

The State Law and Order Restoration Council
The Judiciary Law
(State Law and Restoration Law No. 2/88)
September 26th, 1988.

The State Law and Order Restoration Council hereby enacts the following law.

Chapter I. Title

1. This Law shall be called the Judiciary Law.

Chapter II. Judicial Principles

2. The administration of justice shall be based on the following principles:

- (a) to administer justice independently according to law;
- (b) to protect and safeguard the interests of the people and to aid in the restoration of law and order and peace and tranquillity;
- (c) to educate the people to understand and abide by the law and cultivate in the people the habit of abiding by the law;
- (d) to work within the framework of the law for the settlement of cases;
- (e) to dispense justice in open court unless otherwise prohibited by law;
- (f) to guarantee in all cases the right of defence and the right of appeal under law;
- (g) to aim at reforming moral character in meeting [sic] out punishment to offenders.

Chapter III. Formation of the Supreme Court

3. The State Law and Order Restoration Council shall constitute the Supreme Court with one Chief Justice and not more than five Judges.

Chapter IV. The jurisdiction of the Supreme Court

4. The jurisdiction of the Supreme Court shall be as follows:

- (a) to adjudicate on original criminal and civil cases;
- (b) to adjudicate on cases transferred to it by its own decision;
- (c) to transfer cases from a court within a state or division of another court within another state or division;
- (d) to decide appeal cases from the judgment, order or decision passed by State or Divisional Court;
- (e) to decide revision cases from the judgment, order or decision passed by any court;
- (f) to decide cases of confirmation of death sentences and appeal cases from death sentences passed by the State or Divisional Court;
- (g) to examine judgment, order or decision of any court, that is not in accordance with law and amend or quash it as necessary;
- (h) to examine order or decision that is not in accordance with law relating to the legal rights of a citizen and amend or quash it as necessary;
- (i) to adjudicate on maritime cases;
- (j) to exercise jurisdiction conferred by any existing law.

Chapter V. The powers of the Supreme Court

5. The Supreme Court shall supervise all Courts.

6. The Supreme Court, sitting as full bench constituted by all present members may adjudicate on any case

decided by the Supreme Court sitting with a single judge or with a bench of judges.

7. The Supreme Court in exercising its jurisdiction may hear cases with a single or by a bench of more than one judge as directed by the Chief Justice.

8. The Supreme Court may direct the State or Divisional Courts and the Township Courts to hear cases with a bench of more than one judge.

9. The Supreme Court may prescribe as it thinks fit Criminal and Civil cases which the State or Divisional Courts and Township Courts are competent to try.

Chapter VI. Formation of State or Divisional Courts and Township Courts

10. The Supreme Court shall form State or Divisional Courts and Township Courts.

11. The Supreme Court shall appoint judicial officers and confer upon them necessary judicial powers to act as judges at the State or Divisional Courts and Township Courts and prescribe their duties.

Chapter VII. The jurisdiction of Courts and their powers

12. The jurisdiction of the State or Divisional Courts and Township Courts is as follows: -

- (a) to adjudicate on original civil cases;
- (b) to adjudicate on original criminal cases;
- (c) to exercise jurisdiction conferred by any law.

13. The State or Divisional Court may decide appeal or revision cases from the judgment, order or decision passed by the Township Court.

14. The State or Divisional Court may transfer cases from one Township Court to another Township Court within the state or Division.

15. The State or Divisional Court in exercising its jurisdiction may sit with a single or a bench of more than one judge as prescribed by the state or divisional judge and in accordance with the directive of the Supreme Court.

16. The Township Court in exercising its jurisdiction may sit with a single judge or a bench of more than one judge as prescribed by the township judge and in accordance with the directive of the Supreme Court.

Chapter VIII. General Provisions

17. The judges shall dispose of cases that are pending in their respective courts.

18. The Judge of the Supreme Court, the judge of the State or Divisional Court may inspect jails, camp jails and police lock-ups for the purpose of seeing that persons detained therein enjoy their legal rights and that their trials are not unduely [sic] delayed.

19. The Supreme Court may form offices for the Supreme Court and the various Courts as necessary.

20. The Supreme Court may make necessary rules, orders, directives, procedures and manuals.

21. The Council of Peoples' Justices Law (The Pyithu Hluttaw Law No. 13/1974) is hereby repealed.

**Sd. General Saw Maung,
Chairman, State Law and Order Restoration Council**

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