

## THE TENANCY LAW (1963)

[Unofficial Translation]

Law No. 8, 1963

[Exact Date Unknown]

The Chairman of the Union of Burma Revolutionary Council has prescribed the following Law.

1. This law shall be called the Tenancy Law, 1963.
2. This Law shall extend to the whole of the Union of Burma and shall come into force at once.
  - (a) "Government land" means the present land or land for agricultural purpose.
  - (b) "Agricultural Land" means either land used for cultivation or possessed for an agricultural purpose.

Explanation 1: The expression includes what in common usage are identified as paddy or hillside fields, or silt land; or rubber or palm plantations, or orchards; or vegetable or flower gardens; or island or alluvial lands.

Explanation 2: The expression does not include private residences, religious buildings and compounds, or unused public cultivation plots inside a township or village boundary.

Explanation 3: The expression is inclusive of structures built upon agricultural land.

- (c) "Rent for cultivation" means wages given to a land owner because of the benefit gained by cultivating on the land.
- (d) "Land tax" means supervision fees (levy) of the government according to government land and tax law or Upper Burma land and Tax regulation law. According to Irrigation Act law it does not include the supply of water to the field.

(e) "Tenant farmer" means the responsible person who pays rent for cultivating on the land.

Explanation: The expression includes a relevant organization.

(f) "Landlord" means a person or an organization who owned the field or farm according to the Land and Tax act law or Upper Burma Land and tax regulation law. Landlord includes the representative of the land owner.

(g) "Demarcate" means fixing according to this law and bye-law.

3. In applying the provisions of this Act, the decision of the authority appointed by the government is final.

4. The government may announce the renting of any field or land from a specific date specified in the announcement. At that date the right to rent of the landlord will end.

(1) The tenant farmer of the government or landlord must pay tax to the landlord at the following rates:

(a) Renting fee is the same wage as cultivating rice for the year.

(b) Renting fee is three times the wage for cultivating Chili, Onion and Virginia in the year or the special crop rate of Sugar cane.

(c) Renting fee is two times the wage of cultivating Chili, Onion and Virginia in the year.

(2) As prescribed in sub-section (1), the rent for cultivating a farm is noted as the renting fee for the whole year of cultivation. The tenant farmer is not responsible to pay additional rent fees for cultivating multiple crops or subsidiary crop on that land in the same year.

(3) The Renting fee shall be paid in cash.

5. The specified compensation fee should be given to the landlord, where the benefit to the landlord is decreased due to the tenant's failure to do a normal task or other reason which leads to the destruction of the paddy dike, drain, well and pond.

6. The government may specify the rules and regulations for the tenant cultivating on government land.

The government may specifically appoint any person or organization to carry out the provisions of this Act and such persons may hand over the power assigned to them to another person or organisation except the bylaw.

Lay down order by power transferred person or organization or once again power transferred people or organization by section (7), cannot refuse to accept in any civil court or revenue office. Appeal can make in any legally specified organization.

No suit or other proceeding shall be commenced or prosecuted against any person for anything done in pursuance of this Act,

Any person or organization who has transferred power or once again transferred power in accordance with Section (7) can be sentenced to six months in prison or fined three hundred kyat or both if fails to cultivate on the rented land without sufficient reason or rent to another person.

Any person or organization who has transferred power or once again transferred power in accordance with Section (7) can be sentenced to six months in prison or fined three hundred kyat or both if inhibit the working process of this law by himself.

Any person may issue directives for daily working process according to this law or bye-law.

(1) The government may issue directives for the daily working processes under this law or relevant bye-laws.

(2) The government may hand over the conferred power to any person or organization under sub-section (1).

The government may issue bye-laws and notifications to carry out the works of this Act.

7. The 1953 Renting Land for Cultivation Act is hereby repealed.

(1) Works carried out under the 1953 Renting Land for Cultivation Act are not nullified. Unfinished works may be resolved.