

The Union of Myanmar
The State Peace and Development Council
The Law Amending the Code of Civil Procedure .
(The State Peace and Development Council Law No. 6/2008)
The 12th Waning of Wagaung 1370. ME ,
(28. August, 2008) .

The State Peace and Development Council hereby enacts the following
 Law:

- 1. This Law shall be called the Law Amending the Code of Civil Procedure. . -**
2. Section 7, sub-section (4) of Section 24, sub-section (2), first proviso of section 35 A, rule 13 of order 38, order 50 and order 53 of the Code of Civil Procedure shall be deleted.
3. The sum. of fine contained in sub-section (e) of section 32 of the Code of Civil Procedure shall be substituted by the expressjon of "five thousand kyats." . .
4. The sum of money contained in clause (a) of sub-section (1) of section 58 of the Code of Civil Procedure shall be substituted by the expression of "one hundred thousand kyats."
5. In sub-section (1) of section 60 of the Code of Civil Procedure:

(a) the amount of money contained in clause (h) and clause (i) shall be substituted by the expression "ten thousand kyats."

(b) the expression "a railway administration or" contained in clause (i) shall be deleted;

(c) clause (j) shall be substituted as follows

"0) the pay and allowances of persons to whom the Defence Services Act, 1959 applies."

(d) clause (k) shall be substituted as follows:-

"(k) all compulsory deposits;"

6. In sub-section (1) of section 86 of the Code of Civil Procedure:-

(a) the expression "or any member of a British foreign military mission" shall be deleted;

(b) the expression "a Secretary to the Government" shall be substituted by the expression "a Director-General of the Office of the Government".

7. The amount of fine contained in sub-section (1) of section 95 of the Code of Civil Procedure shall be substituted by the expression "one hundred thousand kyats."

8. The proviso "Provided also that nothing in this proviso shall affect the power of Supreme Court in the exercise of its revisional jurisdiction" shall be added after the proviso of section 115 of the Code of Civil Procedure.

9. ^{is 4} fh order 26 of the Code of Civil Procedure:

(a) the second paragraph contained in rule 23 shall be substituted as follows:

" Commissioners" fees for every effective meeting , shall not exceed five thousand kyats for the first two hours and one thousand kyats for each succeeding hour."

(b) the text of the paragraph of rule 24 shall be substituted as follows: ■

"24. When, under the orders of a State or Divisional Court or District Court, an oath or solemn affirmation is administered to a declarant of an affidavit at his request elsewhere than at the Court, a fee of fifteen hundred kyats ' shall be paid by the said declarant:"

- (c) the amount of fees contained in sub-rule (b) of rule' 24 shall be o ibstituted by the expression "five hundred kyats;"
- (d) the amount of fees contained in sub-rule (c) of rule "24 shall be substituted by the expression "five thousand kyats."

10. In sub-rule (a) of rule 6 of order 34 of the Code of Civil Procedure:

- (a) the expression "or in a suit instituted by the Bank, at such rate as fixed, by the Central Bank of Myanmar, from time to time and one per cent shall be added in addition to that rate fixed as such;" shall be added after the expression "as the Court deems reasonable" contained in clause (1);
- (b) the expression "or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of Myanmar, from time to time and one per cent shall be added in addition to that rate fixed as such;" shall be added after the expression "the preliminary decree" contained in clause (2):^r
- (c) the expression "failing both such rates, at nine per cent per annum; and" contained in clause (3) shall be substituted by the expression" where both of such rates are not fixed, at such rate as the Court deems reasonable or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of

Myanmar, from time to time and one per cent shall be added in addition to that rate fixed as such;"

11. In rule 6 of order 34 of the Code of Civil Procedure, the expression "or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of Myanmar, from time to time and one per cent shall
• be added in addition to that rate fixed as such;" contained in sub-rule (b) shall be added after the expression of "as the court deems reasonable."
12. The amount of money contained in the first proviso of rule 4. of order 38 of the Code of Civil Procedure shall be substituted by the amount of "one hundred thousand kyats."

(Sd.) Than Shvve

Senior General

Chairman

The State Peace and Development Council