

(RULES UNDER THE OPIUM ACT FOR MONG MIT AND ITS DEPENDENCY MONG LANG.)

No. 36

[Amendment : 18.06.1989]

In exercise of the powers conferred by sections 3, 5, 12, 13 and 14 of the Opium Act, 1878 (1 of 1878), as extended to the Shan State of Mong Mit and its dependency Mong Lang by the Mong Mit Administration Order, 1906 (Political Department Notification No.4, dated the 21st March 1906), the Lieutenant-Governor, with the previous sanction of the Governor-General in Council, makes the following rules to regulate the matters referred to in the said sections in the said State and dependency. These rules shall come into force on the 1st April 1906.

RULES UNDER THE OPIUM ACT FOR MONG MIT AND ITS DEPENDENCY MONG LANG.

Definitions.

1. In these rules, unless there is anything repugnant in the subject or context,-
 - (a) "Opium" means the inspissated juice of the poppy and includes beinsi and beinchi, but does not include poppy-heads, kunbon or beinye, or any preparation or admixture thereof, or any other intoxicating or narcotic preparation of opium or of the poppy:
 - (b) "Poppy-heads" means the capsules of the poppy-plant:
 - (c) "Viss" means 3.65 pounds avoirdupois:
 - (d) "Myanmar" means any person born of parents both of whom belong to races indigenous to Myanmar, except a Kachin or a Shan or a Palaung: and
 - (e) "Non-Myanmar" means any person who is not a Myanmar.

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Possession.

2. Any non-Myanmar may possess opium not exceeding one-eighth of a viss in weight and poppy heads not exceeding five viss in weight.

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Transport.

3. Any non-Myanmar may transport opium and poppy heads which he may legally possess from one place to another.

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Manufacture.

4. Any non-Myanmar may manufacture opium not exceeding the quantity which he may legally possess.

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Import.

5. Any non-Myanmar may import opium and poppy heads not exceeding the quantity which he may legally possess.

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Sale.

6. Any non-Myanmar may sell opium and poppy heads to any other person in quantity not exceeding that which the purchaser is entitled to possess.

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7. Such limited number of shops for the retail sale of opium and poppy heads as the Local Government may from time to time determine, may be opened in the State of Mong Mit and its dependency Mong Lang, and the exclusive right of selling opium and poppy heads by retail at one or more of these shops under a license to be granted by the Chief may be sold or disposed of, by or under the orders of the Chief, before the commencement of each official year by public auction or in such other manner as the Local Government may direct.

Such sale or disposal shall not be deemed to be complete until it has been confirmed by the

Superintendent. The license shall be in such form as the Local Government may prescribe.

8. Every person taking out a license for sale by retail under Rule 7 shall duly observe and perform all the conditions expressed in the said license and in these rules, and shall give such security for the due performance of his engagement as the Chief may require.
9. Any person may import and possess opium and preparations thereof not exceeding one-eighth of a viss in weight and poppy heads not exceeding five viss in weight: provided that he has purchased the same from a medical practitioner, pharmacist or doctor, and requires them for medicinal purposes only.

Disposal of things confiscated.

10. All opium and poppy heads confiscated shall be sold to a licensed vendor at a price, not exceeding the cost (including carriage) of similar opium to the licensed vendor, to be determined by the Chief, subject to

the approval of the Superintendent. The licensed vendor shall have no option to refuse to buy such opium or poppy heads.

11. Things confiscated, other than opium and poppy heads, shall be disposed of in such manner as the Magistrate may, in each case, direct.

Reward out of proceeds of fines and confiscations.

12. Any Magistrate may grant, in such proportions as he thinks fit, to any persons who have contributed to the conviction of the offender, or to the seizure of the things confiscated, rewards not exceeding in the aggregate the value of the things confiscated plus the amount of any fine imposed.

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