

**THE SHAN STATE CRIMINAL LAW AND PROCEDURE
EXTENSION ACT, 1959.¹**

[Act. No. XLV OF 1959]
(The 29th September 1959)

WHEREAS the criminal laws and procedure in force in the Shan State are indefinite and are now obsolete;

AND WHEREAS it is expedient that the said laws be replaced by laws that are in force in the Union of Myanmar.

It is hereby enacted as follows: —

1. (1) This Act may be called the Shan State Criminal Law and Procedure Extension Act, 1959.

(2) It shall come into force on such date² and in such area in the Shan State as the President may, by notification, appoint in that behalf and different dates may be appointed for different areas.

2. Notwithstanding anything in any other law for the time being in force and subject to the provisions in sub-section (2) of section 1, the Penal Code and the Code of Criminal Procedure shall come into force in the Shan State.

3. On the issue of a notification by the President under sub-section (2) of section 1 for any area in the Shan State —

(a) the following notifications, namely: —

(i) the Government of Myanmar, Political Department Notification No. 33, dated the 21st June 1926 with which was published “the Federated

1. မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၉ ခုနှစ်၊ အောက်တိုဘာလ (၁၇) ရက်၊ စာမျက်နှာ - ၂၀၀၈။
2. ဤအက်ဥပဒေသည် ၁၉၅၉ ခုနှစ်၊ ဧပြီလ (၂၇) ရက်နေ့တွင် ရှမ်းပြည်နယ်တစ်ဝန်းလုံးတွင် စတင်အာဏာတည်သည်။ (တရားရေးဝန်ကြီးဌာန၊ အရပ်ရပ်ဌာနစု၏ ၂၁. ၈. ၆၃ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် ၂၅၇။) မြန်မာနိုင်ငံပြန်တမ်း-အပိုင်း - ၁၊ ၁၉၆၃ ခုနှစ်၊ ဩဂုတ်လ (၃၁) ရက်၊ စာမျက်နှာ - ၁၀၂၃။

Shan States Laws and Criminal Justice Order, 1926”;

- (ii) the Government of Myanmar Political Department Notification No. 12, dated the 11th July 1895 relating to “Control over Administration of Criminal Justice”;
- (iii) the Government of Myanmar Foreign Department Notification No. 10, dated the 5th September 1889 relating to “Modification of the Customary Laws in all the Shan States except the Myolat as to Capital Sentences”;
- (iv) the Government of Myanmar, Foreign Department Notification No. 11, dated the 19th November 1890 relating to “Orders modifying the Customary Laws in the Federated Shan States”;
- (v) the Government of Myanmar, Political Department Notification No. 54, dated the 21st December 1932 relating to the appointment of certain *Sawbwas* as Additional Sessions Judges; and
- (vi) the Government of Myanmar, Political Department Notification No. 43, dated the 5th October 1922, as amended by No. 23, dated the 30th April 1928 relating to the appointment of certain *Myosaw* and *Ngwegunhmus* as Magistrates of the second class; shall cease to have effect in that area from the date appointed in the said Notification;
- (b) the provisions of section 5 of the Myanmar General Clauses Act as respects repeal of an enactment shall apply when Notifications mentioned in clause (a) cease to have effect;
- (c) all cases and proceedings pending before Courts established under the provisions of any notification mentioned in clause (a) shall be heard and decided by a competent Court established under the Code of Criminal Procedure or any other law for the time being in force.

4. Notwithstanding anything contained in section 3 officers in the service of the Government exercising any magisterial powers in any area in the Shan State prior to the

commencement of this Act shall continue to exercise the said magisterial powers.

Explanation. — For the purpose of this section “Government” means the Shan State Government or the Union Government, as the case may be.

ဖွဲ့စည်းအုပ်ချုပ်ပုံ အခြေခံဥပဒေအရ ကျွန်ုပ်လက်မှတ်ရေးထိုးသည်။
 ဦးဝင်းမောင်၊
 နိုင်ငံတော်သမ္မတ၊
 ပြည်ထောင်စုမြန်မာနိုင်ငံတော်။

ရန်ကုန်မြို့၊ ၁၃၂၁ ခုနှစ်၊ တော်သလင်းလပြည့်ကျော် ၁၃ ရက်။
 (၁၉၅၉ ခုနှစ်၊ စက်တင်ဘာလ ၂၉ ရက်။)

အမိန့်အရ
 ပါစိန်၊
 နိုင်ငံတော်သမ္မတ၏အတွင်းဝန်။