

The State Law and Order Restoration Council  
**The Fire Services Law**  
(The State Law and Order Restoration Council Law No. 1/97)  
The 2nd Waxing Day of Pyatho, 1358 M.E.  
(10th January, 1997)

The State Law and Order Restoration Council hereby enacts the following Law:-

**Chapter 1**  
**Title and Definition**

1. This Law shall be called the Fire Services Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:-
  - (a) **Fire Brigade** means the fire brigade formed with Fire Services personnel;
  - (b) **Auxiliary Fire Brigade** means the auxiliary fire brigade formed by the Fire Services Department;
  - (c) **Reserve Fire Brigade** means the fire brigade formed by the owner or manager of a factory, workshop, work-site and business exposed to fire hazard, under the directive or permission of the Fire Services Department;
  - (d) **Fire-extinguishing Apparatus** means fire-extinguisher, fire-engine, pump, different kinds of vehicles, communication apparatus, life-saving apparatus or other articles that can be used in extinguishing fire;
  - (e) **Inflammable Materials** means bamboo, nipa palm, thatch, coconut fibre, jute, cotton, sawdust, paddy husk, dried grass, straw, charcoal, coal, plastic, naphtha, different kinds of gasoline, gas, liquified gas, deteriorated electrical wires or electrical wires conducted in any other manner, spirit, tar, different kinds of wax or acid. The said expression also includes materials determined as inflammable materials by the Fire Services Department by notification issued from time to time;
  - (f) **Business exposed to Fire Hazard** means business in which fire, electricity, petrol, kerosene diesel, engine oil or inflammable materials are used. The said expression also includes the site adjoining the said business building or vehicle;
  - (g) **Explosive Materials** mean different kinds of chemicals, all kinds of gunpowder or different kinds of articles in which gunpowder is used. The said expression also includes materials determined as explosive materials by the Fire Services Department by notification issued from time to time;
  - (h) **Central Committee** means the Central Committee on Precaution and Prevention of Fire Hazard;
  - (i) **Ministry** means the Ministry of Social Welfare, Relief and Resettlement;
  - (j) **Minister** means the Minister for Social Welfare, Relief and Resettlement;
  - (k) **Director-General** means the Director-General of the Fire Services Department;
  - (l) **Person in Charge of Fire Services** means the highest-ranking Fire Services personnel assigned duty in any region or in case of a region where there is no Fire Services personnel, a member of the auxiliary fire brigade who is assigned duty by the Fire Services Department;
  - (m) **Fire Services Departmental Head** means the Head of State/ Divisional, District or Township Fire Services Department;
  - (n) **Fire Services Personnel** means an employee appointed in the Fire Services Department.

## **Chapter II Objectives**

3. The objectives of this Law are as follows

- (a) to take precautionary and preventive measures against destruction and loss of State-owned property, private property, cultural heritage and the lives and property of the public;
- (b) to organize systematically and to train the fire brigades, auxiliary fire brigades and reserve fire brigades;
- (c) to enable cooperation among the fire brigades, auxiliary fire brigades and reserve fire brigades for prevention, fire extinguishing and relief work when fire disaster, natural disaster, epidemic disease or any kind of sudden danger occurs;
- (d) to educate, organize and incite extensively so as to achieve public cooperation when any catastrophe occurs.

## **Chapter III Formation of the Central Committee on Precaution and Prevention of Fire Hazard**

4. The Ministry:-

(a) shall form the Central Committee on Precaution and Prevention of Fire Hazard comprising the following persons:-

- (1) Deputy Minister Chairman Ministry of Social Welfare, Relief and Resettlement
  - (2) Persons from the relevant Government departments and organizations
  - (3) Voluntary persons interested in fire services
  - (4) Director-General Fire Services Department
- (b) may, if necessary, determine the Vice-Chairman and Joint-Secretary of the Central Committee.

5. Members of the Central Committee who are non-Government servants are entitled to receive remuneration prescribed by the Ministry.

Members  
Members  
Secretary

## **4 Chapter IV Duties and Powers of the Central Committee**

6. The duties and powers of the Central Committee are as follows:-

- (a) laying down the work programme for precaution and prevention of fire hazard;
- (b) laying down necessary plans and measures to extinguish fire effectively in an outbreak of fire;
- (c) laying down programmes for participation and assistance of fire brigades, auxiliary fire brigades and reserve fire brigades for prevention and relief work when natural disaster, epidemic disease or any other kind of sudden danger occurs;
- (d) supervising, giving guidance and coordinating the functions of the different levels of fire precaution and prevention bodies;
- (e) inspecting, supervising, giving guidance and co-ordinating the functions of the fire brigade, auxiliary fire brigade and reserve fire brigade;
- (f) accepting donation and property from wellwishers locally and abroad; giving guidance and

supervising in respect of the systematic utilization of such donation and property in prevention and relief work in fire disaster, natural disaster, epidemic disease or any other kind of sudden danger;  
(g) communicating and cooperating with international fire organizations and other organizations.

## **Chapter V**

### **Formation of Different Levels of Fire Precaution and Prevention Bodies**

7. The Central Committee shall form the different levels of Fire Precaution Prevention Bodies in accordance with stipulations as follows:-

- (a) The State/Divisional Fire Precaution and Prevention Body;
- (b) The District Fire Precaution and Prevention Body;
- (c) The Township Fire Precaution, and Prevention Body;
- (d) The Ward/Village-tract Fire Precaution-and Prevention Body.

8. The Central Committee shall determine the duties and powers of the different levels of the State/Divisional, District, Township, Ward/Village-tract Fire Precaution and Prevention Bodies.  
Chapter VI Formation of the Auxiliary Fire Brigade

9. The Fire Services Department shall form the auxiliary fire brigade to participate and assist voluntarily with the fire services personnel in carrying out fire precaution and prevention work. When fire disaster, natural disaster, epidemic disease or other sudden danger occurs and in inciting and educating the public and disseminating fire extinguishing techniques.

10. The Fire Services Department: -

- (a) shall draft the constitution of the auxiliary fire brigade;
- (b) shall determine the duties and powers of the different levels of auxiliary fire brigade members;
- (c) shall carry out measures to train auxiliary fire brigade members so as to acquire techniques;
- (d) shall determine procedures relating to seeking of funds, custody and expenditure thereof of the different levels of auxiliary fire brigades.

11. Anyone who attains the age of sixteen years has the right to join the auxiliary fire brigade of his own will and in accordance with stipulations.

12. The Fire Services Department may, if necessary, coordinate with other Government departments and organizations in forming the auxiliary fire brigade.

## **Chapter VII**

### **Formation of the Reserve Fire Brigade**

13. The Fire Services Department shall direct the owner or manager of the factory, workshop, work-site and business exposed to fire hazard to form reserve fire brigades.

14. The Fire Services Department may allow the formation of reserve fire brigade in the factory, workshop, work-site and business exposed to fire hazard, in accordance with stipulations.

15. The Reserve Fire Brigade:-

- (a) shall submit to the supervision and inspection of the Head of the Fire Services Department concerned;
- (b) shall co-operate with the personnel of the fire brigade concerned in carrying out fire precaution, and

prevention work, when fire disaster, natural disaster, epidemic disease or other sudden danger occurs;  
(c) shall submit to the guidance of the Fire Services Department for training and for acquiring skills and techniques.

## **Chapter VIII**

### **Fire Precaution and Prevention Works**

16. The different levels of the State/Divisional, District, Township and Ward/ Village-tract Fire Precaution and Prevention Bodies:-

- (a) shall carry out the fire precaution and prevention work in accordance with the work programmes laid down by the Central Committee;
- (b) shall organize and educate the public to co-operate in the fire precaution and prevention work;
- (c) shall supervise as may be necessary for participation and assistance of the fire brigade, auxiliary fire brigade and reserve fire brigade in accordance with the work programmes laid down by the Central Committee when fire disaster, natural disaster, epidemic disease or any other sudden danger occurs.

17. The Head of the Township Fire Brigade Department:-

- (a) shall issue directives from time to time on fire precaution and prevention to be abided by people residing in the ward or village- tract;
- (b) shall inspect or cause to inspect whether the people residing in the ward or village-tract abide by the directives issued under sub-section(a).

18. The relevant Government department or organization shall, for the purpose of fire precaution and prevention obtain the approval of the Fire Services Department before granting permission for the following cases:-

- (a) constructing three-storeyed and above buildings and condominium buildings;
- (b) operating hotel, motel, guest house or lodging house enterprise;
- (c) constructing factory, workshop or storage tank and warehouses for business exposed to fire hazard;
- (d) operating business exposed to fire hazard by using inflammable materials or explosive materials;
- (e) producing and selling fire-extinguishing apparatuses;
- (f) doing transport business using public utility vehicles, train, aeroplane, helicopter, vessel, ship, tonkin tug, schooner, large boat, barge or motor-boat.

19. The relevant Government department or organization shall obtain the opinion of the Fire Services Department for the purpose of fire precaution and prevention, when laying down plans for the construction of town, village and town or village development plans.

20. The person who is authorized to issue permit for holding exhibition, tournament and festival at public place or doing business exposed to fire hazard shall obtain the opinion of the Head of the Fire Services Department concerned for the purpose of fire precaution and prevention.

## **Chapter IX**

### **Duties and Powers in respect of Outbreak of Fire**

21. When there is an outbreak of fire, the person in charge of Fire Service or any member of the relevant Fire Precaution and Prevention Body or any member of the Fire Brigade or Auxiliary Fire Brigade or Reserve Fire Brigade assigned duty, may exercise the following powers for extinguishing the fire:-

- (a) cutting off the electricity supply;
- (b) clearing the roads and streets for easy accessibility of fire engines;
- (c) entering the residence, premises and building if necessary to extinguish the fire effectively;
- (d) dismantling the residence, premises and building to which the fire is likely to spread to the extent required;
- (e) availing water from any place, well, pond and blocking other pipe lines for availability of more water;
- (f) using any vehicle available for fire-extinguishing work.

22. The Township Head of the Fire Brigade Department shall make investigation as soon as possible on the cause of outbreak of fire, estimated amount of the loss incurred and person responsible for the outbreak of fire. The findings of the inquiry shall be reported to the Director-General through the Head of State or Divisional Fire Services Department.

23. (a) The Minister may form an inquiry committee and assign duty thereon to investigate into any outbreak of fire.
- (b) When the inquiry committee is formed under sub-section(a), the investigation made under section 22 shall be suspended and the work of investigation that has already been done shall be handed over to the inquiry committee.

## **Chapter X**

### **The Duties and Powers of the Director-General**

24. The duties and powers of the Director-General are as follows:-

- (a) giving advice on the construction of town, village and town or village development plans in respect of fire precaution and prevention;
- (b) determining the duties and powers of the different levels of the fire brigades and auxiliary fire brigades;
- (c) supervising and giving guidance to the fire brigades, auxiliary fire brigades and reserve fire brigades;
- (d) opening fire brigade training courses;
- (e) making arrangements for the fire brigade members to attend training courses locally and abroad;
- (f) recommending to the authorities concerned fire brigade members, auxiliary fire brigade members, reserved fire brigade members, service personnel and the public who have made outstanding contributions in extinguishing the fire, in precaution and prevention of natural disaster, epidemic disease or other sudden danger to give rewards or to confer titles and awards;
- (g) carrying out measures to cause indemnity or damages to be given in accordance with stipulations if a member of the fire brigade or auxiliary fire brigade or reserve fire brigade dies or is injured while on active duty in extinguishing fire, taking precaution or prevention natural disaster, epidemic disease or other sudden danger;
- (h) conducting educative programmes for the public to understand the danger of fire;
- (i) causing research to be carried out in respect of fire-extinguishing work and modern fire-extinguishing techniques;
- (j) organizing to increase the number of auxiliary fire brigade members;
- (k) communicating and co-operating with international fire services organizations and other organizations;
- (l) carrying out the duties assigned and exercising the powers conferred by the Ministry and the Central Committee.

## **Chapter XI Prohibitions**

25. No person shall fail to abide by the directives in respect of fire precaution and prevention issued under section 17 by the Township Fire Services Department.
26. The owner or manager of the factory, workshop, work-site or business exposed to fire hazard shall
- (a) not fail to form the reserve fire brigade;
  - (b) not fail to provide materials and apparatuses for fire precaution and prevention;
- in conformity with the directive of the Fire Services Department.
27. No person shall, knowing that there is no outbreak of the report fraudulently to the fire brigade, auxiliary fire brigade or reserve fire brigade that there is an outbreak of fire.
28. No person shall obstruct or disturb the person in charge of fire brigade concerned or member of the fire precaution and prevention body concerned or a member of the fire brigade or auxiliary fire brigade or reserve fire brigade assigned duty by them in the exercise of any power contained in section 21.
29. No person shall establish an auxiliary fire brigade or reserve fire brigade without the directive or permission of the Fire Services Department.
30. No person shall dissolve the auxiliary fire brigade or reserve fire brigade established under the directive or with the permission of Fire Services Department without the approval of the said department.
31. No member of the fire brigade, auxiliary fire brigade or reserve fire brigade shall without the consent of the owner acquire any property, gift or money by way of bribe or by dishonest means, while discharging his duty during an outbreak of fire.

## **Chapter XII Penalties**

32. Whoever violates the provision of section 25 shall, on conviction be punished with imprisonment for a term which may extend to 1 year or with fine or with both.
33. An owner or a manager of a factory, workshop or worksite or business exposed to fire hazard who violates any provision of section 26 shall, on conviction be punished with imprisonment for a term which may extend to 3 years or with fine or with both.
34. Whoever violates the provision of section 27 shall, on conviction be punished with imprisonment for a term which may extend to 3 years or with fine or with both.
35. Whoever violates any provision of section 28 shall, on conviction be punished with imprisonment for a term which may extend to 5 years or with fine or with both.
36. Whoever violates the provision of section 29 or section 30 shall, on conviction be punished with imprisonment for a term which may extend to 3 years or with fine or with both.

37. Any member of the fire brigade, auxiliary fire brigade or reserve fire brigade who violates the provision of section 31 shall, on conviction be punished with imprisonment for a term which may extend to 7 years and may also be liable to a fine.

### **Chapter XIII Miscellaneous**

38. The service fee for conducting necessary inspection and measures for the purpose of precaution and prevention of fire hazard, shall be paid to the Fire Services Department in accordance with the stipulations.

39. No prosecution or suit shall lie against any person for the loss incurred due to extinguishing fire in good faith in an outbreak of fire.

40. While discharging duty in accordance with this Law or with rules, procedures, orders and directives made or issued thereunder members of the auxiliary fire brigade and reserve fire brigade shall be deemed to be public servants within the meaning of section 21 of the Penal Code.

41. The fire brigades, auxiliary fire brigades and reserve fire brigades formed under the Fire Services Law, 1963 shall be deemed to be the fire brigades, auxiliary fire brigades and reserve fire brigades formed under this Law.

42. Rules, procedures, orders and directives issued under the Fire Services Law, 1963 may, in so far as they are not inconsistent with the provisions of this Law continue to be applicable.

43. In order to carry out the provisions of this Law:-

(a) the Ministry may, with the approval of the Government issue such rules and procedures as may be necessary;

(b) the Ministry or Central Committee or Fire Services Department may issue such orders and directives as may be necessary.

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44. The Fire Services Law, 1963 is hereby repealed.

**Sd./ Than Shwe  
Senior General,  
Chairman  
The State Law and Order Restoration Council**