

HOME (PASSPORT) DEPARTMENT.

(The Myanmar Passport Rules, 1938.)

No. 245.

Rangoon, the 1st April 1938.

[Amendment : 18.06.1989]

No. 245. - The Governor of Myanmar makes the following rules under section 3 of the Myanmar Passport

Act:-

1. (i) These rules may be called **the Myanmar Passport Rules, 1938.**

(ii) They shall come into force on the 1st April 1938.

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2. In these rules, unless there is anything repugnant in the subject or context:-

“Competent Authority” means any person authorized by order in writing by the Governor to exercise the powers of a competent authority under these rules.

3. Subject to the provisions hereinafter contained no person proceeding from any place outside Myanmar shall enter Myanmar by sea or by air or by land unless he is in possession of a passport.

Explanation I. - A person entering Myanmar by sea or by air shall not be deemed to be proceeding from a place outside Myanmar by reason only of the fact that he has traversed extra-territorial waters in the course of his journey.

Explanation II. - A person shall be deemed to be proceeding from a place outside Myanmar who having entered Myanmar from such place subsequently enters Myanmar.

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4. Every such passport-

(i) shall have been issued or renewed by or on behalf of the country of which the person to whom it relates is a subject and shall be within the period of its validity;

(ii) shall have the date and place of issue, the issuing authority and the period of validity clearly shown upon it;

- (iii) shall, except in the case of passports issued to Pardanashin or Gosha women have affixed to it in such a way as to obviate the possibility of its removal and the substitution of another, a photograph of the person to whom it relates, duly authenticated by the issuing authority;
- (iv) shall contain a description of the person to whom it relates and shall have affixed to it a genuine signature of the said person or, in the case of an illiterate person, a clear thumb impression;
- (v) when issued by or on behalf of any of His Majesty's Government or the Government of any British possession shall be specifically valid for entry into any part of the British Empire or shall have been specifically endorsed by a competent British authority as valid for entry into Myanmar;
- (vi) when issued by or on behalf of the Government of a foreign country shall have been endorsed by way of visa for Myanmar by a proper British Diplomatic, Consular or Passport Authority. Such visas shall be of one of the following kinds, namely:-
 - (a) a single journey visa valid for one year or for such shorter period as may be specified therein for one journey only to Myanmar for any legitimate purpose;
 - (b) a transit visa valid for one year, or for such shorter period as may be specified therein (provided that in no case shall it be valid for a period exceeding the period for which the visa for the country of ultimate destination is valid), for one or more direct journeys through Myanmar undertaken for the sole purpose of reaching the territory of a foreign state or of another British possession and occupying in each case not more than 15 days in Myanmar, unless an extension of the time for such journey be allowed by a competent authority; and
 - (c) an ordinary visa valid for one year or for such shorter period as may be specified therein for any number of journeys to Myanmar for any legitimate purpose.

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5. (1) The following persons and classes of persons shall be exempted from the provisions of Rule 3:-

- (a) persons whose age is in the opinion of the competent authority less than 15 years;
- (b) members of His Majesty's Naval, Military or Air Forces or of the Indian Marine Service entering Myanmar on duty, and members of the families of any such person when accompanying such person to Myanmar on a Government transport;
- (c) British subjects and British protected persons domiciled in Myanmar proceeding from India, or from any foreign possession in India, or from Ceylon or the Federated Malay States or the Straits Settlements;

- (d) British subjects and British protected persons domiciled in Ceylon proceeding from Ceylon; and
British subjects and British protected persons domiciled in India proceeding from India;
- (e) bona fide Mohammedan pilgrims returning from Jeddah or Basra;
- (f) Chinese nationals and inhabitants of French Indo-China entering Myanmar by land over the Sino-Myanmar border;
- (g) Siamese entering Myanmar by land over the Siamese border;
- (h) Tibetans entering Myanmar by land over the Tibetan border;
- (i) persons domiciled in Myanmar entering Myanmar by land over the Sino-Myanmar, Siamese Tibetan and Indo-Myanmar borders;
- (j) persons or classes of persons specified in this behalf by the Governor or the competent authority.

(2) In specifying any person or class of persons in accordance with the provisions of clause (j) of sub-rule (1), the Governor or the competent authority may prescribe any conditions to which the exemption of such person or class of persons from the provisions of Rule 3 shall be subject.

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6. Any person who-

- (a) enters Myanmar in contravention of the provisions of Rule 3; or
- (b) forges, alters or tampers with any passport, whether issued in Myanmar or elsewhere, or any visa or endorsement thereon, or without lawful authority uses or has in his possession any such forged, altered or irregular passport, or any passport with any such forged, altered or irregular visa or endorsement; or
- (c) personates or falsely represents himself to be or not to be a person to whom a passport whether issued in Myanmar or elsewhere, has been duly issued or, with intent to obtain a passport or any visa or endorsement thereon, knowingly makes any false statements; or
- (d) allows any other person to have possession of any passport issued for his use alone, or without lawful authority has in his possession any passport issued for the use of some person other than himself; or
- (e) does any act in contravention of any condition prescribed under sub-rule (2) of Rule 5,
shall be punished with imprisonment for a term which may extend to three months, or with fine or with both.

7. Any person who attempts to commit or abets or attempts to abet the commission of any offence punishable under Rule 6 shall be punishable in like manner as if he had committed the offence.

----- Footnote -----

[ပင်ရင်း- ၂၄၃၈ ရက်နေ့တိတ် ပြန်တမ်းမှ ကူးယူတင်ပြသည်။]