

**THE BURMA IMMIGRATION (EMERGENCY PROVISIONS)
(EXTENSION) ACT, 1949.***

[ACT XXV, 1949.] (26th April, 1949.)

It is hereby enacted as follows :—

1. This Act may be called the Burma Immigration (Emergency Provisions) (Extension) Act, 1949.
2. The Burma Immigration (Emergency Provisions) Act (Burma Act No. XXXI of 1947) shall extend to the Karenni State.¹

THE KARENNI STATE (EXTENSION OF LAWS) ACT, 1949.†

[ACT XXXV, 1949.] (30th June, 1949.)

It is hereby enacted as follows :—

1. This Act may be called the Karenni State¹ (Extension of Laws) Act, 1949.
2. (1) The enactments mentioned in column (1) of the Schedule as amended up to date together with the rules made thereunder shall apply to the Karenni State¹ subject to the modifications and adaptations, if any, set forth in column (2).
- (2) They shall come into force on such date or dates as the President may, by notification, appoint and different dates may be appointed for different enactments.
3. Subject to the provisions of the Constitution, the President may, by notification, make such further modifications and adaptations in column (2) of the Schedule in respect of any enactment mentioned therein as he may deem necessary.
4. For the purpose of facilitating the application of any enactment mentioned in the Schedule, any Court may construe the enactment with such alterations or modifications, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court.

* Published in *Burma Gazette*, 1949, Part I, page 299.

¹ Now the Kayah State, see Act I.XII, 1951.

† Published in *Burma Gazette*, 1949, Part I, page 581.

SCHEDULE.¹

(1)	(2)
1. The Arms Act ...	Nil.
2. The Union Bank of Burma Act, 1947.	Nil.
3. The Bankers' Books Evidence Act.	Nil.
4. The Burma Census Act ...	Nil.
5. The Code of Criminal Procedure	<p>I. (a) Every Magistrate of the first class shall exercise within the local limits of his jurisdiction all the ordinary powers of a Subdivisional Magistrate as set forth in Schedule III of the Code.</p> <p>(b) Every Magistrate of the second class shall have power to take cognizance of an offence under any of the clauses of sub-section (1) of section 190, and to make orders as to first offences under section 562.</p> <p>(c) Notwithstanding anything in section 32, any Magistrate of the second class may pass a sentence of whipping.</p> <p>(d) Every Assistant Resident shall have the powers of a First Class Magistrate.</p> <p>II. All offences against private persons and property may be compounded with the permission of the Court by the individual injured in person or property or by his guardian or legal representative excepting robbery or dacoity committed by organized gangs or members of such gangs.</p> <p>III. Notwithstanding anything in the Code, a finding, sentence or order shall not be reversed or altered on appeal or revision on account of any irregularity of procedure unless the irregularity has occasioned a failure of justice.</p>
6. The Code of Civil Procedure ...	Only Parts I to VIII, Orders IX, XVI, XVII, XIX, XXI, Rules 1 to 9 and XLIV shall be applicable.
7. The Companies Act ...	Nil.
8. The Christian Marriage Act ...	Nil.
9. The Courts Act, 1945 ...	Nil.
10. The Currency and Coinage Act, 1946.	Nil.
11. The Japanese Currency (Evaluation) Act, 1947.	Nil.
12. The Burma Extradition Act ...	Nil.
13. The Election Offences and Enquiries Act.	Nil.
14. The Electricity Act ...	Nil.
15. The Emigration Act ...	Nil.
16. The Explosives Act ...	Nil.
17. The Evidence Act ...	Nil.

¹ All the Acts in the above Schedule, except those against serial Nos. 2, 3, 20, 21, 26, 27, 35, 36 and 41. came into force in the Karenni (Kayah) State with effect from 1st May 1950, see *Burma Gazette*, 1950, Part I, page 259.

(1)	(2)
18. The Foreign Recruiting Act ...	Nil.
19. The Burma General Clauses Act ...	Nil.
20. The Government Savings Banks Act.	Nil.
21. The Government Securities Act	Nil.
22. The Burma Income-tax Act ...	Nil.
23. The Judicial Officers Protection Act.	Nil.
24. The Land Alienation Act ...	Nil.
25. The Legal Practitioners Act ...	Nil.
26. The Limitation Act ...	Parts I, II and III and the First Schedule so far as it concerns suits and proceedings of a civil nature.
27. The Metal Tokens Act ...	Nil.
28. The Burma Medical Act ...	Nil.
29. The Midwives and Nurses Act ...	Nil.
30. The Burma Motor Vehicles Act	Nil.
31. The Negotiable Instruments Act	Nil.
32. The Oaths Act ...	Nil.
33. The Opium Act ...	Nil.
34. The Passport Act ...	Nil.
35. The Post Office Cash Certificates Act.	Nil.
36. The Provisional Collection of Taxes Act.	Nil.
37. The Penal Code ...	In section 64 (as amended by subsequent enactments) for the first fifty-two words, the words "In every case in which an offender is sentenced to a fine" shall be substituted.
	In section 67 for the last forty-seven words, the following shall be substituted, namely, "for any term not exceeding four months when the amount of the fine shall not exceed fifty rupees, and for any term not exceeding eight months when the amount shall not exceed one hundred rupees, and for any term not exceeding twelve months in any other case."
	After section 75 the following shall be added, namely:—
	"75A. Notwithstanding anything in this Code or in any other law or enactment for the time being in force, a person convicted of any offence punishable under this Code or under any other law or enactment shall be punishable with fine in lieu of, or in addition to, any other punishment to which he may be liable."
38. The Special Judges Act, 1946 ...	Nil.
39. The Suits Valuation Act ...	Nil.
40. The Tariff Act ...	Nil.
41. The Transfer of Property Act ...	Nil.
42. The Transfer of Immoveable Property (Restriction) Act, 1947.	Nil.
43. The Usurious Loans Act ...	Nil.
44. The Burma Wireless Telegraphy Act.	Nil.
45. The Whipping Act ...	The following shall be substituted for section 6 thereof, namely:—
	"Any person who commits any offence punishable under the Penal Code with imprisonment for three years or upwards may be punished with whipping in lieu of any other punishment to which he may be liable under the said Code."
46. The Young Offenders Act ...	Nil.