

THE BURMA AIRCRAFT (AMENDMENT) ACT, 1947.

[BURMA ACT NO. XXI OF 1947.]

[1st May 1947.]

WHEREAS it is expedient to amend the Burma Aircraft Act (Burma XXII, 1934) for the purposes hereinafter appearing

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 :

26 Geo. 5,
c. 3.

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 Burma Aircraft (Amendment) Act, 1947.

Short title and commencement.

(2) It shall come into force on such date as the Governor may, by notification, direct.

2. In the Burma Aircraft Act (hereinafter referred to as "the said Act") the following shall be inserted as section 1, namely:—

Insertion of section 1.

" 1. This Act extends to the whole of British Burma, and applies also—

Extent.

(a) to British subjects and servants of the Crown in any part of Burma ;

(b) to British subjects who are domiciled in any part of Burma wherever they may be ;

(c) to, and to persons on, aircraft registered in British Burma wherever they may be."

3. In section 3 of the said Act, for the words "the provisions of this Act and of the rules made thereunder, or from any such provisions," the words "all or any of the provisions of this Act" shall be substituted.

Amendment of section 3.

4. In sub-section (2) of section 5 of the said Act—

Amendment of section 5 (2).

(i) after clause (a) the following clauses shall be inserted, namely:—

" (aa) the regulation of air transport services, and the prohibition of the use of aircraft in such services except under the authority of and in accordance with a licence authorizing the establishment of the service ;

(ab) the information to be furnished, to such authorities as may be specified in the rule, by an applicant for, or the holder of, a licence authorizing the establishment of an air transport service ; "

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(ii) after clause (j) the following shall be inserted as clause (jj), namely :—

"(jj) the installation and the maintenance of lights on private property in the neighbourhood of aerodromes or on or in the neighbourhood of air routes by the owners or occupiers of such property, the payment by the Governor for such installation and maintenance, and the supervision and control of such installation and maintenance, including the right of access to the property for such purposes ;"

Amendment of section 7 (1). 5. In sub-section (1) of section 7 of the said Act, for the words "air navigation in or over British Burma" the following shall be substituted, namely :—

"the navigation—

- (a) in or over British Burma of any aircraft, or
- (b) anywhere of aircraft registered in British Burma."

Insertion of section 8B. 6. After section 8A of the said Act the following shall be inserted as section 8B, namely :—

8B. (1) If the Governor is satisfied that Burma or any part thereof is visited by or threatened with an outbreak of any dangerous epidemic disease, and that the ordinary provisions of the law for the time being in force are insufficient for the prevention of danger arising to the public health through the introduction or spread of the disease by the agency of aircraft, the Governor may take such measures as he deems necessary to prevent such danger.

(2) In any such case the Governor may, without prejudice to the powers conferred by section 8A, by notification in the Gazette, make such temporary rules with respect to aircraft and persons travelling or things carried therein and aerodromes as he deems necessary in the circumstances.

(3) Notwithstanding anything contained in section 14, the power to make rules under sub-section (2) shall not be subject to the condition of the rules being made after previous publication, but such rules shall not remain in force for more than three months from the date of publication, provided that the Governor may by special order continue them in force for a further period or periods of not more than three months in all."

Amendment of section 10. 7. In section 10 of the said Act, for the words and figures "section 8 or section 8A" the words and figures "section 8, section 8A or section 8B," shall be substituted.

8. To section 14 of the Act the following proviso *shall be added* :—
Amendment of section 14. “ provided that any rules made under the provisions of the Burma Aircraft (Amendment) Act, 1947, may, if they are published within six months from the date on which the Act comes into force and if the urgency of the circumstances so requires, be made after previous publication for a period of one month.

9. Section 15 of the said Act *shall be omitted*.

(Repeal of section 15.)