

any of the offences mentioned in clauses (a), (b) and (c) of sub-section (1) of section 9.

Power to
make rules.

13. (1) The President of the Union may make rules to regulate the following matters :—

- (a) the proceedings of any officer who, under any provision of this Act, is required or empowered to take action in any matter ;
- (b) the amount and manner of payment of fees for the use of embankments under section 9A, sub-section (2) ;
- (c) the manner in which any order or public notice issued under the provisions of this Act shall be published ;
- (d) the construction and maintenance of *kazins* ;
- (e) for the temporary occupation of embankment lands and for the eviction of persons in unauthorized occupation of such lands ; and
- (f) generally to carry out the provisions of this Act.

(2) The President of the Union may, in making any rule under this section, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment, on conviction before a Magistrate, not exceeding six months' imprisonment, or two hundred rupees fine, or both.

Publication
of rules.

14. All rules made by the President of the Union under this Act shall be published in the Gazette, and shall thereupon have the same effect as if enacted by this Act.

THE INSECTS AND PESTS ACT.

[INDIA ACT II, 1914.] (3rd February, 1914.)

1. * * * *

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

- (a) "crops" includes all agricultural or horticultural crops, and [all trees, bushes or plants]¹ ;
- (b) "import" means the bringing or taking by sea, land or air ; and
- (c) "infection" means infection by any insect, fungus or other pest injurious to a crop.

Power of
President
to regulate
or prohibit
the import
of articles
likely to
infect.

3. (1) The President of the Union may, by notification ² in the Gazette, prohibit or regulate, subject to such restrictions and conditions as he may impose, the import into the Union of Burma, or any part thereof, or any

¹ Substituted by Act VII, 1944.

² For an order prohibiting, regulating and restricting the import of live insects into Burma, see *Burma Gazette*, 1941, Part I, p. 841.

specified place therein, of any article or class of articles likely to cause infection to any crop [or of insects generally or any class of insects]¹.

(2) A notification under this section may specify any article or class of articles [or any insect or class of insects]¹, either generally or in any particular manner, whether with reference to the country of origin, or the route by which imported or otherwise.

4. A notification under section 3 shall operate as if it had been issued under section 19 of the Sea Customs Act, and the officers of customs at every port shall have the same powers in respect of any article with regard to the importation of which such a notification has been issued as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by the law relating to sea customs, and the law for the time being in force relating to sea customs or any such article shall apply accordingly.

Operation of notification under section 3.

¹ 4A. The President of the Union may, by notification, prohibit or regulate, subject to such conditions and restrictions as he may think fit to impose, the transport or export from one place to another in the Union of Burma of any article or class of articles likely to cause infection to any crop, or of insects generally or any class of insects.

Power of President to regulate transport or export within the Union of Burma.

¹ 4B. When a notification has been issued under section 4A, then, notwithstanding any other law for the time being in force, the person responsible for the receipt or booking of goods or parcels at any railway station or inland water transport station,—

Refusal to carry article of which transport is prohibited.

(a) where the notification prohibits the transport or export shall refuse to receive for carriage by, or to forward or knowingly allow to be carried on, the railway or any inland water vessel from that station any article or insect of which the transport or export is prohibited ;

(b) where the notification impose conditions or restrictions upon transport or export, shall so refuse, unless the consignor produces, or the article or insect consigned is accompanied by, a document of the nature prescribed showing that those conditions and restrictions are satisfied.

¹ 4C. Any person who knowingly transports or exports from one place to another in the Union of Burma, in contravention of a notification issued under section 4A, or attempts so to transport or export, any article or insect, and any person responsible for the receipt or booking of goods or parcels at a railway or inland water transport station who knowingly contravenes the provisions of section 4B, shall be punishable with fine which may extend to two hundred and fifty rupees, and, upon any subsequent conviction, with fine which may extend to two thousand rupees.

Penalty for contravening sections 4A and 4B.

¹ Inserted by Act VII, 1944.

Power to
make rules.

15. (1) The President of the Union may make rules to carry out the objects of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the President of the Union may make rules,—

(a) for the detention, inspection, disinfection or destruction of any article or class of articles or of any insect or class of insects in respect of which a notification has been issued under section 3 or under section 4A, or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom he may appoint in this behalf ;

(b) prescribing the nature of the documents which shall accompany any article or insect the transport or export of which is subject to conditions or restrictions imposed under section 4A, or which shall be held by the consignor or consignee thereof, the authorities which may issue such documents, and the manner in which such documents shall be employed.

(3) In making any rule under this section the President of the Union may direct that a breach thereof shall be punishable with fine which may extend to one thousand rupees.

Protection
to persons
acting under
Act.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

THE WATER HYACINTH ACT,

[BURMA ACT I, 1917.] (10th March, 1917.)

Definition.

1. * * * *

2. In this Act the expression "water hyacinth" means the plant botanically known as *Eichhornia crassipes*, and includes the seed and every part of the plant.

Water
hyacinth
declared
a public
nuisance.

3. The presence of the water hyacinth in the Union of Burma is hereby declared to be and is a public nuisance.

Prohibition
of possession
of water
hyacinth.

4. No person shall possess or keep the water hyacinth and every owner or occupier shall destroy any water hyacinth growing in or on any place belonging to or occupied by him in accordance with the rules made under this Act.

Power to
issue notice
and enter
upon land
to destroy
water
hyacinth.

5. (1) Any person duly authorized in that behalf by a Government Officer not below the rank of a Township Officer may serve such notice as may be prescribed by any rule made under this Act on the owner or occupier of any place to destroy the water hyacinth growing thereon, in accordance with the terms of such notice.

¹ Substituted by Act VII, 1944.