

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.

Power to
make rules.

3. (1) The President of the Union may make rules¹ requiring that persons entering the Union of Burma shall be in possession of passports, and for all matters ancillary or incidental to that purpose.

(2) Without prejudice to the generality of the foregoing power such rules may—

(a) prohibit the entry into the Union of Burma or any part thereof of any person who has not in his possession a passport issued to him ;

(b) prescribe the authorities by whom passports must have been issued or renewed, and the conditions with which they must comply, for the purposes of this Act ; and

(c) provide for the exemption, either absolutely or on any condition, of any person or class of persons from any provision of such rules.

(3) Rules made under this section may provide that any contravention thereof or of any order issued under the authority of any such rule shall be punishable with imprisonment for a term which may extend to three months, or with fine or with both.

(4) All rules made under this section shall be published in the Gazette, and shall thereupon have effect as if enacted in this Act.

Power of
arrest.

4. (1) Any officer of police, not below the rank of a sub-inspector, and any officer of the Customs Department empowered by a general or special order of the President of the Union in this behalf may arrest without warrant any person who has contravened or against whom a reasonable suspicion exists that he has contravened any rule or order made under section 3.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest police-station, and the provisions of section 61 of the Code of Criminal Procedure shall, so far as may be, apply in the case of any such arrest.

Power of
removal

5. The President of the Union may, by general or special order, direct the removal of any person from the Union of Burma who, in contravention of any rule made under section 3 prohibiting entry into the Union of Burma without a passport, has entered therein, and thereupon any officer of Government shall have all reasonable powers necessary to enforce such direction.

THE BURMA EXTRADITION ACT.

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¹ For such rules, see *Burma Gazette*, 1948 Part I, p. 169.