

**THE WA STATES AND KOKANG STATE CRIMINAL LAW
EXTENSION ACT, 1955.***

**[Act No. XXXI OF 1955.]
(The 30th March 1955)**

It is hereby enacted as follows : —

1. This Act may be called the Wa States and Kokang State Criminal Law Extension Act, 1955.
2. The laws shown in the first column of the following Schedule shall apply to the areas known as the Wa States and the Kokang State in the Shan State with the modifications shown in the second column:—

SCHEDULE

(1)	(2)
1. The Federated Shan State Laws and Criminal Justice Order, 1926 (Political Department Notification No. 33, dated the 21st June 1926).	1. Paragraph 3 <i>shall be omitted</i> . 2. In paragraph 4, <i>for clause(b), the following shall be substituted:—</i> “4(b).All cases in which a servant of the Union Government is concerned either as complainant or accused; cases under the Penal Code in which a person who is not a native of Wa States or Kokang State is concerned either as complainant or accused; and cases triable under any other Act or Regulation for the time being in force in the areas known as Wa States and Kokang State, unless the contrary is expressly provided; for the purposes of this clause the expression (i) “Native of Wa States” shall mean a member of a race indigenous to the area known as Wa States who is domiciled in the said States or any other person who was born and is domiciled in the said States; and (ii) the expression “Native of Kokang State” shall mean a member of a race indigenous to the area known as Kokang State or any other person who was born and is domiciled in the said State.”

* မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၅ ခုနှစ်၊ မြေလ (၁၆) ရက်၊ စာမျက်နှာ - ၅၉၈။

2. Rules for Payment of Expenses of Complainants and Witnesses in Criminal Cases (Political Department Notification No. 51, dated the 7th September 1927).
3. Control Over Administration of Criminal Justice (Political Department Notification No. 12, dated the 11th July 1895).
4. Modification of the Customary Law in all the Shan States as to capital sentences (Foreign Department Notification No. 10, dated the 5th September 1889).
5. Orders modifying the Customary Law in the Federated Shan States (Foreign Department Notification No. 11, dated the 19th November 1890).

Nil.

For the word "Chief" whenever it occurs the word "Assistant Resident" shall be substituted. Paragraph II, clause (2) shall be omitted.

In paragraph 1, for the words "Chief of the State" the words "Sessions Judge exercising jurisdiction in the area" shall be substituted.

1. In Rule 1 of the Rules regarding offences and punishments, in the second paragraph for the words "the British Government or against the Chief of the State" the words "the Government of the Union of Myanmar or against the Government of any of Constituent States of the Union" shall be substituted.

2. Rules of Procedure shall be amended as follows:—

(i) *For Rules 1 and 2 the following shall be substituted:—*

1. Criminal cases shall be tried by the Assistant Resident or by such other officers as may be appointed by the Head of the State on the recommendation by the Resident. The order of appointment shall be in the annexed form.

2. The Assistant Resident may impose any punishment authorised by law. The punishments which any other officer may inflict shall be determined by the Head of State and shall be specified in the order of his appointment."

- (ii) Rule 3 *shall be omitted*;
- (iii) For Rule 4 the following *shall be substituted*:-
"4. Any person sentenced for an offence may appeal to the Sessions Judge whose order shall be final, unless the original sentence is that of death or imprisonment for a term of three years or more, in which case, a second appeal shall lie to the High Court;"
- (iv) In Rule 7, for the words "the Chief of the State and all officers empowered by him" the words "all officers empowered" *shall be substituted*;
- (v) In Rule 12, for the word "Chief" the word "Head" *shall be substituted*, and for the words "the Superintendent of the Southern Shan States or the Superintendent of the Northern Shan States" the words "the Head of the State" *shall be substituted*; and
- (vi) In the form of Order of Appointment annexed in the Rules, for the word "Chief" the words "Head of the State" *shall be substituted*.

