

in any part of the Union of Burma, as shall be put to him by the Commissioner of Police, Magistrate, or other officer as aforesaid. If any foreigner on board such vessel in any part of the Union of Burma shall refuse to give an account of his objects of pursuit in the Union of Burma, or if his account thereof shall not be satisfactory, the officer may refuse to allow him to disembark, or he may be dealt with in the same manner as a foreigner travelling in the Union of Burma without a license.

Foreigner refusing to give account of himself not to be allowed to disembark.

21. If the master or commander of a vessel shall wilfully give a false answer to any question which by section 20 of this Act he is bound to answer, or shall make any false report, he shall be held to have committed the offence specified in section 177 of the Penal Code.

Penalty for false answer or report.

22. If the master or commander of any vessel shall wilfully neglect or refuse to comply with the requisitions of this Act, he shall, on conviction before the District Magistrate, be liable to a fine not exceeding two thousand rupees.

Penalty for neglect by master of vessel to comply with requisitions of Act.

23. Whoever intentionally obstructs any officer in the exercise of any of the powers vested in him by this Act shall be held to have committed the offence specified in section 186 of the Penal Code.

Penalty for obstructing officers.

24. * * * * *

25. The President of the Union may exempt any person, or any class of persons, either wholly or partially, or temporarily or otherwise, from all or any of the provisions of this Act contained in any of the sections subsequent to section 5, and may at any time revoke any such exemption.

Persons may be exempted from provisions of this Act.

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

Bar to legal proceedings.

THE REGISTRATION OF FOREIGNERS ACT.

[BURMA ACT VII, 1940.] (28th March, 1940.)

1. This Act shall come into force on the 28th March, 1940.

Commencement.

2. In this Act—

Definitions.

(a) "Foreigner" means a foreigner as defined in the Foreigners Act: provided that the following shall not be deemed to be foreigners for the purposes of this Act—

- (i) a person duly appointed by a foreign Government to exercise diplomatic functions; or
- (ii) a consul or a vice-consul;

* [* * * * *]

¹ Inserted by Act VIII, 1953.

² Sub clauses (iii) and (iv) were omitted by the Union of Burma (Adaptation of Laws) Order, 1948.

- (b) "prescribed" means prescribed by rules made under this Act ;
 (c) "vessel" includes all sea craft, river craft and aircraft.

Power to
make rules.

3. The President of the Union may by notification make rules¹ with respect to foreigners for any or all of the following purposes, that is to say—

- (a) for requiring any foreigner entering, or being present in, the Union of Burma to report his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed ;
- (b) for requiring any foreigner moving from one place to another place in the Union of Burma to report, on arrival at such other place, his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed ;
- (c) for requiring any foreigner who is about to leave the Union of Burma to report the date of his intended departure and such other particulars as may be prescribed to such authority and within such period before departure as may be prescribed ;
- (d) for requiring any foreigner entering, being present in, or departing from, the Union of Burma to produce, on demand by a prescribed authority, such proof of his identity as may be prescribed ;
- (e) for requiring any person having the management of any hotel, boarding-house, or any other premises of like nature—
- (i) to record particulars of any person residing therein, and
- (ii) in the case of foreigners, to report such particulars to such authority as may be prescribed, in accordance with prescribed conditions ;
- (f) for requiring any person in charge of any vessel or other conveyance to furnish to a prescribed authority such information as may be prescribed regarding any person entering, or intending to depart from, the Union of Burma in such vessel or other conveyance, and to furnish to such authority such assistance as may be necessary or prescribed for giving effect to this Act ; and
- (g) generally for carrying out the purposes of this Act.

Burden of
proof.

4. If any question arises with reference to this Act or any rule made thereunder whether any person is or is not a foreigner, or is or is not a foreigner of a particular class or description, the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, notwithstanding anything contained in the Evidence Act, lie upon such person.

Penalties.

5. (1) Any person who contravenes, or attempts to contravene, or fails to comply with, any provision of this Act or of any rule made thereunder shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(2) A foreigner convicted under sub-section (1) may, in addition to the punishment prescribed in the said sub-section, be deported by an order of the President, or of such authority as may be appointed by him in that behalf.

¹ For rules under section 3 of this Act see *Burma Gazette*, 1948, Part I, p. 1583.

² Substituted by Act XXVII, 1952.

¹(3) Any foreigner who has been ordered to be deported under sub-section (2) may be apprehended without warrant by any police officer not below the rank of Sub-Inspector and brought before the District Magistrate who shall, by an order in writing, cause the said foreigner to be detained in safe custody pending the completion of arrangements for his removal out of the Union of Burma.

¹(4) Any foreigner apprehended and detained under the provisions of sub-section (3) may be admitted to bail by the District Magistrate.

¹(5) Every order of deportation made under sub-section (2) shall remain in force until it is revoked by the President of the Union.

¹(6) If any foreigner against whom an order of deportation has been issued fails to comply with the order in any respect, or having left the Union of Burma re-enters the Union of Burma without the permission in writing of the President of the Union while the order is still in force, he shall be liable to imprisonment for a term which shall not be less than three years or to fine or to both and shall in addition to such penalty be liable to be deported again from the Union of Burma in pursuance of the order.

6. The President of the Union may, by order,² declare that any or all of the provisions of the rules made under this Act shall not apply, or shall apply only with such modifications or subject to such conditions as may be specified in the said order, to or in relation to any individual foreigner or any class or description of foreigners. Power to exempt from application of Act.

7. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act. Protection to persons acting under this Act.

8. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of the Foreigners Act and any other law for the time being in force. Application of other laws not barred.

³9. The President of the Union may, by notification, extend this Act to any area within the Union of Burma, in which it is not already in force. Extent.

THE BURMA PASSPORT ACT.

[INDIA ACT XXXIV, 1920.] (9th September, 1920.)

1. * * * * *
2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.
- “entry” means entry by water, land or air ;
- “passport” means a passport for the time being in force issued or renewed by the prescribed authority and satisfying the conditions prescribed relating to the class of passports to which it belongs ; and
- “prescribed” means prescribed by rules made under this Act

¹ Inserted by Act I, 1953.

² For exemptions under section 6, see *Burma Gazette*, 1942, Part I, p. 1596.

³ Inserted by Act XLV, 1950.