

(The Schedule.)

1888 : Act XVIII.] Financial Commissioner.

particular, you will, if enrolled in the Burma Military Police, be liable, upon conviction, to imprisonment for three years and to fine under section XLV of 1860. tion 193 of the ¹ Indian Penal Code.

Question (1)—What is your name, your father's name, your caste, and native town or village and district?

Answer—

Question (2)—Have you ever previously been in the service of Her Majesty the Queen, Empress of India, or of the Government of India?

If so, when, in what capacity or capacities, and when and under what circumstances did your service cease?

Answer—

(Signature of the police-officer to be enrolled.)

The answers of the said were recorded by me, and the whole was translated to him and was signed by him, after I had ascertained that he fully understood the purport thereof.]

(Signature of police-officer in acknowledgment of the above } A. B.
having been read to him.) }

Signed in my presence after I }
had ascertained that A. B. }
understood the purport of }
what he signed. }

C. D.,
Magistrate, Commandant
² [Adjutant or Assistant
Commandant].

ACT No. XVIII of 1888.³

(APPLIES TO UPPER AND LOWER BURMA.)

[21st December, 1888.]

An Act to provide for the appointment of a Financial Commissioner for Burma and for the definition of his functions.

WHEREAS it is expedient that there should be a Financial Commissioner for Burma; It is hereby enacted as follows:—

1. (1) This Act shall extend to the whole of Burma * * * * * Extent and commencement.

¹ Genl. Acts, Vol. I.

² These words were substituted for the words "or Second-in-Command," by s. 9 (3) of the Burma Military Police Act Amendment Act, 1899 (Bur. Act 3 of 1899), *post*.

³ Short title "The Burma Financial Commissioner's Act, 1888," see the Burma Laws Act, 1898 (13 of 1898), Fourth Schedule, *post*.

For Statement of Objects and Reasons, see Gazette of India, 1888, Pt. V, p. 138; for discussions on the Bill, see *ibid*, 1888, Pt. VI, pp. 130 and 139.

* The words " (inclusive of Upper Burma) except the Shan States " were repealed by the Burma Laws Act, 1898 (13 of 1898), see the Fifth Schedule, *post*.

(2) It shall come into force at once.

Appointment
of Financial
Commissioner,

2. (1) There shall be a Financial Commissioner for Burma, and he shall be appointed, and may be removed, by the Local Government with the previous sanction of the Governor General in Council.

(2) Any person appointed by the Local Government or by the Governor General in Council to the office of Financial Commissioner since the first day of April, 1888, shall be deemed to have been appointed under sub-section (1).

Subordina-
tion of
Financial
Commissioner
to Local
Government.

3. The Financial Commissioner shall be subject to the control of the Local Government, and shall, subject to the provisions of this Act and of any other enactment for the time being in force, discharge such¹ functions as that Government may assign to him.

Financial
Commissioner
to be Chief
Revenue-
authority.

4. In any enactment for the time being in force in which the expression "Chief Revenue-authority" or "Chief Controlling Revenue-authority" is used, the expression shall, subject to the provisions of any enactment passed after the commencement of this Act and to any conditions and restrictions which the Local Government, with the previous sanction of the Governor General in Council, may prescribe, be construed as referring to the Financial Commissioner.

Delegation of
powers to
Financial
Commissioner
by Local
Government.

5. The Local Government, with the previous sanction of the Governor General in Council, may, by notification in the official Gazette, delegate to the Financial Commissioner, subject to such conditions and restrictions, if any, as that Government, with such sanction as aforesaid, may prescribe, all or any of the functions assigned to that Government by any enactment for the time being in force.

Validation of
past proceed-
ings of Finan-
cial Commis-
sioner.

6. All acts and proceedings done and taken after the first day of April, 1888, and before the commencement of this Act, by any person appointed by the Local Government or the Governor General in Council to the office of Financial Commissioner, or by any person acting under the authority of a person so appointed, shall be as valid and operative as they would have been if they had been done and taken in exercise of powers conferred by or conferable under this Act.

Modification
of certain
enactments.

² 7. The enactments specified in the schedule shall be modified to the extent and in the manner mentioned in the third column thereof.

¹ Under section 3 the Financial Commissioner is appointed Chief Customs Authority in and for Burma, see Burma Gazette, 1889, Pt. I, p. 179.

² So much of this section and of the Schedule as relates to Act XX of 1886, is repealed. See the Burma Act, 1898 (13 of 1898), Fifth Schedule, *post*.