

THE ADMINISTRATION OF PUBLIC FUNDS ACT. *

[BURMA ACT III, 1943.] (1st March, 1943.)

Whereas it is expedient to make provision for the administration
[* * * *] ¹ of funds belonging to certain public bodies in the Union
of Burma and funds held in trust in the Union of Burma for public purposes ;

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* Published in Chief Secretary's Office Notification No. 61, dated 1st March 1943.

¹ Omitted by Act IX, 1945.

It is hereby enacted as follows :—

- Short title. 1. This Act may be called the Administration of Public Funds Act, 1943.
- Definition. 2. “ Body or authority ” means any body or authority notified under this Act.
- Appointment of persons to administer public funds. 3. (1) Notwithstanding anything contained in any law for the time being in force, the President of the Union may, by notification, assume to himself all or any of the rights, privileges, duties, powers and functions vested in or exercisable by any body or authority under any law relating thereto.
- (2) On the issue of such notification, the President of the Union may, whether prospectively or retrospectively, invest any person or persons with all or any of the rights, privileges, duties, powers and functions which were previously vested in or exercisable by such body or authority.
- Vesting of property. 4. Notwithstanding anything to the contrary contained in any law relating to the body or authority, all moveable and immovable property belonging to such body or authority shall, subject to such conditions, if any, as the President of the Union may deem fit to impose, vest in the person or persons appointed under sub-section (2) of section 3, and shall, with all other property which may hereafter become similarly vested in such person or persons, be held in trust and administered by such person or persons for the purposes of this Act.
- Appointment of officers and servants. 5. Subject to such rules as may be made by the President of the Union in this behalf, any person or persons appointed under sub-section (2) of section 3 may appoint such officers and servants as may be necessary or proper for the efficient execution and discharge of the duties, powers and functions imposed upon him or them, and may assign to such officers and servants such remuneration as he or they may think fit.
- Power to administer public charities. 6. Notwithstanding anything contained in any deed of trust, scheme of management, rules or by-laws, or any other instrument, relating to the administration of a fund created for a public purpose, or for the benefit of the public or any section thereof, the President of the Union may, by notification, assume to himself all or any of the rights, privileges, duties, powers and functions relating to the administration of any such fund, and on the issue of such notification the provision of sub-section (2) of section 3 and sections 4, 5 and 7 of this Act, shall become applicable to such fund, with such alteration not affecting the substance thereof as may be necessary or proper for giving effect to the objects of this Act.
- Powers to make rules. 7. (1) The President of the Union may make rules for carrying out the objects of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the President of the Union may make rules—

- (a) prescribing the manner in which and the conditions subject to which the person or persons appointed under sub-section (2) of section 3 shall have, exercise and discharge the rights, privileges, duties, powers and functions vested in him or them ;
 - (b) prescribing the manner in which such person or persons shall administer the moveable and immoveable property vested in him or them ;
 - (c) prescribing the conditions subject to which such person or persons shall sue or be sued ;
 - (d) prescribing the conditions subject to which officers and servants may be appointed by such person or persons.
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