

ACT No. III OF 1892.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 11th
March, 1892.)

An Act to amend the Rangoon Port Commissioners Act, 1879.

WHEREAS it is expedient to amend the Rangoon Port Commissioners Act, 1879; It is hereby enacted as follows:—

1. For section 5 of the said Act the following section shall be substituted:—

Substitution
of new section for
section 5,
Act XV of
1879.

Tenure of
office.

“5. (1) If a Commissioner be appointed by virtue of his office, the person for the time being holding the office shall be a Commissioner until the Local Government shall otherwise direct.

(2) Commissioners appointed by name shall hold office for two years, and may thereafter be re-appointed; but the Local Government may at any time accept the resignation of any such Commissioner.”

Additions to
section 60,
Act XV of
1879.

2. (1) To section 60, clause (d), of the said Act, the following proviso shall be added, namely:—

“but no Commissioner who is prohibited as hereinafter provided from voting or taking part in any proceedings shall be counted in the quorum so far as regards such proceedings.”

(2) To section 60, clause (e), of the said Act, the following proviso shall be added, namely:—

“Provided that no Commissioner shall vote or take part in any proceedings relating to any loan,
contract

contract or work in which he is pecuniarily interested."

(3) To section 60, after clause (*f*), of the said Act, the following clause shall be added, namely:—

"(g) all meetings of the Commissioners shall be open to the public, unless the President shall in any particular case otherwise direct."

3. To section 63 of the said Act the following words shall be added, namely:—

"or to any officer or servant, the period of whose employment shall not exceed three consecutive months at any one time, and whose salary shall not exceed one hundred rupees a month."

4. For section 71 of the said Act the following shall be substituted, namely:—

"71. (1) Any officer or servant of the Commissioners who shall directly or indirectly lend money to the Commissioners, or become pecuniarily interested in any contract, made by or on behalf of, the Commissioners, or participate or agree to participate in any profits of any work done by order or on behalf of the Commissioners, shall forfeit his office or employment, and shall thenceforward be incapable of holding any office or employment under the Commissioners, and shall further be punishable with fine which may extend to five hundred rupees.

(2) Any Commissioner who, without the previous sanction, in writing, of the Local Government, shall directly or indirectly lend money to the Commissioners, or become pecuniarily interested in any contract made by, or on behalf of, the Commissioners, or participate or agree to participate in any profits of any work done by order or on behalf of the Commissioners, and

any Commissioner who shall vote or take part in any proceedings relating to any loan, contract or work in which he is pecuniarily interested,

shall

Addition to section 63, Act XV of 1879.

Substitution of new section for section 71, Act XV of 1879.

Commissioners, &c., not to be interested in contracts, &c.

shall forfeit his office as Commissioner, and shall be incapable of re-appointment, and shall further be punishable with fine which may extend to five hundred rupees:

Provided that nothing in this section shall apply to any Commissioner or officer or servant of the Commissioners by reason only of his—

- (a) being a shareholder in or member of any incorporated or registered company which may lend money to, or make contracts with, or do work for or on behalf of, the Commissioners; or
- (b) holding one or more debentures in any loan raised by the Commissioners in open market."