BRIEF SURVEY OF DEVELOPMENT OF LAWS IN BURMA

*Burma Lawyers' Council**

Introduction

The legal system of a country usually accommodates with the changes of its political, administrative and economic systems. Where such system is changed into a new system, existing laws which are not consistent with the system are repealed, their entry into force is ceased, they are amended and they are inserted. Existing laws which are not inconsistent with the new system continue to be applicable. But those changes can be repealed if they are not in conformity with the changing situations. Therefore, in studying the legal history of a country her political, administrative and economic history cannot be excluded. This article will touch how the laws have changed from the era of Burma kings up to the present day with a brief background of Burma's history.

Era of Burmese Kings

Kingship arose in theory from the concern of the people to escape social chaos. The king's primary duty was to protect his people by punishing the unjust and the predatory strong. The ruler was supposed to be truthful and wise, considerate before acting, capable of curbing his personal desire for wealth and pleasure. Courts were supposed to be based on Dhamma or the firmament of the law. Patronage of Buddhism was a basis for loyalty to the king. Buddhism provided its devotees with uniform attitudes and social values and operated as a cohesive force uniting the territorial and national fragments of the Burma State. The whole Hlutdaw functioned as a court of law both civil and criminal. Royal edicts were issued which had the force of law. Ancient Burma's kings till Kon Boung Era ruled the country with Yazathats and Dhammathats. The Yazathats are composed of the king's commands and criminal laws for prevalence of law and order, security and peace. The Dhammathats are composed of rulings and case laws relating to marriage, divorce and inheritance.

In respect of the Dhammathats, there are a total of 175 documents including 57 Pittakas, 16 Dhammathat Lingars, 82 Rulings, 10 Dhammathats precedents and 10 Dhammathats branches in the history of Pittaka. We also apply the Burma Customary Law which is called Burma Buddhist Law, which in turn is composed of Burma customs and based on the said Dhammathats, adopted by Burma Buddhists for successive periods.

It is observed that during the time of King Min-Don and King Thibaw, the last kings of Kon Boung Dynasty, the criminal department and law department were formed. And thence, the laws, rules and orders including over 130 laws were enacted and issued. There were about 16 financial and taxation laws and one of them was on capitation tax known as Thathamayda.

Period after the Anglo-Burmese Wars and before 1935 i.e. British Colonial Rule.

The British annexed the Rakhine and Taninthayi regions after the first Anglo-Burmese war in 1926 and after the second war in 1852, Bago and Moat-ta-ma fell to the British. Although Rakhine, Taninthayi and Bago were kept as states under a Chief Commissioner in 1862, they were ruled by the Governor- General of India and the laws enacted by his Legislature. In 1866, the legislative power was conferred on the Chief Commissioner to enforce the laws prescribed in India in the British Burma. The British conquered the entire kingdom of Burma in 1885.

The Operation of the Yazathat and statute laws of ancient Burma kings faded gradually after the first and second Anglo-Burmese wars and ceased totally after the British annexed the entire country. However, some of the Burma Buddhists Law including the Dhammathats were still applied by the courts of the colonial period. The Arakan Hill District Laws Regulation, 1874 was prescribed for Rakhine hills area and later, the Arakan Hill District Laws Regulation was substituted in 1916. In addition to a total of 50 Indian Acts, 3 Regulations, 7 Burma Acts and the Bengal State Prisoners Regulation, 1818 entered into force in Burma. The Bengal State Prisoners Regulation, 1818 prescribed in India was the earliest of the Indian Laws that entered into force in Burma.

In 1886, the Shan State and Kachin State were formed as Scheduled Districts under the Scheduled District Act, 1874. Also in 1886, the Shan State was given a specific status under the Upper Burma Laws Act. In that year the Court of the judicial Commissioner of Upper Burma was also founded. In 1888, the Shan State Act was prescribed and the Shan Saw- bwas were given limited powers under the Sanad Document in civil, criminal, taxation and administrative matters. After that the Shan State Act was repealed and the Act of Burma Law was prescribed in 1898 and extended to the Shan State. The Karenni area i.e. the

Kayah State was placed under the control of the Karenni Chief with the advice and supervision of the Shan State Deputy Commissioner under the Sanad Document. The Kachin Hill Tribes Regulation, 1895 was applied to the tribes in the Kachin hills region. The Chin State was placed under a separate control by the Chin Hills Regulation, 1896.

In order that the Bengal Codes and other Acts prescribed by the Governor-General under the Government of India Act may take effect in both Upper and Lower Burma, the Burma laws Act, 1898 was prescribed and 159 Acts and Laws took effect during the period 1843 to 1896. On 1st May, 1897, Burma was upgraded under the direct control of the Deputy Governor-General. The Legislative Council was formed under the Indian Council Act, 1861 and Burma had its first opportunity to legislate. However, the India Government was assigned power to prescribe law on financial matters.

There were some changes in administration during 1909 to 1919 and due to Morley- Minto Reforms, the number of members in the Legislative Council was increased form 9 members previously to 30 members. Burma laws enacted during the British colonial period up to 1932 were published in Burma Laws Volume I to III. Volume I consisted of Laws and Regulations prescribed during 1876 to 1898, Volume II of those prescribed during 1898 to 1923 and Volume III of those prescribed during 1924 to 1932. In 1923, Burma was granted Diarchy like the other States of India and the number of members in the Legislative Council was increased to 103, but Shan, Kachin and Chin States were excluded. In the Shan State the Shan Saw - bwa Council was put under the control of the Governor of India and administered separately. The British declared Shan, Kachin and Chin States as Backward Tracts.

The Period Governed under the Government of Burma Act, 1935

Since British occupation of Burma, it was governed as a province of landing. During the period of endeavours to gain independence in Burma, the separation crisis occurred. Burma was separated from India under the Government of Burma Act, 1935. The said Act was prescribed in the nature of a Constitution and it may be considered to be the first Constitution of Burma. Under the said Act the Governor of Burma was appointed directly by the British Government. There were 2 Chambers in the Legislature, the House of Representatives and the Senate. In the sector of administration, the Burma Government gained more administrative power in the form of 91 Administrative Divisions. That Act came into force on 1st April, 1937 and Burma became a colony governed by the British Government through the Governor. It ceased to be a dependency under India. The Laws prescribed by the 2 Chambers had to be confirmed by the Governor and the law came into force only after the approval of the British Emperor. Under section 12 of the said Act, the Governor appointed an Advocate

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General. The first Advocate General of Burma was Sir Arthur Eggar and in his duties, the function of drafting laws and giving legal advice to the Government were included.

As it was prescribed in section 14 of the Government of Burma Act, 1935 "that laws prescribed for Burma under the Government of India Act shall, unless amended, altered or repealed continue to have effect," India Acts prescribed for the states of India were revived. Under the said Act over 130 laws prescribed during the reign of Burma kings were not revived. Thus the said laws were not included in the list of Burma Acts. Even in 1935, certain laws prescribed previously were repealed, amended or annulled to be consistent with the situations of Burma. Furthermore, in 1937 in order to be consistent with the changing administrative system existing laws were amended, inserted and repealed under the Government of Burma (Adaptation of Laws) Order, 1937 and the Burma (Adaption) Act, 1940. Out of the laws which were prescribed for Burma excluding the repealed laws, annual finance Acts and temporary Acts, all other laws which took effect up to December, 1942 were published subject-wise in Burma Code Volumes I to VII in 1943.

Japanese Regime from 1942 to 1945.

Under the Government of Burma Act, 1935 the existing Fundamental Law was suspended during the Second World War. Under the said Act, the Governor of India took over section 139 of the legislative power and executive power. On 10-12-42 a state of emergency was declared by the Evacuee Government in Simla town in India. The Burma's Patriotic Force for Independence, with the aid of the Japanese Army attacked and drove the British. The Japanese Army conquered the whole country and decided to give Burma Independence. According to this decision on 1-8-43, the Law Regulating the Administration of Burma 1305. M.E. was prescribed and independence was granted. This law was enacted as a Constitution of the State and should be called the Second Constitution for Burma. Under this law, Dr. Ba Maw was elected as Chancellor of the State. In respect of legislation the Chancellor of the State had the power to prescribe laws after consultation with the Council of Ministers. In Section 23 of the said law, Burma existing laws, Indian Acts and Burma Acts continued to be applicable insofar as they were not inconsistent with this Regulation.

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During the Japanese Period, the interests of foreigners were restricted and 3 laws protecting Burma national interests were enacted. These laws were: -

(1) The Transfer of Immoveable Property (Restriction) Act;
(2) The Company Law; and
(3) The Law of Marriage with Foreigners.

As Burma fell under Japanese control, the British Evacuee Government

which retreated established headquarters in Simla, India and carried out administrative and legislative measures for Burma. From 1942 to 1945, the Evacuee Governor enacted 68 laws and the Compendium of Governor's Acts, 1942-45 was published comprising those laws.

From 1945 to Pre-Independence Period (1948)

The Army which endeavoured for Burma's Independence fought back and the Japanese retreated. In May 1945, the British reoccupied Burma and the country was ruled once again under the Government of Burma Act, 1935. The Burma Indemnity and Validating Act, 1945 was enacted and the Acts, Rules and Regulations which were prescribed before the Japanese Regime came into force again in the relevant regions insofar as they were not repealed. However, as the 3 laws which were enacted during the Japanese Regime were not revived, they were not included in the list of Burma Acts.

Instead of electing the members of the two Chambers which consisted under the Government of Burma Act of 1935, in 1945 the Legislative Council which consisted of 32 members was formed, by the order of the Governor. In addition, the Governor issued the Legislative Council Rules of Procedure, 1945. In such Rules it was prescribed that the Governor had the legislative authority without consultation with the legislative Council.

In 1945, the Crown Office Rules, 1945 was made and the Crown Office (Present usage- "Attorney General's Office") was established. The Legislative drafting officers were appointed and assigned duty. In 1947, that office was abolished and the Advocate General was appointed and assigned the duties. The Evacuee Government came back to Burma from Bengal in 1945 and before Independence enacted 150 laws. It was found that out of these laws, 7 laws were enacted during January 1 to 3, 1948. Simultaneously with the endeavours for Independence, the Committee for drafting of the Constitution was formed and on 14.9.47 the Constituent Assembly approved the Constitution of the Union of Burma, 1947.

Parliamentary Period from 1948 to 1st March 1962

Under Sections 90 and 92 (1) of the Constitution, 1947, power of making laws was vested in Parliament and under section 92 (1), power to make laws on matters enumerated in List-II was assigned to the State Council. In Section 226 (1) of the Constitution, it was prescribed that existing Laws and Acts which were in force during British colonial period shall, subject to that Constitution and to the extent to which they were not inconsistent therewith continue to be in force. The Union of Burma (Adaptation of Laws) Order, 1948 was prescribed to adapt the clauses and expressions contained in the Constitution to those contained in

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the Order. Under that Order, the expression "British Burma" was substituted with the expression "Union of Burma", "Crown" was substituted with "Government" and "Governor" with "President".

On 4.1.48 (Independence Day), the Supreme Court and High Court were established and Courts at different levels were also formed under the Union Judiciary Act. Moreover, and Advocate of the High Court who was nominated by the Prime Minister was appointed and assigned duties as the Attorney General. In order to make laws enacted before Independence, consistent with the changing situation, the Laws Revision Committee headed by a Supreme Court Judge was formed. Even in 1948, the Statutory Burmese Version and Legal Terms Act (No. 27/48) was enacted and efforts were made to translate those laws in English into Burma.

As under section 139 (1) of the Government of Burma Act, 1935, Acts enacted by the Governor before Independence were only temporary measures. Acts whose Terms are about to Expire to Continue to be in Force, 1949 was prescribed in order that such laws may continue to be in force. After attaining Independence, from 4-1-48 till December, 1954 a total of 467 laws were enacted. The laws enacted before independence and still in force and the laws enacted after Independence up to 1954 were classified subject-wise in Burma Code Volume 1 to XIII by the Laws Revision Committee and published. This Code consisting of 13 Volumes are still in force and are applied till this day. After publishing of Burma Code in 13 Volumes, from 1955 up to this day, Acts and Laws enacted were published yearly. From 1955 till 1961, a total of 334 laws were enacted and in 1962 before 2nd March 1962 no laws were enacted.

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SYNOPSIS OF THE BURMA CODE

Name	Volume
- Adaptation Act, Burma Laws	I
- Adaptation of Laws order, 1948, Union of Burma	I
- Burma Extradition Act	I
- Burma General Clauses Act	I
- Burma Immigration (Emergency Provisions) Act	I
- Burma Indemnity and Validating Act, 1945	I
- Burma Laws Act	I
- Burma Passport Act	I
- Contempt of Courts Act	I
- Courts Act, Burma Small Cause	I
- Immoveable Property (Restriction) Act, Transfer of	I
- Police Act, 1945	I
- Prisons Act	I

- Regulation, State prisoners	I
- Army Act, Burma	II
- Burma Army Act	II
- Emergency Powers Act, press	II
- Emergency Provisions Act, Requisitioning	II
- Essential Supplies and Services Act	II
- Official Secrets Act, Burma	II
- Press (Registration) Act	II
- Search (Special Power) Act	II
- Seditious Meetings Act	II
- Unlawful Associations Act	II
- Burma Income-tax Act	III
- Burma Stamp Act	III
- Customs Act, Land	III
- Customs Act, Sea	III
- Financial Commissioners Act	III
- Forest Act	III
- Stamp Act, Burma	III
- Births, Deaths and Marriages Registration Act	IV
- Births, Deaths and Marriages Registration Act, 1943	IV
- Dangerous Drugs Act	IV
- Degrees Act, Burma Medical	IV
- Development Trust Act, Rangoon	IV
- Education Act, Primary	IV
- University of Rangoon Act	IV
- Attorney Act, Powers of	IX
- Burma Companies Act	IX
- Charitable and Religious Trusts Act	IX
- Companies Act, Burma	IX
- Contract Act	IX
- Co-operative Societies Act	IX
- Official Trustees Act	IX
- Partnership Act	IX
- Religious Societies Act	IX
- Societies Act, Co-operative	IX
- Societies Registration Act	IX
- Children (Pledging of Labour) Act	V
- Compensation Act, Workmen's	V
- Disputes Act, Trade	V
- Payment of Wages Act	V
- Regulation of Employment Act, Dock Workers	V
- Trade Unions Act	V
- Workmen's Compensation Act	V
- Municipal Act, City of Rangoon	VI
- Bills of Lading Act	VII

- Burma Carriage by Air Act VII
- Burma Carriage of Goods by Sea Act VII
- Burma Merchant Shipping act VII
- Burma Motor Vehicles Act VII
- Code, Penal VIII
- Code of Criminal Procedure VIII
- Special Crimes (Tribunal) Act, 1947 VIII
- Special Judges Act, 1946 VIII
- Acquisition Act , Land X
- Acquisition (Mines) Act, Land X
- Burma Agriculturists' Debt Relief Act X
- Burma Copyright Act X
- Lower Burma Town and Village Lands Act X
- Money Lenders Act X
- Negotiable Instruments Act X
- Tenancy Act, 1946 X
- Town and Village Lands Act, Lower Burma X
- Transfer of Property Act X
- Burma Divorce Act XI
- Administrator General's Act XI
- Adoptions Act, Registration of Kittima XI
- Arbitration Act XI
- Bar Council Act XI
- Burma Insolvency Act XI
- Child Marriage Restraint Act XI
- Christian Marriage Act XI
- Kittima Adoptions Act, Registration of XI
- Legal Practitioners Act XI
- Relief Act, Specific XI
- Slavery Act XI
- Special Marriage Act XI
- Succession Act XI
- Bankers' Books Evidence Act XII
- Civil Procedure, Code of XII
- Code of Civil Procedure XII
- Courts Fees Act XII
- Evidence Act XII
- Fees Act, Process XII
- Limitation Act XII
- Oaths Act XII
- Suits Valuation Act XII
- Application Act, 1950, Towns Amendment Act XIII
- Application Act, 1952, Urban Rent Control Act XIII
- Burma Immigration (Emergency Provisions) (Extension) Act, 1949 XIII

Short Break-Down
Parliaments Acts (1955 up to 1961)

Name	Volume
- The Union Judiciary (Temporary Amendment) Act, 1955.	1955
- The Union Judiciary (Amendment) Act, 1955.	1955
- The Prisons (Amendment) Act, 1955	1955
- The Workmen's Compensation (Amendment) Act, 1955	1955
- The States (Extension of Laws) (Amendment) Act, 1955	1955
- 1955 Courts Act (Amendment)	1955
- The Myanmar Companies (Amendment) Act, 1955.	1955
- The Myanmar Army (Amendment) Act, 1955.	1955
- The Village (Amendment) Act, 1955.	1955
- 1955 Administration of Democratization Amendment Act	1955
- 1955 Parliament Election Amendment Act	1955
- The Myanmar Income-Tax (Amendment) Act, 1955.	1955
- The Wa States and Ko Kang State, Criminal Law Extension Act, 1955	1955
- The Arms (Temporary Amendment) (Amending) Act, 1955.	1955
- The Trade Disputes (Amendment) Act, 1955	1955
- 1955 Government building Eviction Act	1955
- The Myanmar Immigration (Emergency Provisions) (Amendment) Act, 1955.	1955
- 1955 Parliament election (Second Amendment) Act	1955
- The Child Act, 1955	1955
- 1956 Union Judiciary Act (Amendment)	1956
- 1956 Parliament Election Amendment Act	1956
- 1956 Parliament election (Second Amendment) Act	1956
- The Registration of Foreigners (Amendment) Act, 1956.	1956
- The Myanmar Immigration (Emergency Provisions) (Amendment) Act, 1956.	1956
- The Myanmar Income-Tax (Amendment) Act, 1956.	1956
- The Foreign Exchange Regulation (Amendment) Act, 1956	1956
- The Myanmar Extradition (Amendment) Act, 1956	1956
- The Code of Civil Procedure (Amendment) Act, 1956.	1956
- The Administrator-General's (Amendment) Act, 1957.	1957
- The Essential Supplies and Services (Amendment) Act, 1957.	1957
- The Union of Myanmar Citizenship (Amendment) Act, 1957	1957
- The Workmen's Compensation (Amendment) Act, 1957.	1957
- 1957 Attorney General Act (Amendment)	1957
- The Myanmar Stamp (Amendment) Act, 1957.	1957
- The Myanmar Court Fees (Amendment) Act, 1957.	1957
- 1957 Union Citizenship Selection Act (Amendment)	1957

- The Criminal Law (Amendment) Act, 1957	1957
- The Myanmar Immigration (Emergency Provisions) (Amendment) Act, 1957.	1957
- The Registration of Foreigners (Amendment) Act, 1957.	1957
- The Code of Criminal Procedure (Temporary Provision) Act, 1957.	1957
- The Special Judges (Amendment) Act, 1957.	1957
- 1957 Emergency provision Temporary Act	1957
- The Criminal Law (Second Amendment) Act, 1957.	1957
- The Criminal Law (Temporary Provision) Act, 1957.	1957
- The Union Citizenship (Amendment) Act, 1958	1958
- The Myanmar Immigration (Emergency Provisions) (Amendment) Act, 1958.	1958
- The Foreign Exchange Regulation (Amendment) Act, 1958.	1958
- The Court Fees (Amendment) Act, 1958	1958
- The Trade Disputes (Amendment) Act, 1958	1958
- The Code of Criminal Procedure (Temporary Provision) (Repeal) Act, 1959	1959
- The Yangon Police (Amendment) Act, 1959	1959
- 1959 Employment Restriction Act	1959
- The Trade Union (Amendment) Act, 1959	1959
- The Printers and Publishers (Registration) Act	1959
- The Myanmar Companies (Amendment) Act, 1959	1959
- The Foreign Exchange Regulation (Amendment) Act, 1960	1960
- The Shan State Criminal Law and Procedure Extension Act, 1959	1960
- The Special Crime (Tribunal) (Amendment) Act, 1960	1960
- The Army (Amendment) Act, 1960	1960
- The Printers and Publishers Registration (Amendment) Act, 1960	1960
- The Penal Code (Amendment) Act, 1960	1960
- The Penal Code (Amendment) Act, 1960	1960
- The Penal Code (Amendment) Act, 1961	1961
- The Code of Criminal Procedure (Amendment) Act, 1961	1961
- The Myanmar General Clauses (Amendment) Act, 1961	1961
- The Child (Amendment) Act, 1961	1961
- The Village (Amendment) Act, 1961	1961

Regime of the Ne Win Revolutionary Council from 1962 to 1974

As the danger of disintegration of the State was about to occur, on 2nd March 1962, the Revolutionary Council took over the sovereign powers and on 7.3.62 issued Declaration No. (14) to the effect that existing laws shall, with effect from 2.3.62, continue to be in force until they are repealed. Declaration No. (22) was

issued on 12.3.62 to the effect that in the existing laws the expression "the President of the Union" shall be substituted by the expression "the Chairman of the Revolutionary Council". Furthermore, on 30.3.62 by Declaration No. (28) the expressions in the existing laws "Council of Ministers/Cabinet", "Prime Minister", "Minister" were substituted. In order to implement the existing laws to be in accordance with the policy of the Revolutionary Council, the Laws Revision Committee was formed on 1.10.63 with the Attorney General as Chairman.

In 1965, the Adaption of Expressions Law No. 9/65 and the Law Amending the Burma General Clauses Act, 1965 were published and the expressions "President" and "Government" were substituted. From 1962 up to 1974, during the Revolutionary Council period, a total of 182 laws were enacted. During that period, the laws that were not consistent with the socialist system were repealed and those laws that contributed towards that system were enacted. Of the contributing laws, the Law for Prevention of Contravention of the Establishment of the Socialist Economic System, 1964 and the Law Conferring Powers for the Establishment of the Socialist Economic System, 1965 were prominent.

As the Constitution, 1947 was not consistent with the changing system, a Constitution Drafting Commission consisting of 97 members was formed on 25.9.71 in order to draft a new Constitution. A nationwide referendum was held and the Constitution of the Socialist Republic of the Union of Burma was promulgated on 3.1.74.

Revolutionary Council Laws (1962 up to 1974)

- Yangon University Act repealed law, 1962	1962
-1962 Buddhist religious Order Amendment Act	1962
- 1962 the Factory Amending Law	1962
- The Yangon City Civil Court Act Amending Law, 1962	1962
- The Court Act Amending Law, 1962	1962
- The Special Criminal Court Law, 1962	1962
- The Printers and Publishers Registration Law, 1960	1962
- The Press (Emergency Powers) Act Amending Law, 1962	1962
- The Gambling Act Amending Law, 1962	1962
- The Criminal Law Amending Law, 1963	1963
- The Trade Disputes Act Amending Law, 1963	1963
- The Myanmar Income-Tax Act Amending Law, 1963	1963
- 1963 Nationalization of Businees Law	1963
- The Special Criminal Amending Law, 1963	1963
- The Yangon Police Act Amending Law, 1970	1970
- The Printers and Publishers law Amending Law, 1971	1971
- The Special Judges Act Amending Law, 1973	1973

- The Union Judiciary Act Amending Law, 1973 1973

Pyithu Hluttaw Period from 1974 to 17th September 1988

It was prescribed in Article 199 of the Constitution of 1974 that the laws and rules enacted by the Revolutionary Council devolved on the Socialist Republic of the Union of Burma and the in Article 202 the existing laws shall remain in force insofar as they were not contrary to the Constitution and until they were repealed or amended. Furthermore, some expression in the existing laws which did not conform to the usages and expression of the existing Constitution were substituted by the Notification dated 7.8.74 of Council of the State.

On 27.8.76 under Notification No. 66 of the Council of State, the Law Revision and Law Translation Committee was formed with the Chairman of the Council of People's Attorneys as Chairman. Under Notification No.29 of the Council of State, the Law Commission was formed and the Law Revision and Law Translation Committee was abolished. Furthermore, the Council of State prescribed methods of drafting laws and rules. Under the Constitution, only the Pyithu Hluttaw can approve and enact laws and rules. During the Pyithu Hluttaw period from 1974 to 1988, a total of 128 laws were enacted and published yearwise.

The State Law and Order Restoration Council Period- From 18th September 1988 to 14th November, 1997

Since the prevalence of law, peace and tranquility of the State were in danger, the State Law and Order Restoration Council took over the powers of the State on 18.9.88 and abolished the organs of power of the State at different levels. The State Law and Order Restoration Council declared under Declaration No. (6/88) dated 24.9.88 that all the laws existing on 18.9.88 shall remain in force until they were annulled or repealed. The expressions contained in those laws were substituted under the Adaptation of Expressions Law (No. 8/88).

The State Law and Order Restoration Council declared under Declaration No. (6/88) dated 24.9.88 that all the laws existing on 18.9.88 shall remain in force until they were annulled or repealed.

On 26.99.88 the Attorney General Law was enacted to scrutinize, draft, translate and amend the laws. The method of drafting laws was that drafts of laws were prepared by the relevant Ministry or in coordination with the Attorney General's Office and then scrutinized by the Attorney General's Office. These scrutinized drafts of laws were sent back to the relevant Ministry which would submit them to the Government for approval. After approval, those laws were submitted to the State Law and Order Restoration Council. Laws which were required to be enacted were published under the signature of the Chairman of the State Law and Order Restoration Council.

Since there were changes in the administrative, political and economic systems, the laws which should not be effected and exercised any more were repealed and those which should be amended, substituted and inserted were amended.

These laws which were not suitable with the current situation were repealed. 137 Laws were repealed under the Law for Repeal of Laws (No.1/92) and 14 Laws under the Law for the (Second) Repeal of Laws (No.4/93). A total of 139 laws were enacted during the said period.

1988 to 1996 SLORC laws

- Substitution of Expressions Law	1988
- Auditor General Law	1988
- Judiciary Law	1988
- Political Parties Registration Law	1988
- Multi-party Democracy General Election Commission Law	1988
- Union of Myanmar Foreign investment Law	1988
- Law Amending the Myanmar Red Cross Society Act, 1959	1988
- Attorney-General Law	1988
- Special Limitation Law	1988
- Law Relating to Forming of Organizations	1988
- Law Amending the Bar Council Act	1989
- Law Amending the Defence Services Act, 1959	1989
- State-Owned Economic Enterprises Law	1989
- Law Amending the Printers and Publishers Registration Law, 1962	1989
- Law Amending the Union of Myanmar University Education Law, 1973	1989
- Pyithu Hluttaw Election Law	1989
- Law Amending the Myanmar Companies Act	1989
- Myanmar War Veteran Organization Law	1989
- Law Amending the Partnership Act	1989
- Financial Institutions of Myanmar Law	1990
- Central Bank of Myanmar Law	1990
- Myanmar Maternal and Child Welfare Association Law	1990
- Law Amending the Myanmar Immigration (Emergency Provisions) Act, 1974	1990
- City of Yangon Development Law	1990
- Law Amending the Court Fees Act	1990
- Law Relating to the Sangha Organization	1990
- Law Amending the Law Safeguarding the State from the Danger of Subversive Elements	1991
- Law for the Repeal of Laws	1992
- Development of Border Areas and National Races Law	1993
- Narcotic Drugs and Psychotrophic Substances Law	1993
- Peoples's Police Force Maintenance of Discipline Law	1995

- Narcotic Drugs and psychotrophic Substances Rules 1995
- Law Protection the Peaceful and Systematic Transfer of State Responsibility and the Successful performance of the Functions of the National Convention Against Disturbances and Oppositions 1996

The Period of the State Peace and Development Council (1997)

In order to cause the emergence of a "well-disciplined democratic system, and to build a new, peaceful and modernized State", the State Law and Order Restoration Council was dissolved and the State Peace and Development Council was constituted on 15.11.97. On 17.11.97, the Adaptation of Expressions Law, 1997 was prescribed and expressions such as Na-wa-ta, Pa-wa-ta, Ta-wa-ta, Kha-Wa-Ta, Ma-wa-ta and Ra-wa-ta were substituted with Na-Ya-ka, Pa-ya-ka, Ta-ya-ka, Kha-ya-ka and Ra-ya-ka.

The methods of drafting and enacting laws that were formerly applied by the State Law and Order Restoration Council continue to be applicable. In 1997, 3 laws and in 1998, 10 laws, a total of 13 laws have already been enacted up to 31st December, 1998.

- Law Amending the State-Owned Economic Enterprises Law 1997
- Law Amending the Myanmar Citizenship Law 1997
- Law Amending the Suppression of Prostitution Act, 1949 1998
- Law Relating to Overseas Employment 1999
- Rules Relating to Environmental protection and Cleansing of Yangon City Development Committee 1999
- The Judiciary Law 2000
- The Law Amending the Code of Civil procedure 2000
- Order Directing Not to Exercise Powers Under Certain provisions of the Towns Act, 1907 and The Village Act, 1907 1999
- The Attorney General Law, 2001 2001
- The Control of Money Laundering law 2002
- The Law Amending the Judiciary Law, 2000 2003
- The Law Amending the Attorney General Law, 2001 2003
- Control of Money Laundering Rules (Notification No. 1/2003 of the Ministry of Home Affairs) 2003

CONCLUSION

Evolution of Law in Burma confirm the theory that Social change in a country is not independent of role of law. Law has been instrument of many changes for e.g. the anarchic laws under Monarchy underwent eclipse with the advent of colonel regime which introduced its own laws. After Independence, many of the colonial laws have been retained not only by Parliamentary Democracy but by military regimes over the period of half-a-century. The basic cause is imbedded common law in our legal system. A major challenge that the lawmakers will face in democratic transition will be whether, the common law will continue or a synthesis of common law and civil law be reformed in the legal system some changes through law and justice, human order oriented on firm values and offering fulfillment of each member of the society whether he/she belongs to ethnic nationalities or minorities is a great challenge before law reformers of legal system in various facet.

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