

THE DISPOSAL OF POLICE OFFICERS' ESTATES ACT.

[BURMA ACT VIII, 1922.] (7th October, 1922.)

Extent.

1. This Act shall apply only to the estates of such persons or class of persons who die while serving in the Burma Military or Civil Police Forces as the President of the Union may, by notification, specify.

Definitions. •

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Committee" means a Committee constituted under this Act;

(b) * * * * *

(c) "next-of-kin" means the person nominated by the deceased as his heir or the person designated by him as the person to whom his estate might be delivered in the event of the nominated heir being untraceable or dead : provided that the name of the person so nominated or designated has been entered in an official document maintained for that purpose ;

(d) "prescribed" means prescribed by rules made under this Act.

Appoint-
ment of
Committee.

3. The President of the Union may make rules for the appointment of one or more Committees throughout the Union of Burma for the purpose of disposing, in accordance with the provisions of this Act, of the estate of any person to whom this Act applies.

¹ Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.

² Omitted by *ibid.*

4. On the death of any such person, a Committee shall, as soon as possible and in the manner prescribed,—

Duties of Committee when a death occurs.

- (a) secure and make an inventory of all such moveable property of the deceased as is situated in the Union of Burma (hereinafter referred to as the said property); and
- (b) publish a notice in the prescribed form calling upon all creditors of the deceased to lay their claims, with all evidence in support thereof, before the Committee within the period prescribed.

5. The Committee shall, in regard to the said property, be deemed to have all the rights and powers and be subject to all the liabilities of a person holding letters of administration thereto.

Powers and liabilities of Committee.

6. (1) In the event of any person claiming, during the period prescribed, to be entitled by succession to the said property, the Committee may at their discretion (after such enquiry as they think necessary)—

Disposal of claims.

- (a) make over the residue thereof in their hands to such person, or
- (b) direct such claimant to produce probate or letters of administration in respect thereof.

(2) On the grant of probate or letters of administration to the estate of the deceased the Committee shall hand over the residue thereof in their hands to the executor or administrator, as the case may be.

7. If within the period prescribed in that behalf—

Winding-up of estate.

- (a) no person has made a claim under section 6, sub-section (1), or
- (b) every person making a claim under that section and required to obtain probate or letters of administration has failed to take reasonable steps to obtain the same,

the Committee shall proceed to wind up the estate, and make up and publish an account of the same in the manner prescribed; and (i) shall, if the identity of the next-of-kin of the deceased has been ascertained and he is still alive, forward the residue of the estate to him in the manner prescribed; or (ii) may, in all other cases at their discretion, either forward the residue to the person who is, in their opinion, best entitled thereto, or realize the saleable assets and deposit the cash in the Treasury and articles of sentimental value with the Bailiff of the High Court or the District Court.

8. On the handing over of the residue of the estate to a claimant under section 6, sub-section (1), or to a person producing probate or letters of administration under section 6, sub-section (2), or on the disposal thereof under section 7, the Committee shall be deemed to be discharged as administrators of the estate and (except in respect of acts already committed by them) shall be no longer subject to any liabilities in regard thereto.

Discharge of Committee.

9. No suit shall be maintainable against the Committee or against any member of the Committee in respect of anything lawfully and without negligence done under this Act or any rule made thereunder.

Indemnity for acts done in good faith.

10. (1) The President of the Union may make rules—

Power to make rules.

- (a) prescribing the constitution, jurisdiction and procedure of Committees appointed under section 3;
- (b) prescribing the periods within which creditors or others must make claims;

- (c) prescribing the form of notice and of accounts ; and
- (d) generally for carrying out the purposes of this Act.

Publication
of rules.

(2) All such rules shall be published in the Gazette and shall thereupon have the same effect as if enacted in this Act.