

THE MUNICIPAL (SECOND AMENDMENT) ACT, 1950.

[Act No. LII of 1950.]

It is hereby enacted as follows :—

1. This Act may be called "The Municipal (Second Amendment) Act, 1950."

2. In section 2 of the Municipal Act, hereinafter referred to as "the said Act", in clause (10) the words "or owning or occupying immovable property", *shall be deleted*.

3. For section 7 of the said Act the following *shall be substituted* :—

"7 There shall be constituted for each municipality under this Act a committee having authority thereover and consisting of so many inhabitants of the municipality as may be determined by the President of the Union, elected in manner next hereinafter prescribed to represent wards or the municipality."

4. In section 8 of the said Act,—

(i) for the words "The President of the Union shall, for every municipality in which a system of election is introduced, make rules" the words "The President of the Union shall make rules" *shall be substituted* ;

(ii) in clause (a), the words "or of the inhabitants into classes, or both" *shall be deleted* ; and

(iii) in clause (b), the words "or class" *shall be deleted*.

5. In section 9 of the said Act,—

(i) sub-section (1) *shall be deleted* ;

(ii) for sub-section (2) the following *shall be substituted* namely :—

"(2) The term of office of all the members of the Committee shall be fixed by the President of the Union by rules, but shall not exceed three years." ;

(iii) in sub-section (3),—

(a) in clause (a), for the words "following the election;" the words "following the election or on such other date as the President of the Union, may by notification, appoint in this behalf ; and" *shall be substituted* ;

(b) in clause (b), for the semi-colon (;) after the word "election" a period (.) *shall be substituted* and the word "and" occurring thereafter *shall be deleted* ; and

(c) clause (c) *shall be deleted* ; and

(iv) in sub-section (4), the words "or re-appointed" *shall be deleted*.

6. In sub-section (1) of section 11 of the said Act, for clause (h), the following *shall be substituted*, namely :—

"(h) if he is a salaried officer of the Government of the Union of Burma or of any State or of any local authority, established by law."

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7. In section 12 of the said Act,—

- (i) in sub-section (1), for the words "and elected member" the words "a member" shall be substituted;
- (ii) sub-sections (2) and (4) shall be deleted; and
- (iii) in sub-section (3), the words "or appointed" and the words "or re-appointed" shall be deleted.

8. In section 17 of the said Act, the proviso to sub-section (1), and sub-sections (2), (3) and (4) shall be deleted.

9. For sub-section (1) of section 18 of the said Act the following shall be substituted, namely :—

"(1) Except as provided in section 19, sub-section (3), every Chairman and every Vice-Chairman shall hold office for such term not exceeding three years as the President of the Union may by rule fix."

10. In sub-sections (1), (2) and (3) of section 19 of the said Act, the words "or appointed" wherever they occur shall be deleted and in sub-section (4) thereof, the words "or re-appointed" shall be deleted.

11. In section 20 of the said Act, in sub-section (1), the words "or appointed" shall be deleted, and in sub-sections (1), (2), (4) and (5), the words "school or" wherever they occur shall be deleted.

12. In section 21 of the said Act, the words "or appointment" shall be deleted.

13. Sub-section (2) of section 22 of the said Act shall be deleted.

14. For section 30 of the said Act, the following shall be substituted, namely :—

"30. The discussions and proceedings of the committee shall be conducted in Burmese and recorded in Burmese."

15. Clause (g) of sub-section (1) of section 31 of the said Act shall be deleted.

16. In section 37 of the said Act,—

- (i) in clause (c) of sub-section (1), the word "Education" shall be deleted;
- (ii) in clause (d) of sub-section (2), the word "schools," and the words "for the promotion of education, or" shall be deleted;
- (iii) in clause (e) of sub-section (2), the word "schools," and the words "educational or" shall be deleted;
- (iv) clause (f) of sub-section (2) shall be deleted; and
- (v) in clause (k) of sub-section (2), the comma (,) after the words "the municipal fund" and the words "the school fund" shall be deleted.

17. Section 88 of the said Act shall be deleted.

18. In section 90 of the said Act,—

- (i) in sub-section (1) the words "and school" shall be deleted; and
- (ii) in sub-section (2), the comma (,) after the words "the municipal fund" and the words "the school fund" shall be deleted.

19. In section 91 of the said Act,—

- (i) in sub-section (1), the words "or school fund" *shall be deleted*; and
- (ii) in sub-section (2), the comma (,) *after* the words "the municipal fund" and the words "school fund" *shall be deleted*.

20. In section 92 of the said Act,—

- (i) in sub-section (1), the words "to a school sub-committee the management of the school fund, and" *shall be deleted*;
- (ii) in sub-section (2), *for* the words "The school and hospital sub-committees" the words "The hospital sub-committee" *shall be substituted*, and the word "each" *shall be deleted*;
- (iii) in sub-section (3), the words "and every school sub-committee" *shall be deleted*; and
- (iv) in sub-section (4), the words "school fund or", the words "school sub-committee or" *shall be deleted*, and *for* the words "such school sub-committee or hospital sub-committee, as the case may be" the words "such hospital sub-committee" *shall be substituted*.

21. In the second proviso to sub-section (1) of section 94 of the said Act, the words "schools or" and the words "school or" *shall be deleted*.

22. In clause (a) of sub-section (1) of section 218 of the said Act, the comma (,) *after* the words "hospital sub-committee" and the words "school sub-committee" *shall be deleted*.

23. In section 225 of the said Act, at the end of proviso (d) to sub-section (1) the word "and" *shall be inserted*, and proviso (e) thereto *shall be deleted*.

24. In clause (d) of section 229 of the said Act, the comma (,) *after* the words "municipal funds" and the words "school funds" *shall be deleted*.

25. In section 244 of the said Act, *for* the words "or persons of a specified class is or are an inhabitant or inhabitants" the words "is an inhabitant" *shall be substituted*.