

PART XIII.—AGENCY.

အပိုင်း ၁၃။ ။ ကိုယ်စားလှယ်လွှဲအပ်ရေး။

THE POWERS OF ATTORNEY ACT.

[INDIA ACT VII, 1882.] (1st May, 1882.)

1. This Act shall not apply to Upper Burma unless extended thereto by the President of the Union by notification. Extent.

2. The donee of a power-of-attorney may, if he thinks fit, execute or do any assurance, instrument or thing in and with his own name and signature, and his own seal, where sealing is required, by the authority of the donor of the power ; and every assurance, instrument and thing so executed and done shall be as effectual in law as if it had been executed or done by the donee of the power in the name, and with the signature and seal, of the donor thereof. Execution under power-of-attorney.

3. Any person making or doing any payment or act in good faith, in pursuance of a power-of-attorney, shall not be liable in respect of the payment or act by reason that, before the payment or act, the donor of the power had died or become lunatic, of unsound mind, or bankrupt or insolvent, or had revoked the power, if the fact of death, lunacy, unsoundness of mind, bankruptcy, insolvency or revocation was not, at the time of the payment or act, known to the person making or doing the same. Payment by attorney under power, without notice of death, etc., good.

But this section shall not affect any right against the payee of any person interested in any money so paid ; and that person shall have the like remedy against the payee as he would have had against the payer, if the payment had not been made by him.

4. (a) An instrument creating a power-of-attorney, its execution being verified by affidavit, statutory declaration or other sufficient evidence, may, with the affidavit or declaration, if any, be deposited in the High Court. Deposit of original instruments creating powers-of-attorney.

(b) A separate file of instruments so deposited shall be kept ; and any person may search that file, and inspect every instrument so deposited ; and a certified copy thereof shall be delivered out to him on request.

(c) A copy of an instrument so deposited may be presented at the office and may be stamped or marked as a certified copy, and, when so stamped or marked, shall become and be a certified copy.

(d) A certified copy of an instrument so deposited shall, without further proof, be sufficient evidence of the contents of the instrument and of the deposit thereof in the High Court.

(e) The High Court may, from time to time, make rules ¹ for the purposes of this section, and prescribing, with the concurrence of the President of the Union, the fees to be taken under clauses (a), (b) and (c).

¹ For rules made under clause (e), see High Court Rules and Orders and Burma Gazette, 1940, Part IV, p. 521.

Power of
attorney of
married
woman.

5. A married woman, whether a minor or not, shall, by virtue of this Act, have power, as if she were unmarried and of full age, by a non-testamentary instrument, to appoint an attorney on her behalf for the purpose of executing any non-testamentary instrument or doing any other act which she might herself execute or do ; and the provisions of this Act, relating to instruments creating powers-of-attorney, shall apply thereto.

TRUSTS.

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THE TRUSTS ACT.

CONTENTS.

CHAPTER I.

PRELIMINARY.

Sections.

1. Extent and savings.
2. * * * *
3. Interpretation-clause.
Expressions defined in Contract Act.

CHAPTER II.

OF THE CREATION OF TRUSTS.

4. Lawful purpose.
5. Trust of immoveable property.
Trust of moveable property.
6. Creation of trust.
7. Who may create trusts.
8. Subject of trust.
9. Who may be beneficiary.
Disclaimer by beneficiary.
10. Who may be trustee.
No one bound to accept trust.
Acceptance of trust.
Disclaimer of trust.