

REVENUE DEPARTMENT.

Rules under the Upper Myanmar Ruby Regulation, 1887.

NOTIFICATIONS.No. 208A

The 22nd September 1891.

[Amendment : 18.06.1989]

No. 208A. - In exercise of the power conferred by section 4 of the Upper Myanmar Ruby Regulation, 1887, the Chief Commissioner, with the previous sanction of the Governor-General in Council, has made the following rules in supersession of the rules published in this Department Notification No. 43, dated the 13th October 1887:-

1. These rules, made by the Chief Commissioner of Myanmar, with the previous sanction of the Governor-General in Council, for regulating, in respect of the Mogok stone-tract, the matters specified in sections 4 and 5 of the Upper Myanmar Ruby Regulation, 1887, shall come into force at once.

<Amendment 18.06.1989>

PART I.

Definitions.

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

- (i) "the Regulation" means the Upper Myanmar Ruby Regulation, 1887;
- (ii) "stone" means a stone as defined in section 2 of the Regulation and, in any place where the word occurs in these rules, may be declared, by a subsidiary rule under section 5, sub-section (3), of the Regulation, to include for any purpose stated in the rule such a parcel of stones as may be described therein;
- (iii) other expressions defined in section 2 of the Regulation have the meanings assigned them in that section;
- (iv) "Part" means a part of these rules;
- (v) "Deputy Commissioner" means the Deputy Commissioner of the Ruby Mines district;
- (vi) "the stone-tract" means the Mogok stone-tract.

<Amendment 18.06.1989>

PART II.

Residence in the stone-tract.

3. (1) A person who is not a native of the stone-tract may reside therein with the written permission of the Deputy Commissioner.
- (2) The permission shall be subject to such conditions as the Chief Commissioner may prescribe, and may be revoked by the Deputy Commissioner on breach of, or failure to fulfil, any of those conditions.

PART III.

Raising of stones.

4. Stones may be dug for or raised in pursuance of a license granted under this Part.
5. (1) Licenses to dig for or raise precious stones shall be either ordinary or extra-ordinary.
- (2) An ordinary license shall be a license to dig for or raise precious stones by the native methods, and shall not authorize the use of any explosive substance or machinery.
- (3) An extraordinary license shall be a license to dig for or raise precious stones by any method.
6. (1) An ordinary license to dig for or raise precious stones in the stone-tract may be granted by the Deputy Commissioner to any native of the tract or, with the previous sanction of the Commissioner, to any person who resides in the tract with the written permission of the Deputy Commissioner.
- (2) An extraordinary license to dig for or raise precious stones in the stone-tract may, with the previous sanction of the Chief Commissioner, be granted by the Deputy Commissioner to any person.
7. (1) An application for an ordinary license must be made in writing to the Deputy Commissioner.
- (2) An application for an extraordinary license must be in writing and may be made to the Deputy Commissioner or to the Commissioner.
8. (1) An ordinary license may be granted for any period not exceeding one year on application made therefor at such time as may be appointed by the Chief Commissioner in this behalf.
- (2) The form and conditions of the license, and the payments, if any, to be made therefor, shall be such as the Chief Commissioner prescribes.
9. An extraordinary license may be granted at any time for such period, in such form, on such conditions, and in consideration of such payments as the Chief Commissioner in each case directs.

PART IV.

Cutting of Stones.

10. Any person may cut or dress precious stones.

PART V.

Possession of Stones.

11. Any person may possess in the stone-tract, or for the purposes of trade in any place beyond the limits of the stone-tract, any precious stone which has been raised by the holder of a license under these rules.

PART VI.

Buying and Selling Precious Stones.

12. Any person may buy or sell, or be otherwise a party to the transfer of any precious stone which has been raised by the holder of a license under these rules.

PART VII.

Transport of Precious Stones.

13. Any person may transport any precious stone which has been raised by the holder of a license under these rules.

PART VIII.

Supplemental Rules.

14. (1) If the holder of any license under these rules, other than an extraordinary license granted under Part III, contravenes any rule under the Regulation or commits any breach of, or fails to fulfil, any condition of his license, or fails to make any payment in respect of the license at the time for the making thereof, the Deputy Commissioner may cancel the license.
- (2) The Deputy Commissioner may, in his discretion, instead of cancelling the license, permit the licensee to compound the contravention, breach, or default by payment of such sum as the Deputy Commissioner thinks fit.
- (3) Orders made by the Deputy Commissioner under this rule shall be subject to re-vision by the Commissioner.
15. If the holder of an extraordinary license granted under Part III contravenes any rule under the Regulation, or commits any breach of, or fails to fulfil, any condition of his license, or fails to make any payment in respect of the license at the time for the making thereof, the Deputy Commissioner shall report the contravention, breach, or default to the Commissioner, and the Commissioner may thereupon, with the previous sanction of the Chief Commissioner, cancel the license, or in his discretion, permit the contravention, breach, or default to be compounded by payment of such sum as he thinks fit.
16. Nothing in the Regulation or in these rules shall apply to cut and set stones worn on the person or possessed solely for the purpose of personal adornment.

17. All powers conferred by these rules may be exercised from time to time as occasion requires.

----- Footnote -----

[ပင်ရင်း- ၂၆.၉.၁၈၉၁ ရက်နေ့ထုတ် ပြန်တမ်းမှ ကူးယူတင်ပြသည်။]

----- Attachment -----

[ATTACH LIST 1] 01 FORM OF LICENSE. Ordinary License under Rule 8 of the Rules for the Mogok Stone-tract under the Upper Myanmar Ruby Regulation, 1887.

Myanmar Law Information System (MLIS)