

STATUTORY RULES AND ORDERS

1937 No. 254

BURMA

THE GOVERNMENT OF BURMA (IMMIGRATION) ORDER, 1937.

At the Court at Buckingham Palace, the 18th day of
March, 1937.

PRESENT,

The King's Most Excellent Majesty in Council.

Whereas by section one hundred and thirty-eight of the Government of Burma Act, 1935,^(a) His Majesty is empowered by Order in Council to direct that during such period as may be specified in the Order, immigration into Burma from India shall be subject to such restrictions as may be specified in the Order (being such restrictions as may have been mutually agreed before the commencement of that Act between the Governor of Burma in Council and the Governor-General of India in Council and approved by the Secretary of State, or, in default of agreement, as may have been prescribed by the Secretary of State) and no other restrictions:

And whereas the restrictions specified in this Order have been mutually agreed upon between the Governor-General of India in Council and the Governor of Burma in Council and approved by the Secretary of State:

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section one hundred and fifty-seven of the said Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

Now, therefore, His Majesty in exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Government of Burma (Immigration) Order, 1937.

2. The Interpretation Act, 1889,^(b) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(a) 26 Geo. 5 & 1 Edw. 8. c. 3.

(b) 52 & 53 Vict. c. 63.

3. During the period mentioned in the next succeeding paragraph, immigration into Burma from India shall be subject to the restrictions in force immediately before the commencement of the Government of Burma Act, 1935, and no other restrictions.

4. The period mentioned in the last preceding paragraph shall commence on the separation of Burma from India and continue for three years or until twelve months have elapsed from the giving by the Governor of Burma to the Governor-General of India of notice to terminate the operation of this Order, whichever is the longer period:

Provided that if any restrictions are imposed in British India on immigration into India from Burma (other than restrictions in force immediately before the separation of Burma from India) the said period shall cease and any dispute as to whether any such restrictions have been imposed shall be referred to the Secretary of State, whose decision shall be final.

5. For the purposes of this Order—

- (a) the exclusion of undesirable individuals;
- (b) the imposition of regulations of general application in the interests of public health or public safety;
- (c) the taking by the Governor-General of India or the Governor of Burma of any action which he may consider necessary for the discharge of his special responsibility for the prevention of any grave menace to the peace or tranquillity of India or any part thereof, or as the case may be, Burma or any part thereof,

shall not be deemed to be the imposition of a restriction on immigration.

M. P. A. Hankey.

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