

THE CONTROL OF IMPORTS AND EXPORTS (TEMPORARY)  
ACT, 1947.

[BURMA ACT NO. LVI OF 1947.]

[Published with Judicial Department Notification No. 373, dated the 30th. September  
1947.]

It is hereby enacted as follows :—

1. (1) This Act may be called the Control of Imports and Exports (Temporary) Act, 1947.

(2) It shall come into force at once and shall remain in force until the Governor, by notification, directs that it shall cease to be in force.

2. In this Act :—

- (a) "Customs-collector" means a Customs-collector as defined in the Sea Customs Act, or a Collector of Land Customs appointed under the Land Customs Act ;
- (b) "Import" and "Export" mean respectively bringing into, and taking out of, Burma by sea, land or air ;
- (c) "Officer of Customs" means an officer of Customs appointed under the Sea Customs Act, or a Land Customs Officer appointed under the Land Customs Act.

3. (1) The Governor may, by order published in the Gazette, make provision for prohibiting, restricting or otherwise controlling, in all cases or in specified classes of cases, and subject to such exceptions, if any, as may be specified in such order,—

- (a) the import, export, carriage coastwise or shipment as ships' stores, of goods of any specified description ;
- (b) the bringing into any port or place in Burma of goods of any specified description intended to be taken out of Burma without being removed from the ship or conveyance in which they are being carried.

(1A) ~~(2) All goods to which any order under sub-section (1) applies shall be deemed to be goods of which the import or export has been prohibited or restricted under section 19 of the Sea Customs Act and all the provisions of that Act shall apply thereto, except that section 183 thereof shall have effect as if for the word "shall" therein the word "may" were substituted.~~ XLVIII/c

(3) Notwithstanding anything contained in the Sea Customs Act, the Governor may, by order published in the Gazette, prohibit, restrict or impose conditions on the clearance, whether for home consumption or for shipment abroad, of any goods or class of goods imported into Burma.

4. All proceedings pending and liabilities existing under orders or notifications made under Rule 84 of the Defence of Burma Rules, which continue to be enforceable by the Imports and Exports Control

Price,—One anna.]

Act, 1947, at the commencement of this Act shall continue to be enforceable as if the Imports and Exports Control Act, 1947, have not been repealed.

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5. If any person contravenes any order made under this Act, he shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Sea Customs Act, as applied by sub-section (2) of section 3, be punishable with imprisonment for a term which may extend to one year or with fine, or with both.

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6. No Court shall take cognizance of any offence punishable under section 5 except upon complaint in writing made by a Customs-collector or by an officer of Customs authorized in writing in this behalf by a Customs collector, and no Court inferior to that of a Magistrate of the first class shall try any such offence.

7. (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

(2) No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder.

8. Subject to the provisions of section 4, the Imports and Exports Control Act, 1947, is hereby repealed.