

THE SPECIAL JUDGES (AMENDMENT) ACT, 1947

[BURMA ACT NO. III OF 1947.]

WHEREAS it is expedient to amend certain provisions of the Special Judges Act, 1946;

AND WHEREAS by Proclamation, dated the tenth day of December, 1942, the Governor of Burma has assumed to himself all powers vested by or under the Government of Burma Act, 1935, in the Legislature or in either Chamber thereof;

NOW, THEREFORE, in exercise of the said powers, it is hereby enacted by the Governor of Burma as follows:—

1. (1) This Act may be called the Special Judges (Amendment) Act, 1947.

(2) It shall come into force at once.

2. For sub-section (2) of section 6 of the Special Judges Act, 1946, hereinafter called the said Act, the following sub-section shall be substituted:—

^ (2) Any person convicted at a trial held by a Special Judge may appeal to the High Court: Provided that if in such trial a Special Judge, not being a Sessions Judge or an Additional Sessions Judge, passes any sentence of imprisonment for a term not exceeding four years, the appeal of all or any of the accused convicted at such trial shall lie and be deemed to lie to the Court of Session: Provided also that the provisions of sections 412 and 413 of the Code shall apply to an appeal from sentence passed by a Special Judge as if, for the purposes of the said sections 412 and 413, the sentence had been passed by a Court of Session. xv/47

3. In section 8 of the said Act, the expression "and the powers conferred on the High Court by section 491 of the Code shall not be exercised in respect of any person arrested or committed to or detained in custody under this Act" shall be deleted.