to the Authority upon the Authority's request: As a minimum, such records must include:

(a) The date, time and place of the incident;

(b) The name of the Licensee's employee(s) or agent(s) involved in the incident;

(c) The nature of the incident and details of the impact of the incident; and

(d) Any other details that would be useful for later use when informing the customer, licensee management and/or police of the incident.

10. ENFORCEMENT OF THE CODE AND DISPUTE RESOLUTION

10.1 Complaint Investigation

(a) The Authority will consider and, where appropriate, commence an investigation against a Licensee where the Authority receives a complaint from any person alleging contravention of this Code by the Licensee, provided that the complaint is made within 2 years after the date of the occurrence of the event giving rise to the complaint.

(b) The Authority may, on its own motion, commence an investigation against a Licensee where there appears to be a contravention of this Code by such Licensee.

(c) In all cases, the Authority has the sole discretion to determine whether it will conduct any investigation under this Code.

10.2 Power to Require Information

(a) The Authority may at any time require a Licensee to provide the Authority with any information or documents which the Authority requires for the purpose of investigating a contravention of this Code.

(b) The Authority shall at all reasonable times in the day have full and free access to a Licensee's premises, offices, equipment, systems, books, documents and other records for the purpose of investigating a contravention of this Code and may, without payment, inspect, copy or make extracts from any such equipment, systems, books, documents or records.

(c) For the avoidance of doubt, the fact that the information required by the Authority is subject to an existing confidentiality agreement between the Licensee and any other party shall not excuse the Licensee from providing the information to the Authority.

(d) Any failure by a Licensee to comply with the Authority's requests for information, or any destruction, disposal, falsification or concealment of requested documents, constitutes, without limitation, a contravention of this Code for which the Authority can take separate enforcement proceedings against the Licensee.

10.3 Information to be Complete, Truthful and Accurate

(a) The Licensee must ensure that all information provided to the Authority, whether in its written response, related representations or any other submissions, are complete, truthful and accurate.

(b) In the event that the Authority discovers any information provided by a Licensee to be incomplete, false or inaccurate in any material particular, the Authority may:

(i) take this into account when deciding on the appropriate enforcement measure to take against the Licensee under the original enforcement proceedings; and

(ii) commence separate enforcement proceedings against the Licensee for contravention of this provision of the Code.

10.4 Interim Directions to Cease and Desist or to Comply with Specified Conduct

(a) At any time during an enforcement proceeding, the Authority may issue an interim direction to the Licensee to cease and desist from any specified conduct or to comply with any specified conduct. In determining whether to issue such an interim direction, the Authority will consider whether:

(i) there is prima facie evidence that the Licensee has contravened any provision of this Code;

(ii) continuation of the Licensee's conduct is likely to cause harm to consumers or the general public;

(iii) the potential harm from allowing the Licensee to continue its conduct outweighs the burden on the Licensee of ceasing such prohibited conduct or complying with the conduct specified by the Authority; or

(iv) issuance of the interim direction is in the public interest.

10.5 Enforcement Measures

(a) In the event that the Authority concludes that a Licensee has contravened any provision of this Code, the Authority may take such enforcement measures as it considers appropriate, including but not limited to:

(i) the issuance of a warning to the Licensee containing a statement of the Authority's basis for concluding that the Licensee has acted in contravention of any provision of this Code, but will impose no further sanction;

(ii) the issuance of a direction to the Licensee to cease engaging in contravening conduct or to take specific actions to comply with any provision of this Code; and/or

(iii) the imposition of a financial penalty of up to $1 million per contravention under section 11 of the Act on a Licensee for contravention of a provision of this Code.

(b) In imposing financial penalties, the Authority will consider any aggravating factors. These factors include:

(i) whether the contravention was serious;

(ii) whether the contravention continued for an extended period;

(iii) whether the Licensee acted wilfully, recklessly or in a grossly negligent manner;

(iv) whether the Licensee has a previous history of contraventions; and

(v) whether the Licensee made any effort to conceal the contravention.

(c) In imposing financial penalties, the Authority will also consider any mitigating factors. These factors include:

(i) whether the contravention was minor;

(ii) whether the Licensee took prompt action to correct the contravention;

(iii) whether the contravention was accidental; and

(iv) whether the Licensee voluntarily disclosed the contravention to the Authority and cooperated with the Authority in its investigation.

10.6 Suspension or Cancellation of Licence

Under section 11 of the Act, if the Authority is satisfied that a Licensee has, among other things, contravened this Code and:

(a) the Licensee is, among other things, likely to again contravene, whether by act or omission, any provision of this Code; or

(b) the public interest so requires,

the Authority may, in lieu of a financial penalty or an order under section 11(1) of the Act, cancel or suspend the relevant licence (or part thereof) or reduce the period for which the licence is in force.

10.7 Decision to be Complied with Pending Review

Unless otherwise provided, where an appeal is made under section 61 of the Act, the decision, direction or any other matter which is appealed against must be strictly complied with until the determination of the appeal.

10.8 Dispute Resolution

Where Licensees fail to voluntarily reach an agreement regarding any dispute in relation to the requirements of this Code, any of the Licensees involved in the dispute may request the Authority to resolve the dispute. In raising the dispute to the Authority, the Licensees must comply with the dispute resolution procedure specified by the Authority from time to time.

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