

# INVEST BRUNEI DARUSSALAM

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## **CONDUCTIVE BUSINESS ENVIRONMENT**

- Clean & Green
- Strategically Located
- Politically Stable
- Favourable Tax Regime
- Ease of Doing Business Reforms
- Credible Partnership
- Intellectual Property Protection
- Up to 100% Foreign Ownership
- Complete Facilitation and Support

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## BUSINESS ENVIRONMENT

<b>Land Area</b>	: 5,765 km <sup>2</sup>
<b>Population</b>	: 445,400 (2022)
<b>GDP Growth</b>	: 0.7 – 1.2% (2023 est.)
<b>GDP at Current Prices</b>	: 23,003.1 (BND Million)
<b>GDP per Capita</b>	: 51,645.9 (BND Million)
<b>Labor Market (000)</b>	: 353.9 (Labour Force Survey 2022)
<b>Unemployment Rate</b>	: 5.2% (Labour Force Survey 2022)
<b>Major Exports</b>	: Oil and Gas, Chemicals, Machinery and Transport Equipment
<b>Major Imports</b>	: Food and Live Animals
<b>Major Trading Partners</b>	: Exports: Japan, Australia, China : Imports: Malaysia, UAE, China

### Currency

The currency used is the Brunei Dollar (BND or B\$) which is on par and interchangeable with the Singapore dollar (SGD). This stability has allowed for minimal exchange rate fluctuations.

# STARTING A BUSINESS IN BRUNEI DARUSSALAM

The **One Common Portal (OCP)** provides a centralized platform to manage company incorporation and registration, tax filing and other corporate obligations.

Via the OCP website ([www.ocp.mofe.gov.bn](http://www.ocp.mofe.gov.bn)), applicants would create an account and subsequently complete an application form and provide the necessary supporting documents towards setting up a Sendirian Berhad or Private Limited Company.

A registration fee of B\$300.00 is payable via the OCP portal. Once the application has been processed and approved, the Company Incorporation Certificate or Business Registration Certificate would be sent to the applicant via email.

A step-by-step guide to complete the abovementioned process is available via the OCP website. In-person assistance is also available at the Registry of Companies and Business Names' counters located at the Ministry of Finance and Economy Building, and via the Business Support Helpdesks located nationwide (ref: <https://www.dare.gov.bn/bsc>).

It is not necessary for investors to procure third-party service providers for company incorporation and registration purposes.

## ***Specialized business activities***

Depending on the nature and type of business activity, you may require an approval, permit, license or clearance from a specific regulating agency. The Business Guidelines Simulator is an online tool which provides further information on specific permits that may be required by your business activities:

(<https://business.mofe.gov.bn/SitePages/Business%20Guidelines%20Simulator.aspx>)

## ***Types of Companies***

Investors interested in establishing their presence in Brunei Darussalam may do so as one of the following entities:

Type of Company	Description	Eligibility	Taxability
Private Company (Sendirian Berhad or Sdn. Bhd.)	A business form which is a legal entity, separate and distinct from its shareholders and director.  It can have 2 and up to 50 members.	Open for foreigners to register.  Minimum of 2 directors. If there are 2 directors, at least 1 of the directors shall be 'ordinarily	Subject to 18.5% (2015) corporate tax

Type of Company	Description	Eligibility	Taxability
		resident' in Brunei Darussalam	
Public Company (BERHAD or Bhd.)	A business form which is a legal entity, separate and distinct from its shareholders and director. It can have more than 50 members.	Open for foreigners to register	Subject to 18.5% (2015) corporate tax
Branch of Foreign Company	Any foreign company wishing to establish a presence in Brunei Darussalam but not incorporated as local company	Open for foreigners to register	Subject to 18.5% (2015) corporate tax

#### ***Available project financing options***

There are a number of local banks, financial institutions and private equity firms that offer project financing and co-investment opportunities. Opportunities to collaborate with Government-linked & local private companies are also available, subject to evaluation, due diligence and commercial negotiations. The BEDB would be pleased to connect and facilitate discussions between investors with the abovementioned parties.

# STARTING OR ACQUIRING A BUSINESS IN BRUNEI DARUSSALAM

## Electricity

Tariffs vary depending on the Power Purchase Agreement with the utility provider. Generally, the industrial sector adopts these rates: (Commercial / Industrial Sector – Block pricing)

The Basic Calculation formula is as follows:

The First 10 Units	[10 Units x kVA]	x B\$0.20 cents
The Second 100 Units	[100 Units x kVA]	x B\$0.07 cents
The Third 100 Units	[100 Units x kVA]	x B\$0.06 cents
Remaining Units (if applicable)		x B\$0.05 cent

Example:

Monthly Power consumption (kWh)		26,880 kWh
Subscribed capacity (kVA)		140 kVA

Bill charged for that particular month:

1st 10 Units	[10 Units x 140 kVA] x B\$0.20 cents	B\$280.00
2nd 100 Units	[100 Units x 140 kVA] x B\$0.07 cents	B\$980.00
Remaining Units	26,880 – [(10 x 140) + (100 x 140)] x B\$0.06 cents (26,880 – 15,400) x B\$0.06 cents	B\$688.80
Bill charged	B\$280.00 + B\$980.00 + B\$688.80	B\$1,948.80

For more information, please refer to [www.des.gov.bn](http://www.des.gov.bn)

## Gas

The price and volume of gas, as an industrial feedstock, is negotiated on a case-by-case basis with the respective gas providers, weighed up against socioeconomic benefits and the scale of the project.

## Water supply

Commercial & Raw Water Tariff	Tariff (BND)
Commercial: up to 5,000M <sup>3</sup> per month	0.99
Commercial: More than 5,000m <sup>3</sup> per month	1.50
Raw Water: up to 25,000m <sup>3</sup> per month	0.35
Raw Water: More than 25,000m <sup>3</sup> per month	0.50
Water Tanker Services	
Water Tanker Services per trip	40.00

(Source: Department of Water Services, Ministry of Development)

## Waste management

Industrial waste shall be treated to allowable limits before being discharged to the environment, including public sewers or water bodies. The standards for industrial waste and effluents can be found in the Pollution Control Guidelines:

<http://mod.gov.bn/SiteCollectionDocuments/Environmental%20Guidelines/industryguidelinebrunei.pdf>

## Environmental obligations

Generally, investors are expected to conduct an Environmental Impact Assessment (EIA) and Environmental Monitoring and Management Program (EMMP) prior to the start of their project. More information is available on the following website:

<http://env.gov.bn/Shared%20Documents/EPMA%20CHAPTER%20240.pdf>

## Industrial sites

Darussalam Enterprise (DARe) manages more than 20 industrial sites nationwide, each of which are allocated for the development of specific business clusters and export-oriented activities. These industrial parks feature readily-available connection to utilities including Power, Water and Tele-Communication, and can be leased at regionally competitive prices. Applications for all industrial land can be conducted through InSiteAPS (Industrial Site Application Processing System) at the following link: <https://www.dare.gov.bn/how-to-apply-space>

Commercial premises are also available for rent or sale through local property agents.

## Construction Requirements

If you are planning to build or make significant renovations to your business premises, you will need to engage Qualified Persons (QPs), such as a registered architect and professional engineer, to undertake the work. These QPs will liaise with the relevant authorities on your behalf to obtain the relevant approvals and permits for the project. A list of authorized QP can be found on the following link:

<http://bapeqs.gov.bn/SitePages/Authorised%20Practitioner%20Services%20in%20Brunei%20Darussalam.aspx>





## Minimum wage

The Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam has introduced the Employment (Minimum Wage) Order, 2023, which came into effect on 12 July 2023. The Order is the main legislation that regulates the minimum wage for identified industries in Brunei Darussalam. The implementation of a minimum wage policy represents a significant step towards promoting fair employment practices and decent pay within the country.

The minimum wage is to be implemented in phases to ensure that its implementation does not affect business continuity. For the first phase of implementation, the Employment (Minimum Wage) Order, 2023 applies to all employees (local and non-locals), whether they are full-time or part-time employees, who are under a contract of service for employment in the banking, finance and telecommunications sector.

It is mandatory for employers in the abovementioned industries to pay their employees with a base salary rate that is equal to or higher than the minimum wage rate, as stated below. The minimum wage rate does not include any additional allowances.

CLASS OF INDUSTRIES		MINIMUM WAGE RATES	
		FULL-TIME EMPLOYEE Monthly Rate	PART-TIME EMPLOYEE Hourly Rate
1	Banking and Finance	BND500	BND2.62
2	Infocommunication Technology		

Ref: <http://www.labour.gov.bn/SitePages/Legislation.aspx>

## Salary Guideline

The Salary Guideline can be used by employers to develop competitive salary packages to attract local Bruneians to work in the private sector and for local jobseekers or employees to determine their market value at the starting point of their careers. More information can be found here: <https://www.mpec.gov.bn/Lists/EmployeePoliciesAndGuidelines/Attachments/8/Salary%20Guideline%20-%202023%20Edition.pdf>

## Working Hours

For a non-shift worker, the hours of work shall not be more than 8 hours a day or more than 44 hours a week.

For a shift worker, the hours of work shall not be more than an average of 44 hours a week over any continuous period of 3 weeks subject to a maximum of 12 hours a day.

All work in excess of the above hours shall be considered overtime work.

## **Paid Annual Leave**

Employees are typically given between 7 to 14 days of annual leave (excluding days off and Public Holidays). An employee is also entitled to 11 days public holidays in a year.

Ref:

<http://www.labour.gov.bn/Download/GUIDE%20TO%20BRUNEI%20EMPLOYMENT%20LAWS%20-%20english%20version-3.pdf>

## **Payment of Overtime**

Depending on the employment contract, overtime pay may be paid at a rate of not less than 1.5 the normal rate of pay for weekdays and 2.0 the normal rate for weekends/public holidays.

For more info, please refer to

[https://www.agc.gov.bn/AGC%20Images/LAWS/Gazette\\_PDF/2009/EN/s037.pdf](https://www.agc.gov.bn/AGC%20Images/LAWS/Gazette_PDF/2009/EN/s037.pdf)

## **Employees Provident Fund**

Employers and local employees are required to contribute to a provident fund known as the National Retirement Fund (Skim Persaraan Kebangsaan (SPK)). Under SPK, the contribution from employee's salary will be deposited to member's account while contributions from employers will be collected under Retirement Account. Employee's mandatory contribution rate is 8.5% and employer mandatory contribution rate are:

Salary	%
BND500 and below	11.5
BND500.01 to BND1,500	10.5
BND1,500.01 up to BND2,800	9.5
BND2,800.01 and above	8.5

For more information visit: <http://www.tap.com.bn/Pages/EN/Home.aspx>

## **Employment Medical Check-up**

All new contract foreign workers must undergo a pre-departure medical examination, undertaken in a health facility in their country of origin or residence which has been accredited by the Government of Brunei Darussalam. This must be completed prior to obtaining an "employment entry visa" at the respective Brunei Darussalam Embassy/ High Commission/ Consulate or any other visas relating to employment e.g. special visa. Further information can be obtained via:

<https://www.moh.gov.bn/SitePages/Foreign%20Workers%20Health%20Screening%20Programme.aspx>

## **Insurance**

Employers are required to cover the expatriate employees with insurance such as Workmen Compensation. Employers may offer other types of insurance as part of their welfare package.

## **Expatriate employees**

Companies are encouraged to recruit local talent with the requisite expertise and/or work experience by advertising in local newspapers, various media platforms and JobCentre Brunei at <https://jobcentrebrunei.gov.bn/>

However, if there are no suitable candidates for the said position(s), employers may proceed to apply for a work permit to engage foreign employees. More information can be found at <http://www.labour.gov.bn/Theme/Home.aspx>.

An application can be submitted via the National Labour Management System portal located at <https://nlms.gov.bn/>

## **I-Ready Apprenticeship Scheme**

The i-Ready Apprenticeship scheme enables companies to employ graduates from Technical and Vocational Education and Training (TVET) Level 2 up to Degree/Masters levels in various fields.

While funded by the Government for a maximum period of 18 months, the host company shall provide capacity development through on-the-job and other forms of training to equip the apprentices with the necessary skills and knowledge to execute their roles. For more information on the scheme, please refer to <https://jobcentrebrunei.gov.bn/web/guest>

## Import duties

Information on tariffs can be found in the link:

<https://tradingacrossborders.mofe.gov.bn/SitePages/home.aspx>

## Preferential tariffs and Free Trade Agreements

Brunei Darussalam is a party to 1 bilateral Free Trade Agreement (FTA) and 9 Multilateral FTAs, including the Comprehensive and Progressive Agreement for Trans-Pacific Partnership Agreement (CTPPP) and the Regional Comprehensive Economic Partnership Agreement (RCEP).

Selected imported and exported goods are subject to a reduction or elimination of custom duties (Preferential Tariffs), provided that the goods meet the Rules of Origin for the relevant FTA. Brunei Darussalam is also a member of WTO and APEC, and has multiple economic cooperation. The Tariff Reduction Schedule for each FTA can be found in the link:

<https://bruneitrade.mofe.gov.bn/SitePages/home.aspx>

## Applicable licenses and/or permits required before the importation or exportation of any given commodity

A License or Permit issued by the relevant Government Agency is required before the importation or exportation of any given commodity. The application is undertaken in writing via the submission of an application form to the Government Agency responsible for the regulation of a particular controlled or prohibited commodity.

Types of Commodities and relevant Issuing Government Dept. / Agency are as follows:

Types of Goods	Responsible Agency	Hotlines / Email
Publication Materials/ Prints, Films, CD, LD, VCD, DVD, Cassette, Recital of Al-Quran, hadith, Religious books, Talisman commodities (such as textiles/ clothing etc.), bearing dubious chop/ photo	Royal Brunei Police Force	+673-2459500 <a href="mailto:info@police.gov.bn">info@police.gov.bn</a>
	Islamic Dakwah Centre	+673-2382525 <a href="mailto:info@pusat-dakwah.gov.bn">info@pusat-dakwah.gov.bn</a>
	Internal Security Department	+673-2223225 <a href="mailto:info@internal-security.gov.bn">info@internal-security.gov.bn</a>
Fresh, Cold, and Frozen Meat (Halal)	Agriculture and Agri-food Department	+673-2380144 <a href="mailto:info@agriculture.gov.bn">info@agriculture.gov.bn</a>

	Food Safety and Quality Unit, Ministry of Health	+673-2381640 <a href="mailto:info@moh.gov.bn">info@moh.gov.bn</a>
	Halal Import Permit Issuing Board	+673-2382525 <a href="mailto:info@religious-affairs.gov.bn">info@religious-affairs.gov.bn</a>
	Royal Customs and Excise Department	+673-2382333 <a href="mailto:info@customs.gov.bn">info@customs.gov.bn</a>
Firearms, Explosives, Fire Crackers, Dangerous Weapons, and Scrap metals	Royal Brunei Police Force	+673-2459500 <a href="mailto:info@police.gov.bn">info@police.gov.bn</a>
	Royal Customs and Excise Department	+673-2382333 <a href="mailto:info@customs.gov.bn">info@customs.gov.bn</a>
Rice	Supply and State Store Department	+673-2423151 <a href="mailto:info@itss.gov.bn">info@itss.gov.bn</a>
	Royal Customs and Excise Department	+673-2382333 <a href="mailto:info@customs.gov.bn">info@customs.gov.bn</a>
Vehicles such as Cars, Electric Vehicles, Motorcycles, Mini Buses, Pickups, Trucks and Trailers.	Land Transport Department	+673-2451979 <a href="mailto:info@land-transport.gov.bn">info@land-transport.gov.bn</a>
	Royal Customs and Excise Department	+673-2382333 <a href="mailto:info@customs.gov.bn">info@customs.gov.bn</a>

Alcoholic Beverages	Ministry of Foreign Affairs and Trade (Protocol & Consular Department)	+673-2261177 <a href="mailto:dprocon@mfa.gov.bn">dprocon@mfa.gov.bn</a>
	Prime Minister's Office	+673-2224645 <a href="mailto:info@jpm.gov.bn">info@jpm.gov.bn</a>
	Royal Customs and Excise Department	+673-2382333 <a href="mailto:info@customs.gov.bn">info@customs.gov.bn</a>
Radio Transmitter and Receiver; Communications Equipment such as Drone, Telephone, Fax machines, Walkie-Talkie etc; Broadcasting Equipments such as Parabola, Decoder, etc.	Info-Communication Technology Industry (AiTi)	+673-2333780 <a href="mailto:aiti@brunet.bn">aiti@brunet.bn</a>
Plants, Crops, Live Animals, Vegetables, Fruits, Eggs, Soil	Agriculture and Agri-food Department	+673-2380144 <a href="mailto:info@agriculture.gov.bn">info@agriculture.gov.bn</a>
Fishes, prawns, Shells, Water Organisms and Fishing Equipment etc	Fisheries Department	+673-2382068 <a href="mailto:info@fisheries.gov.bn">info@fisheries.gov.bn</a>
Timber and products thereof	Forestry Department	+673-2381013 <a href="mailto:info@forestry.gov.bn">info@forestry.gov.bn</a>
Medicines, Herbal, Cosmetics	Ministry of Health (Pharmaceutical Services Department)	+673-2381640 <a href="mailto:info@moh.gov.bn">info@moh.gov.bn</a>
Health Foods, Soft Drinks and Snacks	Ministry of Health (Food Safety and Quality Control Unit)	+673-2331100 <a href="mailto:fsqc@moh.gov.bn">fsqc@moh.gov.bn</a>
Tobacco Products	Ministry of Health (Tobacco Control Unit)	+673-2381640 <a href="mailto:prohealth@moh.gov.bn">prohealth@moh.gov.bn</a>

	Royal Customs and Excise Department	+673-2382333 <a href="mailto:info@customs.gov.bn">info@customs.gov.bn</a>
Poisons & chemicals	Ministry of Health	+673-2381640 <a href="mailto:info@moh.gov.bn">info@moh.gov.bn</a>
Radioactive materials and/or controlled apparatus	Safety, Health & Environment National Authority (SHENA)	+673 2382000
Mineral water	Ministry of Health (Refer to the Food Safety and Quality Control Unit)	+673-2331100 <a href="mailto:fsqc@moh.gov.bn">fsqc@moh.gov.bn</a>
Cements	Authority on Building Control and Construction Industry (ABCI)	+673-2380429 +673 8140365 <a href="mailto:irm.abci@mod.gov.bn">irm.abci@mod.gov.bn</a>
Badges, banners, Souvenirs comprising of Government Flags and emblems, Royals Regalia, Government flags and crests	Royal Custom and Tradition Department	+673-2243971 <a href="mailto:info@adat-istiadat.gov.bn">info@adat-istiadat.gov.bn</a>
Historical Antiques made or found in Brunei	Museums Department	+673-2244545 <a href="mailto:info@museums.gov.bn">info@museums.gov.bn</a>
Gases that are characterized as Ozone Depleting Substances (ODS), under the purview of the Montreal Protocol	Environment, Parks and Recreation Department (JASTRE)	+673-2241262 <a href="mailto:jastre.brunei@env.gov.bn">jastre.brunei@env.gov.bn</a>
	Ministry of Health (Refer to Pharmaceutical Services Department)	+673-2381640 <a href="mailto:info@moh.gov.bn">info@moh.gov.bn</a>
Petroleum Products	Department of Energy, PMO	+673-2384488 <a href="https://www.energy.gov.bn/SitePages/index.aspx">https://www.energy.gov.bn/SitePages/index.aspx</a>

**Tax regime**

Corporate Income Tax (CIT) in Brunei Darussalam is set at 18.5% for all limited companies, whether they are registered in Brunei Darussalam or overseas, or registered as a foreign branch in Brunei, are subject to local taxes on income derived from Brunei.

There is zero (0) % tax on Personal Income, Sales, Capital Gains and Manufacturing.



## Trucking rates from Industrial Park to main seaport

*\*Subject to change*

- Serasa Industrial Site to the main seaport: B\$60.00 - B\$80.00 per trip (3km apart)
- SPARK Industrial Site to the main seaport: B\$230.00 - B\$280.00 per trip (105 km apart)

Brunei Darussalam's main sea port is Muara Port. These charges are negotiable depending on the client's total volume, frequency and service provider.

## Export costs via sea freight

Indicative costs as follows:

*\*Subject to change*

Countries	20' GP	40' GP	20' RF	40' RF
	USD	USD	USD	USD
Hong Kong, China	500	1,000	1000	2000
Port Klang, Malaysia	400	700	1000	1800
Incheon, South Korea	500	1,000	1000	2000
Guangzhou, China	500	1000	1000	2000
Singapore	400	700	1000	1800
Ho Chi Minh, Vietnam	450	800	1200	1900

\*Prices provided are indicative and can vary depending on customer's requirement. It is advisable to verify the current prices with the relevant shipping agent before making any decisions.

Charges in BND	20' GP	40' GP	20' RF	40' RF
Local Terminal Handling Charge	215 -225	315-325	265-293	400-423
Container Seal Fee	15 per unit			
Bill of Lading (BL) Fee	80 per BL			
Bill of Lading (BL) Surrender Fee	80 per BL			
Amendment Fee (if requested)	80 per BL			

Terms and Conditions:

- The rates are subject to local Terminal Handling Charge (THC) and documentation fee.
- Rates are subject to any new surcharge announced at time of shipment.
- Rates are under prepaid and for Non-Dangerous Goods (Non-DG) cargo only.
- The above does not include custom duties, stuffing, unstuffing, post store rent, marine insurance and etc.
- The rates above are subject to validity period.

## **Shipping lines connected to Muara Port**

There are a total of 7 shipping lines with direct connectivity to 13 ports regionally. The ports of call include

1. Port of Singapore;
2. Port of Shekou (China);
3. Port of Hong Kong;
4. Port Klang;
5. Port of Kaoshiung (China);
6. Port of Nansha (China);
7. Kota Kinabalu,
8. Kuching,
9. Labuan,
10. Bintulu,
11. Pasir Gudang (Malaysia)
12. Cebu (Philippines) and
13. Qingzhou.

## **Air cargo handling**

Brunei International Air Cargo Centre (BIACC), a Government-Linked Company handles air cargo at the Brunei International Airport. Currently, BIACC has a total warehouse storage capacity of 334 tons of which up to 67 tons are reserved for perishable/refrigerated goods.

BIACC currently possesses the following international certification standards: ISO 9001, OHSAS 18001, ISAGO.

## **Cargo airlines currently operating in Brunei Darussalam**

The current cargo airlines operating in Brunei Darussalam include My Indo Airlines, MAS Cargo, My Jet Express Airlines, etc.

Shipping Route				
Shipping Agent	Shipping Company	Route	Frequency	Vessel Capacity (TEU)
Archipelago	Evergreen	Kaohsiung-Hongkong-Shekou-Bintulu-Muara-KotaKinabalu	Weekly	1700
Archipelago / Teck Liong	MTT Shipping / Pacific Int Line	PasirGudang-Singapore-Muara-KotaKinabalu-Bintulu	Weekly	1750
Bee Seng	Maersk Line	TanjungPelepas-Singapore-Muara-DavaoCity-CagayanDeOro-Shanghai-Ningbo-Fuzhou-TanjangPelepas	Weekly	1100
		DavaoCity-CagayanDeOro-Shanghai-Ningbo-Fuzhou-TanjungPelepas-Thilawa-Yangon-Muara-Tawau		
		TanjungPelepas-Thilawa-Yangon-Muara-Tawau-DavaoCity-CagayanDeOro-Shanghai-Ningbo-Fuzhou		
		TanjungPelepas-Muara-Tawau-DavaoCity-CagayanDeOro		
		HoChiMinhCity-Fuzhou-TanjungPelepas-Shanghai-Gwangyang-Thilawa-Yangon-Inchon-Dalian-Busan-Hakata-Moji-Hibikishinko-TanjungPelepas-Busan-Muara-Shanghai		
		Shanghai-Ningbo-Fuzhou-TanjungPelepas-Thilawa-Yangon-TanjungPelepas-Muara-Tawau-DavaoCity-CagayanDeOro		
Harbour Link	Harbour Link	PasirGudang-PortKlang-Singapore-Muara-KotaKinabalu-Labuan	Biweekly	735
		Hongkong-Nansha-Muara-KotaKinabalu-Kuching-Bintulu	Biweekly	735
		Hongkong-Qinzhou-Muara-KotaKinabalu-Bintulu	Monthly	735
Silverline	Bintang Mas Line	Labuan-Muara-Singapore-KotaKinabalu	Weekly	100
Benline	Regional Container Line	Singapore-KotaKinabalu-Muara-Bintulu	Biweekly	600



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