

B.—LEGISLATURE.

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THE ANTI-BOYCOTT ACT.

[BURMA ACT V, 1922.] (24th June, 1922.)

WHEREAS it is expedient to protect all persons in the exercise of their lawful rights against those who seek to bring improper pressure to bear on them for the furtherance of political purposes ; it is hereby enacted as follows:— Preamble.

1. This Act shall extend to such areas as the President of the Union may, by notification, direct. Extent.

2. A person shall be deemed to boycott another who—

(a) refuses to let or use or occupy any house or land, or to deal with, work for hire or do business with another person, or to render to

Definition of
"boycott".

him or receive from him any customary service, or refuses to do any of the said things on the terms on which such things would commonly be done in the ordinary course of business, or

- (b) abstains from such social, professional or business relations as he would, having regard to existing customs in the community, ordinarily maintain with such other person, or
- (c) in any way injures, annoys or interferes with such other person in the exercise of his lawful rights.

Punishment
for boycot-
ting.

3. Whoever, in consequence of any person having done any act which he was legally entitled to do or of his having omitted to do any act which he was legally entitled to omit to do, or with intent to cause any person to do any act which he is not legally bound to do or to omit to do any act which he is legally entitled to do, or with intent to cause harm to such person in body, mind, reputation or property, or in his business or means of living, boycotts such person or any person in whom such person is interested, shall be punished with imprisonment which may extend to six months or with fine or with both :

Provided that no offence shall be deemed to have been committed under this section if the Court is satisfied that the accused person has not acted at the instigation of or in collusion with any other person or in pursuance of any conspiracy or of any agreement or combination to boycott.

Punishment
for instiga-
ting or pro-
moting a
boycott.

4. Whoever—

- (a) publicly makes or publishes or circulates a proposal for, or
- (b) makes, publishes or circulates any statement, rumour or report with intent to, or which he has reason to believe to be likely to, cause, or
- (c) in any other way instigates or promotes,

the boycotting of any person or class of persons, shall be punished with imprisonment which may extend to two years or with fine or with both.

Explanation.—An offence under this section shall be deemed to have been committed although the person affected or likely to be affected by any action of the nature referred to herein is not designated by name or class but only by his acting or abstaining from acting in some specified manner.

Punishment
for threaten-
ing a
boycott.

5. Whoever, in consequence of any person having done any act which he was legally entitled to do or of his having omitted to do any act which he was legally entitled to omit to do, or with intent to cause any person to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, threatens to cause such person, or any person in whom such person is interested, to be boycotted shall be punished with imprisonment for a term which may extend to two years or with fine or with both.

Saving in
certain
cases.

6. No offence shall be deemed to have been committed under sections 3, 4 or 5 if the Court is satisfied that the accused has not acted for the furtherance of a political purpose or from political motives.

Saving of
certain acts.

7. Nothing in this Act shall be deemed to make unlawful—

- (a) any act done by any person for *bonâ fide* religious purposes in accordance with the tenets, or with the established religious custom or usage, of the religious body to which such person belongs, or
- (b) any act done in the furtherance of a *bonâ fide* labour dispute, or
- (c) any act done in the ordinary course of business competition, including the promotion of indigenous industries.

Explanation.—Nothing in this section shall be deemed to make lawful any act punishable under or prohibited by any enactment for the time being in force or any act amounting to an actionable wrong.

8. (1) In any case in which a person has been convicted of an offence under this Act the Magistrate may, in lieu of or in addition to any sentence passed thereunder, require such person to execute a bond, with or without sureties, to be of good behaviour for such period, not exceeding one year as the Magistrate thinks fit.

Power to demand security.

(2) The provisions of Chapter XLII of the Code of Criminal Procedure shall apply to all bonds taken under this section.

9. (1) No Magistrate shall take cognizance of an offence punishable under this Act unless upon complaint made by order of or under authority from the President of the Union, which order or authority shall not be given after the lapse of more than three months from the date on which the offence is alleged to have been committed.

Bar to jurisdiction.

(2) No offence punishable under this Act shall be triable except by a Subdivisional Magistrate, a Magistrate of the first class or a Magistrate specially empowered by the President of the Union in this behalf.

10. Notwithstanding anything in the Code of Criminal Procedure to the contrary, an offence punishable under this Act shall be deemed for the purposes of Chapter XIV thereof to be cognizable :

Offences under the Act to be cognizable.

Provided that no measures shall be taken for the arrest of a person suspected of the commission of an offence except under the orders of the District Magistrate.