

THE SPECIAL JUDGES (SECOND AMENDMENT)  
ACT, 1947.

[BURMA ACT NO. XV OF 1947.]

[ 17th March 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 (Second Amendment) Act, 1947.

(2) It shall come into force at once.

2. For section 2 of the Special Judges (Amendment) Act, 1947, the following shall be substituted :—

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

‘ (2) Any person convicted on a trial held by a Special Judge, who is a Sessions Judge or an Additional Sessions Judge, may appeal to the High Court :

Provided that the provisions of sections 412 and 413 of the Code shall apply to such appeals as if the person had been convicted by a Court of Session.

(2A) Any person convicted on a trial held by a Special Judge, who is not a Sessions Judge or an Additional Sessions Judge, may appeal to the Court of Session :

Provided as follows :—

(a) The provisions of sections 412 and 413 of the Code shall apply to such appeals as if the person had been convicted by a District Magistrate or other Magistrate of the first class.

(b) When in any case a Special Judge, who is not a Sessions Judge or an Additional Sessions Judge, passes any sentence of imprisonment for a term exceeding four years, or any sentence of penal servitude or transportation for life or death, the appeal of all or any of the accused convicted at such trial shall lie to the High Court.

(c) When any person is convicted by a Special Judge, who is not a Sessions Judge or an Additional Sessions Judge, of an offence under section 124A of the Penal Code, the appeal shall lie to the High Court.’ ”

G.B.C.P.O.—No. 220, Judi. Dept., 23-5-47—1,500—II.

Price,—One anna.]