

The State Law and Order Restoration Council
The Myanmar Police Force Maintenance of Discipline Law
The State Law and Order Restoration Council Law No. 4/95
The 12th Waning of Oo Tagu, 1357 ME
(26th April, 1995)

The State Law and Order Restoration Council hereby enacts the following Law:

Chapter I
Title and Definition

1. This Law shall be called the Myanmar¹ Police Force Maintenance of Discipline Law.
2. All members of the Myanmar¹ Police Force shall be subject to this Law, wherever they may be.
3. The followings expressions contained in this law, shall have the meanings given hereunder:-
 - (a) Ministry means the Ministry of Home Affairs;
 - (b) Minister means the Minister of the Ministry of Home Affairs;
 - (c) Police Director General means the Director General of the People's Police Force;
 - (d) Divisional or State Police Force Commander means the officer who supervises and controls the members of the Police Force within the Division or State;
 - (e) Gazetted Officer means an officer of the rank of Police Captain and above;
 - (f) Officer means a person of the rank of Police Second lieutenant and above;
 - (g) Superior Officer when used in respect of a person who is subject to this law includes officers and also Police Warrant Officers and Police Corporals;
 - (h) Police Corporal means a person who is currently holding the rank of a Police Corporal in the Myanrnar¹ Police Force;
 - (i) Member of the Police Force means' persons who have been appointed as members of the Police Force in the Myanmar Police Force and persons who have been appointed as members of the Police Force in the Myanmar Police Battalions before and after the enactment of this Law;
 - (j) Police Deserter means a member of the Police Force who, with the intention of leaving the Myanmar¹ Police permanently, is absent without leave or who is absent without leave for 21 days or more;
 - (k) all words and expressions used herein and defined in the Penal Code but not hereinbefore defined shall be deemed to have the meanings respectively attributed to them by that Code.

1. *Substituted by Order No. 1/95 of the State Law and Order Restoration Council dated 13.. September 1995*

Chapter II **Submission of Grievance**

- 4.** (a) Any person subject to this Law, other than an officer who deems himself wronged by any superior officer may complain to his superior officer or to the Police Commander under whose command he is serving;
- (b) when the officer complained against is the officer to whom any Complaint should, under sub-section (a) be preferred, the aggrieved person may complain to the next superior officer of such officer;
- (c) An Officer receiving the complaint shall make as complete an investigation into it as may be possible for giving full redress to the complainant and shall take action as may be necessary or when necessary shall refer the complaint to the higher authority;
- (d) Every complaint shall be preferred in such manner as may from time to time be specified by the proper authority;
- (e) The Director General of the Myanmar' Police Force may revise the action taken under sub-section (c), as may be necessary.
- 5.** (a) Any officer who deems himself wronged by his superior officer may complain in a proper manner, by stages to his Police Battalion Commander, Police Commander or to the next superior officer of the officer complained against. If, inspite of the complaint he does not receive the redress or remedy to which he considers himself entitled, he may complain to the Police Director General in such manner as may from time to time be specified by the proper authority;
- (b) An officer receiving the complaint shall make as complete an investigation into it as may be possible for giving full redress to the complainant and shall take action as may be necessary or when necessary shall refer the complaint to the higher authority;
- (c) Every complaint shall be preferred in such manner as may from time to time be specified by the proper authority;
- (d) The Minister or the Police Director General may revise the action taken under sub-section (b), as may be necessary.

1. Substituted by Order No! 1195 of the State Law and Order Restoration Council dated 13 September 1995

Chapter III **Administrative Power**

- 6.** The Police Director General may-
- (a) cause any person subject to this Law to retire or to resign;
- (b) dismiss from Police service or reduce to a lower rank any person subject to this Law, with the exception of a Gazetted Officer or reduce to the rank of a police constable any person who is not an Officer.
- 7.** The Divisional or State Police Force Commander may-
- (a). dismiss, cause to retire or to resign from Police service a police constable subject to this Law and who is serving under his command;
- (b) may reduce to a lower rank any person subject to this Law and who is serving under his command, with the exception of a warrant officer or reduce to the rank of a police constable.

8. Any person subject to this Law may be permitted to retire or resign from Police service by such authority and in such manner as may be prescribed.

9. A member of the Police Force who is dismissed, permitted to resign or retire from Police service shall be furnished by his Police Commander or his Police Battalion Commander with a certificate setting forth the following-

- (a) the authority terminating the Police service;
- (b) the cause of termination; and
- (c) the period of his service in the Police Force.

Chapter IV Arrest and .Custody

10. (a) A member of the Police Force who is charged with an offence may be arrested by a Police Officer of higher rank and placed under house arrest or jail custody;

(b) The Police Battalion Commander, the District Police Force Commander or Officer not below the rank of Police Major may pass an order for permission to place under house-arrest or jail custody a member of the Police Force under arrest, for more than 24 hours and up to 7 days;

(c) The Divisional or State Police Force Commander may pass an order for permission to place under house-arrest or jail custody a member of the Police Force under arrest, for more than 7 days and up to 30 days;

(d) The Police Director General may pass an order for permission to place under house-arrest or jail custody a member of the Police Force under arrest, for more than 30 days and up to 60 days.

(e) If a Police Court has been formed, the Presiding Officer of the Police Court may pass an order for continued detention of the accused until the finding arid sentence of the Police Court have been confirmed;

(f) If a member of the Police Force has committed any offence not under this Law but under other existing law, the remand for continued detention of the accused transferred to the Criminal Court for trial shall be obtained from the Criminal Court.

Chapter V Offences

11. If a person subject to this Law Casts away his arms, ammunition; tools or equipment without sufficient reason or misbehaves in such manner as to show cowardice in the presence of the enemy he shall, on conviction by the Police Court be punished with imprisonment for a term which may extend to 3 years.

12. If a person subject to this Law performs or attempts to perform any work other than his duties, in a company, joint-venture or any private business in order to earn any salary, daily wage or part time fee, without the express permission in writing by the Police Director General, he shall, on conviction by the Police Court be punished with imprisonment for a term which may extend to 6 months or such less punishment as is mentioned in this Law.

13. If person subject to this Law-

(a) fails to take action in his official capacity or delays in taking action without sufficient reason, on a complaint made by the aggrieved person that there is infringement on security and regional peace and

tranquility, causing damage and injury to another person or any violation of law by a person;

(b) willfully fails to arrest or gives information to enable the offender to abscond or assists in any manner, a convicted person or a person ordered to be arrested in accordance with law or a person who is to be arrested under the law: or

(c) seduces or threatens witnesses to make false statements shall, on conviction by the Police Court be punished with imprisonment for a term which may extend to 1 year or such less punishment as is mentioned in this Law.

14. If a person subject to this Law-

- (a) absents himself without leave;
- (b) without sufficient cause, overstays leave granted to him;
- (c) being on leave of absence and having received information from proper authority that any Police Force or department to which he belongs has been ordered to return and report, fails to rejoin without sufficient cause or without delay;
- (d) without sufficient cause fails to appear at the time fixed at the parade or place appointed for exercise or duty;
- (e) without leave from his superior officer or without sufficient cause, absents himself from any school or place of instruction when duly ordered to attend the same;
- (f) commits or attempts to commit police desertion;
- (g) harbours knowingly a Police deserter;
- (h) without having first obtained a regular discharge from the Police Force to which he belongs, enrolls himself in any Police Force;
- (i) knowing or having reason to believe, that a person is a Police deserter, procures or attempts to procure the enrolment of such person in a Police Force;
- (j) makes at the time of enrolment a willfully false answer to any question set forth in the prescribed form of enrolment which has been put to him by the enrolling officer before whom he appears for the purpose of being enrolled.

shall, on conviction by the Police Court be punished with imprisonment for a term which may extend to 1 years or such less punishment as is mentioned in this Law if it is an offence mentioned in sub-section (f) or with imprisonment for a term which may extend to 6 months or such less punishment as is mentioned in this Law, if it is an offence mentioned in another sub-section.

15. If a person subject to this Law-

- (a) who, knowing or having reason to believe a person to be a superior officer uses criminal force to or assaults a superior officer or uses threatening language to him he shall, on Conviction by the Police Court if such officer is at the time in the execution of his office, be punished with imprisonment for a term which may extend to 3 years, or if such officer is at the time not in the execution of his office, be punished with imprisonment for a term which may extend to 1 year or such less punishment as is mentioned in this Law;
- (b) uses at any time insubordinate language to his superior officer, he shall, on conviction by a Police Court be punished with imprisonment for a term which may extend to 6 months or such less punishment as is mentioned in this Law.

16. If a person subject to this Law-

- (a) disobeys any lawful command given by his superior officer,
- (b) neglects to obey any general, local or other order issued in writing; or
- (c) resists or obstructs an escort whose duty it is to apprehend him or to have him in charge, he shall, on conviction by a Police Court be punished with imprisonment for a term which may extend to 1 year or such less punishments as is mentioned in this Law.

17. If a person subject to this Law:

- (a) unnecessarily detains a person who should not be arrested under the law, in arrest or confinement or fails to bring his case before the proper authority for investigation; -
- (b) takes in, brings in, allows to be taken in or brought in or causes to be taken in or brought in due to his negligence articles which are prohibited from being taken in or brought into the prison or police custody;
- (c) causes or allows a prisoner or a person in custody to strike or otherwise ill-treat another person or knowing such act being done fails to prevent or take action;
- (d) strikes or otherwise ill-treats any person subject to this Law, being his subordinate in rank or position;
- (e) willfully or without reasonable excuse, allows to escape any person who is committed to his charge or whom it is his duty to keep or guard;
- (f) being in lawful custody, escapes or attempts to escape;
- (g) strikes or otherwise ill-treats any prisoner, any person in custody or any person detained; or
- (h) demands or accepts cash or kind in a corrupt manner from any person he shall, on conviction by a Police Court be punished with imprisonment for a term which may extend to 3 years or such less punishment as is mentioned in this Law.

18. If a person subject to this Law-

- (a) commits theft of any property belonging to the People's Police Force or to any person subject to this Law;
- (b) dishonestly misappropriates or converts to his own use any property, mentioned in sub-section (a);
- (c) commits criminal breach of trust in respect' of any property, mentioned in sub-section (a);
- (d) dishonestly receives or retains any property in respect of which any of the offences under sub-sections (a), (b) and (c) has been committed knowing or having reason to believe the commission of such offence;
- (e) willfully destroys, injures or causes loss through negligence any property mentioned in sub-section (a);
- (f) dishonestly misappropriates, obliterates, destroys, injures or cause loss through negligence any exhibit relating to the case seized after or before the passing of sentence by any Court or at any time;
- (g) does any other thing with intent to - defraud, or to cause wrongful gain to one person or wrongful loss to another person he shall, on Conviction by the Police Court be punished with imprisonment for a term which may extend to 3 years or such less punishment as is mentioned in this Law.

19. If a person subject to this Law-

- (a) makes a false accusation against any person subject to this Law, knowing or having reason to believe such accusation to be false, or makes any statement or willfully suppresses material facts;
- (b) knowingly makes or is privy to the making of, any false or fraudulent statement in any report, return, list, certificate, book or other document made or signed by him, or of the contents of which it is his duty to ascertain the accuracy;
- (c) refuses or fails through culpable negligence to make or send any report or return which it is his duty to make or send;
- (d) alters, substitutes, adds or omits material facts in statements of witnesses written so as to alter the merits of any proceedings or written proceedings

he shall, on conviction by the Police Court be punished with imprisonment for a term which may extend to 1 year if it is an offence mentioned in sub-section (d) or with imprisonment for a term which may extend to 6 months or such less punishment as is mentioned in this Law' if it is an offence under another sub-section.

20. If a person subject to this Law

- (a) willfully or without sufficient cause, fails to attend as a witness before a Police Court or a Criminal Court, when duly served with a summons or an order to so attend;
- (b) commits contempt of a Police Court or a Criminal Court by using threatening or contemptuous language or by interfering or causing to interfere in the proceedings of such Police Court or Criminal Court

he shall, on conviction be punished with imprisonment for a term which may extend to 6 months or such less punishment as is mentioned in this Law.

21. If a person subject to this Law-

- (a) is unable to perform his duty due to taking of liquor and is in a state of intoxication he shall, if he is an officer be punished with dismissal or such less punishment as is mentioned in this Law and if he is a Police Warrant Officer, Police Corporal and Police Constable be punished with imprisonment for a term which may extend to 6 months or such less punishment as is mentioned in this Law;
- (b) is in such a state of intoxication as to bring discredit to the People's Police Force due to taking of liquor he shall be punished with dismissal from the service or such less punishment as is mentioned in this Law.

Explanation - Liquor means liquids which can cause intoxication such as alcohol, beer, kazaw fermented preparation of rice and molasses, fermented toddy, fermented dhani and khaun-fermented brew of sticky rice and palm sugar.

22. Any person subject to this Law who is guilty of any act or omission which, although not specified in this Law is pre-judicial to good order and police discipline shall, on conviction by a Police Court be punished with imprisonment for a term which may extend to 1 year or such less punishment as is mentioned in this Law.

23. Any person subject to this Law who attempts to commit any one of the offences mentioned in section 11 to section 22 both inclusive and in such attempt does any act towards the commission of the offence shall, on conviction by a Police Court be punished with imprisonment for a term which may extend to one-half of the maximum term of imprisonment provided for that offence or such less punishment as is mentioned in this Law.

24. A person subject to this Law ‘who abets the commission of any of the offences mentioned in section 11 to section 22 both inclusive shall, on conviction by a Police Court, if the act abetted is committed in consequence of the abetment

~ss provisions is made by this Law for the punishment of such abetment, suffer the punishment provided for The original offence.

.on subject to this Law who abets the commission of any of the offences i section 11 to section 22 both inclusive shall, on conviction by a Police offence be not committed in consequence of the abetment, and no express made by this Law for the punishment of such abetment be punished with t for a term which may extend to one half of the maximum term of t provided for that offence or such less punishment as is mentioned in this

son subject to this Law who commits, at any place any offence under g law, with the exception of offences under this Law shall be transferred ii Court for trial.

Chapter VI **Summary Trial**

Is in a summary manner if the offence is not serious enough to be tried Court, not trivial enough to be dismissed it may be tried summarily. The Police Director General may pass any of the following punishment after a summary trial in the prescribed manner on an officer below the rank of Police Lieutenant Colonel who has been charged with committing any offence contained in this Law:

(i) reduction of salary within the scale of salary;

(ii) stoppage of promotion;

(iii) stoppage of increment;

(iv) severe reprimand;

(v) causing compensation to be made from salary.

The Divisional or State Police Force Commander may pass any of the following punishments after a summary trial in the prescribed manner on a Police Second Lieutenant who has been charged with committing any offence contained in this Law : -

(i) reduction of salary within the scale of salary;

(ii) stoppage of promotion;

(iii) stoppage of increment;

(iv) severe reprimand;

(v) causing compensation to be made from salary;]¹

The Divisional or State Police Force Commander may pass any of the following punishments after a summary trial in the prescribed manner on a Police Warrant Office, Police Corporal and Police Constable who has been charged with committing any offence contained in this Law -

- (i) imprisonment in a police custody up to 3 months;'
- (ii) dismissal from service;
- (iii) termination of service;
- (iv) in the case of Police Warrant Officers and Police Corporals, reduction in rank;
- (v) reduction of salary within the scale of salary;
- (vi) stoppage of promotion;
- (vii) stoppage of increment;
- (viii) severe reprimand in the case of Police Warrant Officers and Police Corporals;
- (ix) causing compensation to be made from salary.

29. (a) (Either the Police Director General or any officer not below the rank of Police Brigadier General of the Office of the Police Director General on whom power has been conferred by the Police Director General for this purpose)² shall countersign the proceedings of the summary trial carried out by the Divisional or State Police Force Commander. In so countersigning, he may revise to an extent of further reduction of the finding and sentence. Furthermore, if facts not in conformity with law or facts which have no justification are found he may annul the proceedings or pass an order which he considers appropriate.

(b) The Minister shall countersign the proceedings of the summary trial carried out by the Police Director General. In so countersigning, he may revise to an extent of further reduction of the findings and sentence. Furthermore, if facts not in conformity with law or facts which have no justification are found he may annul the proceedings or pass an order which he considers appropriate.

*y Law No. 3/97
ed by Law No. 3/97*

Chapter VII **Police Court**

30. The Police Director General may form the Police Court.

31. The Police Court shall consists of three Gazetted officers (....)³ of whom at least one is of a rank not below that of Police Major. When the case of an officer is tried, all the members shall be of a rank not below that of the officer being tried.

32. (a) If after the commencement of a trial the composition of the Police Court is reduced in number below its legal minimum such Police Court shall be dissolved;

(b) If, on account of the illness of the accused before the finding, it, is impossible to continue the trial, the Police Court shall be dissolved;

(c) The Police Director General may dissolve the Police Court if it appears to him that exigencies or the necessities of discipline render it impossible or inexpedient' to continue the sitting of the said Police Court;

(d) where the Police Court is dissolved under this section, the accused may be tried again.

33. The Police Court shall have power to try a person subject to this Law for any offence punishable under this Law and to award, subject to the provisions of section 34 one or more of the following punishments:

- (a) imprisonment for a term not exceeding 3 years;
- (b) dismissal from service;
- (c) reduction to a lower rank;
- (d) reduction of police service for pension;
- (e) compensation from salary.

34. (a) If the punishment mentioned in section 33 sub-section (a) is awarded, the punishment contained in sub-section (b) shall also be awarded;

(b) If any punishment mentioned in section 33 sub-sections (a) and (b) is awarded, it shall not be awarded in combination with any punishment contained in sub-section (c), (d) and (e);

(c) Punishment contained in section 33 sub-section (c) shall not be awarded on a person of the rank of Police Constable.

***Footnote*

1. Substituted by Law No. 3/97

2. Substituted by Law No. 3/97

3. Deleted by Law No. 3/97

Chapter VIII **Execution of Sentences**

35. When a person subject to this Law is sentenced by a Police Court to imprisonment the term of his sentence shall be deemed to commence on the day on which the original proceedings were signed by the presiding officer of the Police Court or if the day of commencement of the sentence is specified by the presiding officer then on such day.

36. When a sentence of imprisonment is -passed, the Police Battalion Commander or the Police Commander of the person under sentence shall forward a warrant in the prescribed form to the officer in charge of the prison in which such person is to be confined and shall dispatch such person to such prison with the warrant.

37. When an order is duly made under this Law setting aside or varying any sentence, order or warrant under which any person is confined in a prison, a warrant in accordance with such order shall be forwarded by the officer making the order or his staff officer to the officer in charge of the prison in which such person is confined.

38. If a person subject to this Law has been acquitted or convicted or has had action taken against him under section 28 for any offence by a Police Court or a Criminal Court he shall not be tried again by the Police Court, nor action taken against him again under such Sections for that offence.

Chapter IX **Procedure to be followed by Police Courts**

39. At a Police Court the most senior member shall be the presiding officer of such Police Court.

- 40.** (a) Whenever trials are conducted by a Police Court, as soon as the Court is assembled, the names of the presiding officer and members shall be read over to the accused, who shall thereupon be asked whether he objects to being tried by any officer sitting on the Court;
- (b) If the accused objects to any officer, his objection and also the reply thereto of the officer objected to shall be heard and recorded, and the remaining officers of the court shall, in the absence of the challenged officer, decide on the objection;
- (c) With the exception of the officer objected to, if the remaining two officers agree, the objection shall be allowed and the member objected to shall resign and his vacancy may be filled in the prescribed manner by another officer without prejudice to the same right of the accused to object

(d) When no challenge is made, or when challenge has been made and disallowed, or the place of the officer who has resigned has been filled by another officer to whom no objection is made or allowed, the court shall proceed with the trial.

- 41.** (a) If there is an objection to the members, after the completion of matters relating thereto and if the Police Court considers appropriate to continue the trial, an oath or affirmation shall be administered to every member of the Police Court before the commencement of the trial;
- (b) Every person giving evidence before a Police Court shall be examined after being duly sworn or affirmed as may be prescribed;
- (c) The provisions of sub-section (b) shall not apply where the witness is a child under twelve years of age and the Police Court is of the opinion that although the witness understands the duty of speaking the truth, he does not understand the nature of an oath or affirmation.

42. In passing any finding and any sentence, the Police Court shall do so only with the concurrence of at least two members.

43. The Evidence Act shall, subject to the provisions of this Law apply to all proceedings before a Police Court.

44. A person charged with an offence shall be a competent witness in his own behalf in any trial of the said offence, whether the person so accused is accused solely or jointly with any other person or persons, and his evidence may be used against any person or persons tried jointly with him. Provided that

- (a) the accused shall not be examined as a witness except at his own desire;
- (b) before giving evidence the accused shall be warned by the Police Court that he is not bound to give evidence, and that if he does so, his evidence may be used against any person or persons tried jointly with him;
- (c) if the accused does not wish to give evidence but wishes to make a statement which is not on oath or on affirmation he may be allowed to do so. If the accused does not give evidence or make a statement, the failure to do so shall not be made the subject of any comment or adverse inference therefrom by the prosecution or the Police Court.

45. (a) The presiding Officer of the Police Court or the Police Battalion Commander or the Police Commander of the accused person may, by summons under his hand, require the attendance, at a time and place to be mentioned in the summons, of any person either to give evidence or to produce any document or other thing;

(b) In the case of a person subject to this Law, the summons shall be sent to his Police Battalion Commander or Police Commander and such officer shall serve it upon him accordingly;

(c) In the case of any other witness, the summons shall be sent to the magistrate within whose jurisdiction he may be or reside, and such magistrate shall give effect to the summons as if the witness were required in the court of such magistrate;

(d) when a witness is required to produce any other document or other thing in his possession or power, the summons shall describe it with reasonable precision.

46. (a) Where the Police Court is of the opinion that according to evidence arising in a case, guilt in respect of the offence originally charged is not proved, but the accused is guilty of another offence or under other circumstances, it may make a special findings:

(b) In making the special finding under sub-section (a) the offences shall be of the same type, but the offences and circumstances shall be less severe.

47. When a person subject to this Law has been convicted of any offence by a Police Court, such Police Court or Criminal Court may inquire into, and receive and record evidence of any previous convictions of such person, either by a Police Court or by a Criminal Court, or any previous award of punishment under section 28. It may further inquire into and record evidence of the general character of such person and such other matters as may be prescribed.

48. When any property regarding which any offence appears to have been committed, or which appears to have been used for the commission of any offence is produced before a Police Court during a trial, it may pass an order for the proper custody of such property or disposal thereof as may be appropriate pending the conclusion of the trial or after the conclusion of the trial.

49. (a) After the conclusion of trial before a Police Court, the Police Director General confirming the finding or sentence of such Police Court may, if the Police Court has not disposed them of make such order as he thinks fit for the disposal by destruction, confiscation, delivery to any person claiming to be entitled to possession thereof, or otherwise, of any property or document produced before the Police Court or in its custody or regarding which any offence appears to have been committed or which has been used for the commission of any offence:

(b) Where any order has been made under section 48 and section 49 sub-section (a) in respect of property regarding which an offence appears to have been committed, a copy of such order signed and certified by the Police Court or the Police Director General making the same may be sent to a magistrate within whose jurisdiction such property for the time being is situated, and such magistrate shall

thereupon cause the order to be carried into effect as if it were an order passed by him under the provisions of the Code of Criminal Procedure.

Explanation - In this section the expression "property" includes, in the case of property regarding which an offence appears to have been committed, not only such property as has been originally in the possession or under the control of any person, but also any property into and for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange whether immediately or otherwise.

50. Any trial under the provisions of this Law shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 of the Penal Code and such Police Court shall be deemed to be a Court within the meaning of section 48() and section 482 of the Code of Criminal Procedure.

Chapter X **Confirmation and Revision**

- 51.** No finding or sentence of a Police Court shall be valid except so far as it may be confirmed as provided by this Law.
- 52.** The Police Director General is the authority who can confirm the findings and sentences of the Police Court.
- 53.** (a) The police Director General may substitute the finding of the Police Court with a special finding if he considers that the accused is guilty of an offence which is less severe or under circumstances which are less severe;
- (b) The Police Director General may mitigate or remit the sentence of a Police Court or commute that sentence for any punishment lower in degree in the types of punishment mentioned in section 33;
- (c) any finding substituted under sub-section (a) or any punishment commuted under sub-section (b) shall, for the purposes of this Law or rules made there under have effects as if it were a finding or sentence of the Police Court;
- (d) The Police Director General may, if facts which are not in conformity with law or which have no justification are found in the proceedings of a Police Court annul the proceedings and the conviction of the Police Court.
- 54.** (a) Any finding or sentence of a Police Court which has not been confirmed may be revised once by order of the confirming authority, and on such revision, the Police Court, if so directed by the confirming authority, make take additional evidence:
- (b) On revision, the Court shall consist of the same officers as were present when the original decision was passed.

Chapter XI **Appeal**

- 55.** A person subject to this Law may file an appeal in the prescribed manner to the Minister if he considers that he has been aggrieved by a finding or sentence of the Police Court.
- 56.** (a) The Minister may substitute the confirmed finding of the Police Court with a special finding if he considers that the accused is guilty of an offence which is less severe or under circumstance which are less severe;
- (b) The Minister may mitigate or remit the confirmed sentence of a Police Court or commute that sentence for any punishment lower in degree in the types of punishment mentioned in section 33;
- (c) any finding substituted under sub-section (a) or any punishment commuted under sub-section (b) shall, for the purposes of this Law or rules made there under have effects as if it were a finding or sentence of the Police Court;
- (d) The Minister may, if facts which are not in conformity with law or which have no justification are found in the confirmed proceedings of a Police Court annul the proceedings and the conviction of the Police Court;
- (e) In the exercise of the authority contained in sub-sections (a), (b) and (d), the Minister may only do so within (60) days of the receipt of the appeal.

Chapter XII

Miscellaneous

57. In order to carry out the provisions of this Law-

(a) the Ministry may issue rules and procedures as may be necessary, with the approval of the Government;

(b) the Ministry or the Office of the Police Director-General may issue notifications, orders and directives as may be necessary.

**Sd./ Than Shwe
Senior General
Chairman
The State Law and Order Restoration Council**

http://web.archive.org/web/20110902222549/http://www.blc-burma.org/html/Myanmar%20Law/lr_e_ml95_04.html