

Governor of Myanmar

THE MYANMAR REQUISITIONING (CONTINUANCE) ACT, 1945.

[MYANMAR ACT NO. XXXI OF 1945.]No. 167

The 22nd December 1945.

[Amendment: 18.06.1989]

No. 167.- The following Act is published for information:-

WHEREAS it is necessary to make provisions for continuance of use, employment, possession or occupation of property requisitioned or acquired by the British or Allied Military authorities in Myanmar;

AND WHEREAS by Proclamation, dated the tenth day of December, 1942, the Governor of Myanmar has assumed to himself all powers vested by or under the Government of Myanmar Act, 1935, in the Legislature or in either Chamber thereof;

NOW THEREFORE, in exercise of the said powers, it is hereby enacted by the Governor of Myanmar as follows:-

1. (1) This Act may be called **the Myanmar Requisitioning (Continuance) Act, 1945.**

(2) It shall be deemed to have come into force with effect from the sixteenth day of October, 1945.

(3) It shall extend in the first instance to the whole of British Myanmar exclusive of the Thaton, Amherst, Tavoy and Mergui districts. But the Governor, may, from time to time, by notification in the Gazette, extend this Act to the whole or any specified part of the said districts.

<Amendment 18.06.1989>

2. No requisition or acquisition of property made by or under the orders of competent authority in exercise of the powers conferred by the Requisitioning Proclamation No. 11 of the British Military Administration, 1945, shall be deemed invalid merely on the ground that the requisition or acquisition was not made by an order in writing.

Myanmar Act XVIII of 1945.

3. Notwithstanding anything in section 5 of the Myanmar Indemnity and Validating Act, 1945, to the contrary, all requisitions and acquisitions of property made by or under the orders of competent authority in exercise of the powers conferred by the Requisitioning Proclamation No. 11 of 1945 of the British Military Administration shall be deemed, as from the date the British Military Administration in British Myanmar or any part thereof is superseded by the lawfully constituted legislative authority of British Myanmar, to continue in force and to have been made under Rules 66, 72, 76, 76-A, 79, 83 and 89-A, whichever is appropriate, of the Defence of Myanmar Rules.

<Amendment 18.06.1989>

4. The lapsing of the Requisitioning Proclamation, 1945, on the British Military Administration being superseded in British Myanmar or any part thereof by the lawfully constituted legislative authority of British Myanmar shall not-

- (a) affect any right, privilege, obligation or liability acquired, accrued or incurred under the said Proclamation; or
- (b) affect any penalty, forfeiture or punishment incurred in respect of any infringement of directions lawfully given or orders lawfully made under the said Proclamation.

<Amendment 18.06.1989>

In the name of His Majesty I assent to this Act.

R. H. DORMAN-SMITH,
Governor of Myanmar.

RANGOON, the 13th December 1945.