

THE URBAN RENT CONTROL ACT (1960)

[Unofficial Translation]

Act No.8, 1960

[Exact date unknown]

This Act is prescribed as follows:

1. (1) This Act shall be called the Urban Rent Control Act, 1960.
- (2) This Act shall extend to all urban areas in the Union of Burma, but not against the texts in Section 3.
2. In this Act, unless there is anything repugnant in the subject or context:
 - (a) “The City of Rangoon” means the City of Rangoon according to the Rangoon Municipal Act.
 - (b) “Inspector” means an inspector who is appointed according to this Act.
 - (c) “Landlord” means a house/building owner (or) a person working for an owner (or) an agent of an owner (or) a person working for an owner’s profit (or) a person who is trusted by an owner and keeps the house on behalf of an owner (or) a person who acts as guardian of the house (or) a person who acts as a butler, who let the house or part of the house to the tenant and has the right to earn the rent appropriately.

In this clause, a legal agent/representative who is recognized according to the civil law suit practice of code (or) a tenant acts as sub-landlord (or) persons who related with landlord act as sub-landlords are included.

- (d) “The environs of house” means:
 - (1) Land on which a house/building exists (or) a house for renting for any purposes (or) a house/building for living or intended to be rented (or) part of such building.

In this clause, shops in the market or in any other building to sell goods in retail (or) such building (or) part of such building together with rented land and furniture or other equipments are included.

- (2) For any purposes, for rented or living or the land intended for living or renting means as environs of house/building.
- (e) “Fixed” means recognised according to this Act which produces bylaws.
- (f) For any environs of house, “standard rental” means the following rentals:

(1) According to the separate cases in Section 27, for the City of Rangoon, not against the order of Chief Judge of Rangoon civil law court (or) according to the Section 32 for other cities, not against the order of judges, the inspector has the right to decide the rentals.

(2) In the other cases:

(aa) Rental for those environs of buildings which were rented on 1st of September 1939.

(bb) If the environs of building was not rented on 1st of September 1939, previous rate of rental shall be.

(cc) If the environs of building was rented after 1st of September 1939 and before 1st of January 1941 for the first time, the first rental rate shall be.

(dd) On 1st of September 1939, if the environs of building was rented with an agreement of increasing rental for periodically on contract:

(1) During the validity of contract, according to the agreement of increasing rental periodically, the inspector shall decide.

(2) After expire of validity of agreement, the rent shall be same of last period of agreement.

(ee) If the environs of building was rented on contract on 1st September 1934 or last five years before that date or more than five years contract, if the contract was expired just after 1st of September 1939, rental shall be decided in the time of 1st September 1939.

However, the President of Union of Burma has the right to identify the type of environs of building and fix the rental not more than 25% higher, if he considers according to the existing economic situation and the meanings of sub-paragraphs (aa), (bb), (cc), (dd) (2) and (ee) for any urban area.

(g) "Tenant" means any person who directly rent an environs of building or through someone and has to pay for rent. In this clause, according to the meaning of civil law suit practice of code, a legal agent or a person who has the right to earn rental shall continue to let the building to the long term/permanent tenant with or without the consent of landlord.

(h) "Urban area" means Rangoon or an area which was already declared by order of notification as urban area according to Section 2 of Municipal Act, declared municipal area and Section 246 of municipal Act, and cantonment area is declared according to the military Act, cities are declared according to the city Act, the President of State has the right to issue an order of notification to recognize an area as urban area.

3. (1) According to this Act, fully or partially, the President of State has the right to issue an order of notification in which separate area or type of environs building are not recognized

as urban areas. In the future, this order of notification may be abolished or amended by the President.

(2) If any environs building is not entitled in urban area or not included by the order of notification according to the Section 1 of this Act or not entitled in the case of any type of environs of building, the decision of President of State is final approval.

(3) If any environs of building is arranged for tenants both in accommodation and food and if the building is declared as hotel by the President of State's order of notification, such kind of environs of building is not affected by Section 9, 10 or Section 13.

4. The inspector and deputy inspector or both can be appointed by the State President's order of notification in the declared urban areas. In addition, by the special decree, deputy inspector can be appointed together with full or partial power of inspector.

5. (1) The rate of rental is increased more than standard rental or increased later time or although any existence of contract which agrees to pay both standard and increased rental, according to this Act, increased rental can not be demanded.

However, any text in this Section is not affected with any following rental:

(a) Rental before the approval of this Act.

(b) Rental in contract which agrees to pay increased rental periodically before 1st of September 1939. Or:

(c) Rental in the contract before 1st of September 1939 and on that day, the validity of contract is still active.

(2) For some cases, rental will be paid day by day according to the Sub-Section 1.

6. From the day of 1st September 1939, when the landlord renovated the environs of building, expenses of renovation is costly, because of construction materials are expensive, or renovated the building to be better or changing the shape of building (excluding of expenses for renovation or fixing), landlord can write to the inspector to change the rate of standard rental.

7. (1) Prior to the changing principles of renting environs of building, the landlord obeys the following:

the rights of the tenant is generally lesser than before which against the previous agreement or increasing the rental money or not to increase the rental, according to the meaning of this Act, it is recognized that rental is increased.

(2) Prior to the changing principles of renting environs of building, the rights of the tenant is generally same as before according to the previous agreement, money paid for rental is increased or not increased, the meaning of this Act, it is recognized that rental is not increased.

8. The landlord pays municipal tax, revenues or other taxes, in regards of municipal tax, revenues and other taxes, if the landlord paid more taxes during the time of tax collection including the time of 1st September 1939, he can write to the inspector to increase the rental.

9. (1) According to the texts in this Act, in the case of increasing rental for environs of building, landlord is not allowed to increase rental to the tenant before end of the month by showing the notification of increasing rental which will be submitted to the inspector and standard rental paper.

(2) If the notification of increase rental is already affected on the tenant, landlord can demand the same rental from the new tenant without submitting new notification again.

10. Any environs of building which is rented or re-rented or to continue the renting, the landlord is not allowed to demand fine money, advanced money or other fines. Or the landlord is allowed to demand one month deposit money, but not more than one month.

However, any text in this Section is not affected on contract agreement and paying money which were done before 1st of September 1939.

11. (1) Whatever the other laws mean, according to the Section 13(1), if the tenant submits a letter to the inspector that the environs of building is needed to be repaired as proper living home or fixing various things in the house or for water supply or for electricity or plumbing and sanitation pipes, the inspector can summon and issue an order of notification to the landlord to do so. However, water supply or electricity or plumbing and sanitation pipes must have been existed before 1st January 1941.

Clarification:

The word "Repair" in this sub-Section means buildings for the tenants must be well maintained. In addition, according to the proper contract which was made, for any repairing, if the tenant guarantees to repair, the landlord has no responsibility for such.

(2) This sub-Section is affected on renting environs of building before and after 8th October 1946.

(3) After receiving the notification, landlord has to start the repairing in appropriate time. If the landlord fails or ignores to do so, tenant who wants to do repairing himself can submit a letter to the inspector to allow him to do so. Then, the inspector will take necessary assessment to estimate the expenses of repairing. After that the inspector will issue order

of notification to the tenant for repairing and tenant is allowed to do so, but expenses of repairing are not more than the estimation. For the expenses of repairing, tenant can take some money from the rental or tenant can ask the expenses from the landlord in other ways.

12. (1) Regardless of the provisions of the the Transferring Act and Promise/Agreement Act or Rangoon civil law court Act, to regain environs of building which is affected with this Act or to remove tenant from building, no order and decree can be applied except only for the following cases:

(a) When civil government came in administration after the war with Japan, according to the law, to collect the rental from the tenant, rental seeking letter which is registered at the post office will be sent to the tenant. Within three weeks from the day of sending the letter, if the tenant doesn't pay rental or doesn't pay to the inspector, or regarding to the renting according to the rental promise/ agreement or the text of this Act, if the tenant breaks those laws or fails to do so.

(b) After the war with Japan, before civil government back in the administration, during that time, to earn the rental from the tenant, in this case, civil law court decided that tenant has to pay the rental, but fail to do so.

Or:

(c) Where a tenant or a person who staying together with tenant or other person staying in environs of building disturbs next door neighbors or embarrasses surrounding people or using the environs of building for despicable or unlawful business or being received verdict for guilty of those businesses by the court or environs of building is damaged by someone and ignorance of someone.

(c) Where the environs of building is land, the landlord honestly wants to get back the land to build a building or buildings or rebuild the building, to build a building within a year after the day of tenant leaves the building and landlord submits a bail with appropriate amount of money which is agreeable by the court.

Or:

(e) Where the landlord honestly claims to get back the building or part of the building for his own living under the affect of this Act, landlord has to submit a bail with appropriate amount of money to the court and guarantee to accomplish his moving within three months just after the day when tenant leaves.

However, in this clause, the word "landlord" means a person who must own the building on the day of 1st May 1945 or a person who heritages the building after 1st May 1945. Otherwise, such person is not regarded as a landlord.

In addition, according to the rent contract or bilateral agreement or a decree decided by the court, renting during the proposed time and before the end of renting period or before the end of renting term by allowing the decree, such case is not affected by this Section.

(2) To reoccupy the environs of building or to remove a tenant, the landlord or responsible person must submit a letter to the inspector according to sub-section (1), paragraph (d), (c) or section (f), or provide a copy of decree according to sub-section (1), paragraph (d), (c) or paragraph (f) or a contract of agreement will be submitted. However, where the landlord or responsible person fails to use the environs of building according to his submitted letter to the inspector within the period decided by the inspector, the tenant may submit to the court or the inspector may submit to the court and the government accordingly may confiscate the deposit money from the landlord or the court may decide that the landlord shall pay a certain amount of money to the tenant as compensation. However, where the landlord can show concrete evidence to the court why he is not able to use the building, and the court accepts his explanation, this case will not be accepted.

(3) Where the court decides that the landlord must pay compensation, according to sub-section (2), the tenant may reclaim the environs of building according to the principles in the contract of agreement.

(4) The court may approve the decree which orders the landlord to pay compensation according to the civil law suit or to confiscate the guarantee money.

13. (1) By the order of the President, in any area which is affected by this section, to any type of environs of building, anyone who is not a normal tenant, but who is living or working in the environs of building in an honest way, such person may apply to the inspector to continue to live in the environs of building. Where this person submits a letter to the inspector in which he promises to pay rent for his living, the inspector may issue a letter which allows such person to live in such environs of building. Furthermore, the landlord or agent of the landlord shall be notified by the inspector, if the inspector knows where they live.

(2) According to section (14), not against the decisions of the court, according to the sub-section (1), a decision which allows such person to continue to stay in such environs of building means, as long as location of environs of building or type of environs of building relates to this section, the decision will remain for a certain period and such decision will be in the same order for a further three months.

However, the person who won the case according to the decision of the court leaves the environs of building voluntarily, the inspector may cancel the decision according to the submission of the landlord. After that, such decision shall not be approved again.

14. (1) Although where law provides, according to section (13), to reoccupy the environs of building where someone is allowed to stay or to get rid of such person, no order and decree will be applied for any case except for following cases:

(a) In a case, a person who is allowed to stay in the environs of building by the inspector, the registered letter which is posted from postal office and asking for rental for landlord for such a period of time, if the tenant does not follow according to the letter within seven days, such amount of rental money shall not be paid to the landlord or to the inspector.

(b) In a case, where a person or any person who is staying together with such person disturbs the neighbors or embarrasses the surrounding people, or uses the environs of building for despicable or unlawful business or having a verdict by the court for such case or damaging the environs of building by tenant's ignorance and carelessness.

(c) Occasionally, in an honest way, the tenant wants himself or any of his family member to stay in such environs of building, the tenant makes a contract to the court with the appropriate amount of money which is viewed appropriate by the court, the tenant oaths to implement within a period of time which is allowed by the court.

(d) Such kind of order which was already abolished according to section 13 (2).

(2) To reoccupy the environs of building, according to sub-section (1), section (8), order or decree is issued by the court, the court describes separately why the landlord wants to reoccupy his building. In addition, a copy of the landlord's contract and decree will be sent to the inspector according to sub-section (1), section (8). If the landlord uses the environs of building against the contract and decree or fails to use the building, with the approach of inspector, the court can declare that government can confiscate the money which is part of contract. The court can order the landlord to compensate the tenant with relevant amount of money decided by the court. However, declaration and summoning will not be conducted by the reason which is inline with the court.

(3) According to sub-section (2), instead of the decision to pay compensation or apart from such decision, the court itself can allow the person to continue to stay in the environs of building according to the agreement before issuing such decree if the person agrees.

(4) According to this section, the degree which allows the confiscation of the guarantee money or the landlord will be ordered to pay compensation, according to civil law suit of code.

15. (1) To reoccupy the environs of a building which is related to this Act or to remove the tenant or a person who has right to stay in that building according to section (13), when the time of order or decree is issued, or before this Act was activated or not activated, although this order or decree was already issued, the landlord submits to the court to approve such order or decree, the tenant or a person who has the right to stay according to section 13 (1), both apply to the court to not to approve such order, this decree on unapproved case, the court, except in such cases related to section 12 (1), paragraph (8) or section 14 (1) paragraph (b), issuing the decree must be halted or postponed. Or the court may delay the day when the environs of building is returned, the tenant or a person who was given verdict,

who has to pay the rest of the rental or after overdue the time of rent. In addition, if the tenant obeys the principles, the court will abolish such order or decree.

However, in section 12, sub-section (1) paragraph (d), (c), or section (f), Section 14, sub-section (1) paragraph (8), for any particular reason, civil law suit may remove someone or reoccupy the environs of the building, such approved decision or decree will not be abolished.

(2) Before this Act is not approved or approved, section 12, sub-section (1) or section 14, sub-section (1), order or decree are issued but not approved, in addition, when the time of order or decree were issued, section 12 or section 14 were in force, or related with such order and decree, the court sees those order and decree would have not issued, the court will abolish such decree according to submission of the tenant and according to section 13 (1). Or to activate this Act, the court may change in the relevant manner. In addition, section 12, sub-section (1) or section 14, sub-section (1) must be related with civil law suit which issued such order or decree.

16. (1) Concerning the environs of the building, according to section 12 (1), paragraph (a) or section 14 (1) paragraph (a), even though the landlord doesn't ask for rental, or where the landlord refuses to accept rental from tenant, the tenant will:

(a) pay the rental to the inspector. In addition:

(b) where the landlord doesn't send notification or other means to the tenant that he wants to accept the rental, the tenant will pay the remainder of the rental to the inspector.

(2) According to the sub-section (1), when rental is paid, the inspector sends a notification letter to the landlord that he receives the rental. In this case, the notification letter will be reached in the hand of the landlord or agent of the landlord. If the inspector can not find the landlord or agent of the landlord, the registered notification letter must be sent from the post office to the last known address of the landlord or agent of the landlord. According to section 42, sub-section (2) paragraph (f) and not against that section, the landlord or agent of the landlord can withdraw the rental money from the inspector by submitting a letter.

17. (1) The landlord or the tenant or their representatives shall correctly produce a receipt showing that they received rental from a tenant or sub-tenant. The receipt must be correctly signed. Or if there is a book for rental, the rental or receiving money shall be correctly signed in the book.

(2) Any person who acts in violation of sub-section (1) shall be fined up to five hundred kyats.

18. To reoccupy the environs of building which is affected by this Act or to remove a tenant, a civil law suit or paper form shall be submitted. Where a decree from one of the

Rangoon Central judges or one of the District judges outside of Rangoon is not satisfied, the landlord can appeal to the Jury of Supreme Court.

19. Any environs of building affected by this Act, a civil law suit case of rental which needs to be claimed after approving this Act, no judicial court accepts such kind of case, or to ask the rental according to the Rangoon city court Act 22, an application form for confiscation warrant will not be accepted by any court. However, regarding standard rental, if a proved letter from inspector attached with this application form is submitted, such application form will be accepted.

20. (1) Any environs of building except living building is vacant or having reason to be vacant or to build new building except living building, in addition, landlord intends to rent the building to the tenant, to get the permitted letter for rent, landlord has to apply to the inspector.

Further, where the tenant intends to rent the building except living building to sub-tenant or this building or part of the building, to get permitted letter of sub-renting, the tenant shall apply to the inspector.

(2) According to sub-section (1), the application form must contain the following:

(a) Details of the environs of building, for example, room number, floor number, house number, name of street or if the environs of building is a land, number of piece of land, block number, etc.

(c) The name and address of landlord.

(c) The name of tenant or sub-tenant, job and address.

(d) The intended rate of monthly rental.

(e) Where possible, the receipt of monthly rental for month of September 1939 or the rate based on collection tax by the Rangoon municipal corporation or Rangoon municipal for year 1939-1940.

(f) The current monthly rental.

(g) The type of building (brick or wooden or bamboo house).

(h) The type of place (for running a business or living).

(i) The estimated date for renting the environs of building or sub-renting.

(j) Where the confession letter is needed for salami or promise to give salami or similar demand is not demanded or not received. [Salami is a Hindi word and the meaning is “advanced money”, but not to return to the tenant when tenant leaves the building].

(3) According to sub-section (1), when the application form is received, the inspector shall briefly investigate, if the inspector is satisfied and believes that there is no concrete reason to oppose it, an approval letter shall be issued immediately. In the case of sub-renting, when the inspector issues the approval letter, at the same time, a registered copy of the approval letter shall be sent by post office to the landlord.

However:

(a) In the case of a building which is vacant or just beginning the time of being vacant, if the inspector agrees, the tenant or sub-tenant must pay the rental on the day of living. According to sub-section (1) if the building is vacant for a period prior, the tenant or sub-tenant shall pay the rental from the time of the applying form.

(b) In the case of sub-renting, a tenant shall not divide the space separately for sub-tenant, for that space, sub-tenant has to pay rental to the tenant. In addition, the tenant shall always pay rental for the whole building to the landlord.

(c) In the case of sub-renting for the whole building or separate room, the sub-tenant shall pay the rental to the original tenant and in addition, the building must be recognized as sub-renting to the sub-tenant.

21. (1) The landlord:

(a) When notification letter of stop renting a building for living is delivered or received; or

(b) For any reason, the tenant intends to leave the environs of building or after tenant left, the building is vacant or having information that anyone is living in the building without the permission of inspector after 21st of October 1950; or

(c) When building a new building or extending or renovating the building for the reason of accommodating more people or developing the building;

The landlord has to inform the inspector by sending a letter. The same applies for the tenant who is living in the environs of the building:

(d) Regarding the building, giving notification letter which ceases renting; or

(e) Leaving the building;

The tenant shall send the letter to the inspector.

(2) Without any concrete reason, notification letter intended in sub-section (1):

(a) In the case which related to sub-section (1) paragraph (a) or paragraph (d), giving notification letter or sending letter within three days after receiving.

(b) In the case which related to sub-section (1) paragraph (b) or paragraph (e), landlord has to send a letter within three days after receiving information or within three days after tenant left the building.

(c) In the case which related to sub-section (1) paragraph (c), after three days of completion of building, repairing, changing or renovating, letter has to be sent.

(3) When sending the letter, the landlord has to send the separate information related to section 20, sub-section (2), paragraph (a), (b), (d), (e), (f), (g), (h) and (i).

(4) According to sub-section (1), the tenant has left or is about to leave or when the tenant has left the building, anyone who is living in the building without the permission of the inspector after the time of 21st October 1950, when the inspector received such letter, or received the information by other ways, according to the consultancy of board of director which was set up by the President of State, order of notification will be issued for the landlord, in which the building is vacant or tenant has left, it will be rented to intended person or persons, by the order of inspector.

(5) According to the sub-section (4), any instruction through notification letter will be sent to the tenant. When such notification letter is already sent, the landlord shall follow according to this instruction.

(6) According to the sub-section (4), if there is no appropriate tenant for the building, the inspector has to inform the landlord. In that case, the landlord has the right to rent the building to anyone.

However, according to sub-section (4) and (5), instruction or information given to the landlord is related to tenant's leaving, this instruction or information will be sent to the landlord within ten days, after receiving landlord's letter according to the sub-section (1).

(7) Where any tenant or anyone living in the building fails to return the building to the landlord, for intended person or persons who are supposed to be tenants according to sub-section (4), the current person who is living in the building will be immediately removed.

Explanation:

According to this section and section 20 and related cases, living environs of building means, building only used for living or used the building for living mainly and using for reasonable business or academic purposes at the same time.

22. Anyone who acts in violation of section 20, sub-section (1) or sub-section (2), or section 21, sub-section (1), (2), (3) or sub-section (5), will be imprisoned for a period of three months without labor or fined 2,000 Kyats or both.

However, according to the information, if any person acts in violation against this section, the inspector can investigate and make law suit at the court against such person who committed such crime.

23. (1) Any person who is sentenced according to section 22 or helping such crime and sentenced, tenants who have no permission from the inspector shall be removed from the environs of building immediately.

(2) Where the inspector sends a notification letter expelling the tenants or other persons who will be removed immediately, according to sub-section (1) of this section or section 21, sub-section (7), the tenants shall move their belongings from the building within seven days. If the tenant or person living in the building fails to do so, the inspector may summon the district police chief to remove them. Where the district police chief receives such summons letter, the district police chief shall remove the tenant or person and their belongings. Any such person is not permitted to enter in or live in the building again without the permission of the inspector or will be charged not to continue to stay.

24. Where sections 20, 21 and 23 are in contradiction to any existing law, they shall be approved.

25. (1) After the approval of this Act, in the case of after paying for the rental, if this money is not allowed to pay back according to the texts in the Act, the tenant has the right to collect the money back from landlord who received the money within six months. Or the tenant can deduct the money to the landlord within six months on what tenant has to pay.

(2) In this section, the word “landlord” means that where the building is co-owned by family members, when the landlord dies, the landlord’s family members are included.

26. (1) After this Act is in force, in the case of standard rental, if the tenant has not paid more than 300 Kyats which is more than the standard rental, within six months from the date of paying, the tenant applies to the judge that the tenant wants money back, without affecting anything, according to civil law suit code, the tenant has the right to demand the money back, furthermore, the landlord shall pay back after deduction to the tenant on what landlord received from tenant.

(2) In the case regarding sub-section (1), if there is a proof that rental is correct as standard rental with the signature of inspector, before showing proof that standard rental for the building is not accordance with proof, judge recognizes it as it is.

27. (1) Application from landlord or tenant to the inspector, the inspector issues a proof letter with signature that rental is a real standard rental.

(2) According to the application of landlord or tenant, the inspector, according to the texts of this Act and related things, has to approve the rate of standard rental and can approve relevant and fair standard rental.

(a) In the case where, the whole environs of building or part of the building is rented or tenant has rented the whole building or part of the building to sub-tenant or a case which affecting this Act for any reason and in any difficult situation.

(b) Environs of building together with furniture including food cost, in this kind of case, to be effective to this Act, rental money which needed to be split for rental for furniture and food, such kind of case.

(c) Environs of building which is rented without rental or with very small amount of rental, rental for something except building rental, such kind of case.

(d) Rental which was paid on 1st of September 1939 or environs of building was not rented on that day, the last rate of rental before on that day, rental is too low considered by the inspector, such kind of case.

(e) The case of changing the condition of building or the cost of construction materials is rising up and cost more or after 1st of September 1939, municipal tax and tax rates are getting higher for building, such kind of case.

(f) Rented a building for the first time after 1st of January 1941, such kind of case.

(g) From the day of 1st September 1939, the building condition is getting bad or other concrete reasons, rented the building on 1st of September 1939 or after that day, rented for the first time and rental is too high or unfair considered by the inspector, such kind of case.

However:

(1) According to sub-section (d), for rental, any time between 1st of September 1934 and 1939 September the 1st, the highest rate of rental or the lowest rate of rental and plus 25% of lowest rate of rental, according to the highest and lowest rentals, rental is not more than such highest rental.

(2) According to sub-section (E), according to the rate of rental mentioned in section 6, the cost for repairing the building for good condition or changing the shape, related to this cost, the inspector may not increase the rate of rental not more than 6% a year.

(3) According to sub-section (G), standard rental is, related to the self-own land for any purposes, similar purposes near that land, similar rented land, government or Rangoon municipal or Rangoon municipal corporation or similar local organization may not increase the rental rather than current rental.

(4) According to sub-section (F) or (G), environs of building is a land and rented, if the land owner is government or Rangoon municipal or Rangoon municipal corporation or similar local organization, standard rental will be decided according to the decision of government or Rangoon municipal or Rangoon municipal corporation or similar local organization.

28. (1) According to section 21, except given powers, before applying any power according to this Act, the inspector has to inform the landlord or tenant or a person who living in the building that he will use this power, in addition, within given period of time which was shown in the letter, any concerned person has to systematically consider about the application form they received.

(2) According to this Act, all orders of inspector will be written on paper.

(3) The person who is related to the order of inspector, period of payment by the President's order, the order of copy is claimed as genuine by the signature of inspector and the person has the right to receive this copy. This copy with the signature of inspector must be accepted at any court as a proof.

29. According to this Act, in order to inspect or investigate, the inspector or any person who is systematically appointed by the written letter of inspector has the right to enter any building or land from 6 in the morning to 6 in the evening together with or without assistance persons.

However, if there is no notification before 24 hours, inspector or his appointee can not enter any environs of building for living without the permission of tenant or person living in the building.

30. (1) To investigate cases according to this Act, the inspector can summon anyone by the letter of order as follows:

(a) Any environs of building in 1934 or after that year, renting the building with any rate of rental, case related to investigation, all the subjects shown separately in order of letter will be sent to.

(b) Financial records, receipts for rental, books or other letters or papers which are related to investigation will be available to be checked or investigated within given time according to the order of letter, or given to a person who is described in the order of letter.

(2) The inspector, not against the laws of this Act, in addition, to implement the texts in this Act, needs the powers and by the civil law suit code, using the ways for the court, power

to summon the witnesses and must have power to force the witnesses to come to the court, in addition, must have power to show the records of letters by force.

(3) Any person who is summoned according to the sub-section (1), according to penal law Act 176 and 177, summon letter must be sent to them.

31. The inspector can reconsider the order which is issued by him or others. Texts in order no.47 of civil law suit code will be related to such reconsideration as much as possible.

32. (1) If the rate of standard rental for environs of building approved by the inspector is denied, according to the section 27, if the building is located in the city of Rangoon, the case file will be submitted to Chief judge of Rangoon City judicial court or the building is located in any city affected with this Act, to the judge who is recognized by the President of State.

However, when submitting according to this sub-section, if the chief judge of Rangoon city judicial court or any recognized judge considers it not to be charged by himself, application form will be transferred to any judge who is in the district affected with this Act. The judge who received the transferred form can accept the form and must have power to hear the case.

(2) The copy of order of inspector is submitted together with transferred form.

(3) 50 Pyas stamp of court tax must be attached with the transferred form paper.

(4) This transferred form must be submitted within 30 days after the order of inspector. However, the period for getting the copy of order of inspector is not included.

(5) The verdict decided by the chief judge of Rangoon city judicial court or one of the above mentioned judges is a final decision.

33. When the cases which were decided by the inspector are in hearing, according to the rulings which are practiced by Rangoon city courts or rulings for civil cases, the judge can obey such rulings as much as possible.

34. (1) Anyone who accepts the rental money more than the rated standard rental directly or indirectly for the environs of building with or without acknowledgement, for such committing for the first time, will be fined 500 Kyats or second time or more will be fined 2,000 Kyats.

(2) Anyone who accepts any valuable item which price is more than rated standard rental as rental, such person will be considered as accepting the rental which is more than standard rental.

35. (1) Anyone who disturbs or threatens the tenant who is living in the building by the order of inspector according to the contexts of section 13, to leave the environs of building

or disturbs the tenant intentionally, for the first time, such person will be fined 200 Kyats by the judge and second time or more, will be fined up to 1,000 Kyats.

(2) Not against the general meaning of above mentioned section, without any concrete reason, if the landlord fails to maintain the condition of environs of building from protecting weather conditions by the time of validity of this Act, or according to the separate contract of agreement or according to the customary laws, the landlord has the responsibility to do maintenance for the building or part of the building, such case will be considered as disturbance on purpose.

36. Not against the texts of this Act, the tenant who is ordered or decreed according to the law to return the building to the landlord, the tenant will not be allowed to continue to stay in that building or tenant is still staying in the building, according to the penal code section 441 and 442, tenant will be considered as committing tress passing, in addition, will be fined the amount of money not more than two months rental and also will be jailed.

37. (1) Anyone who against the text of section (10), such person will be jailed for six months or fined for 2,000 Kyats or both.

(2) If anyone who is obviously guilty according to this section and ordered to pay fine, the court which decided the verdict, according to the civil law suit code 545, can order such person to pay all amount of fine or partially as compensation for any lost.

38. Anyone who attempts to reoccupy the environs of building is stopped from doing so by the order or decree according to the section 12 or section 14, in this case, without the permission of inspector or order of municipal which allows to repair or demolish the building immediately, intentionally disturbing any benefits attached with environs of building, or destroy any thing which is supposed to be used permanently together with the building or postpone bills for water and electricity of the building or postpone any service for the building, for the first offense, such person will be fined 500 Kyats or related to such environs of building or another building, committed second time or more, will be fined up to 2,000 Kyats.

39. Related to this case, within nine months after the day of accusation, if the case is submitted without the advanced permission of inspector, no court will sentence to anyone who is accused any crime.

However, the inspector will conduct an immediate investigation, from reliable source of information, if anyone committed the crime, according to the section (10) or section (34), in addition, if the case is obvious, such person who committed the crime will be put on trial at court by the inspector.

40. To remove a tenant or anyone who is allowed to stay according to the section (13) or the case for reoccupying the building, in such case, the President of State can decide the

amount of tax to the court. In addition, it is no matter how the Act of tax of court explains, the amount of tax to the court will be paid by the decision adopted by the President.

41. (1) For the case which is done sincerely, according to the powers of this Act, the inspector or deputy inspector or anyone who is aiming to do honestly, civil law suit, criminal law suit or any other law suit against them are not permitted.

(2) According to this Act or order adopted by this act, for doing or attempting to do in honest way or any possible damages, no one is allowed to sue civil law suit or any other law suit against the government.

42. (1) To perform the texts in this Act, the President of the State can issue the bylaws by the order of notifications.

(2) Not against the meanings of above mentioned texts in act, the following cases are identified in the bylaws:

(a) Any urban area or any type of environs of building, according to the meaning of section 2 (F) (2), paragraph (aa), (bb), (cc), (dd) (2) and (ee), the case for increasing the standard rental.

(b) According to this Act, to adopt the policy and principles for investigations which are conducted by the inspector, such kind of case.

(c) Any urban area, after the war against Japan, to fix the date of civilian government resuming in administration, according to this Act.

(d) To fix the rate of expenses and rentals, in addition, to demand the expenses and rentals or be exempted from debts and taxes.

(e) To fix the ways of accepting or withdrawing the rental according to the section 16.

(f) To fix number of consultants in consultant board, necessary number of consultants for holding the meeting and principles abided in the meetings, salaries for member consultants.

43. Any text in this Act, government or government department or Rangoon municipal or Rangoon municipal corporation or rural autonomy administration Act or other local organizations which charges on landlord for environs of building or according to the reoccupying land Act is not related to the law for owned or to be owned by the decision of government or government department or Rangoon municipal or Rangoon municipal corporation or municipal Act or rural autonomy administration or other local organizations.

However, an exemption according to this section is not related to sub-rented land or part of this land according to the contract or other rights of ownership from government or any local organization.

44. Although the Urban Rent Control Act, 1948 has been repealed and is no longer in force:

(a) Any decision or order made under that Act before this Act comes into force or any law suit or any criminal conduct committed, provided it is not in contravention to this Act, will continue to be in force. All decisions made and recognized under the previous Act shall continue in force.

(b) At the time that this Act comes into force, at the court or the the inspector who is appointed under this Act, all unfinished civil law suit cases, except for criminal related cases, and other cases, will be finished according to the provisions of this Act. In addition, order of notifications or statements, orders, bylaws and position of appointments according to the previous Act, will continue to be enforced as long as this Act is in force.