

UNION OF MYANMAR

MYANMAR LAWS

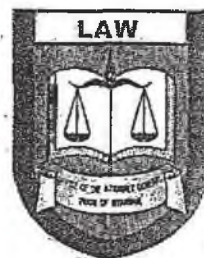
(2007)



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UNION OF MYANMAR

MYANMAR LAWS
(2007)



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FOREWORD

Office of the Attorney General (OAG) has published the English version of the laws in Myanmar; compiling laws enacted in 2007 as "Myanmar Laws (2007)". OAG had already published Myanmar Laws series from 1988 to 2006 in implementation of its functions and duties provided under the provisions of the Attorney General Law, 2001 and continued annual publication of the series will be made. It is intended that the publication will enrich the reader with the understanding of the laws of Myanmar.

This issue of Myanmar Laws include seven Myanmar laws. Among the seven laws, the Law Relating to Private Health Care Services is one. This Law is aimed at developing private health care services in accordance with the national health policy, to participate and carry out systematic private health care services in the national health care system to enable utilizing effectively the resources of private sector in providing health care to the public. It is also aimed to enable the public to choose private health care services as they desire in fulfilling their needs and also to obtain quality service at fair cost.

This issue also includes Orders, Announcements, Declarations and Notifications of the State Peace and Development Council and the Government of the Union of Myanmar.

OFFICE OF THE ATTORNEY GENERAL

NAY PYI TAW, UNION OF MYANMAR
APRIL, 2008

MYANMAR LAWS (2007)

CONTENTS

Sr. No.	Particulars	Page
	/ LAWS	
1.	The Law Amending the Myanmar Merchant Shipping Act, 2007 (Law No. 1 / 2007)	1
2.	The Law Amending the National Archive and Mawgun Law, 2007 (Law No. 2 / 2007)	10
3.	The State Supplementary Appropriation Law, 2007 (Law No. 3 / 2007)	13
4.	The State Budget Law, 2007 (Law No. 4 / 2007)	28
5.	The Law Relating to Private Health Care Services (Law No. 5 / 2007)	62
6.	The Law Amending the Outparts Act , (Law No. 6 / 2007)	92
7.	The Law for the Second Amending of the Judiciary Law 2000 (Law No. 7 / 2007)	93

Sr. No.	Particulars	Page
---------	-------------	------

ORDERS

8.	Appointment of Deputy Chief Justice (Order No. 2 / 2007)	97
9.	Conferring Powers Relating to Land Administration (Order No. 3 / 2007)	98
10.	Appointment of Minister (Order No. 4 / 2007)	99
11.	Appointment of Deputy Minsters (Order No. 5 / 2007)	100
12.	Appointment of Deputy Minsters (Order No. 6 / 2007)	101
13.	Prescribing Procedures Relating to the Drafting of the State Constitution (Order No. 7 / 2007)	102

NOTIFICATIONS

14.	New Year Holidays Designated (Notification No. 1 / 2007)	108
-----	---	-----

ANNOUNCEMENTS

15.	Formation and Assignment of Commission for Drafting State Constitution (Announcement No. 2 / 2007)	111
-----	--	-----

Sr. No.	Particulars	Page
16.	Assignment of Duty as Prime Minister (Declaration No. 3 / 2007)	122
17.	Assignment of Duty as Secretary (1) of the State Peace and Development Council (Declaration No. 4 / 2007)	123

NOTIFICATIONS OF THE GOVERNMENT

18.	Determination of Money Laundering Offences (Notification No. 13 / 2007)	127
-----	---	-----

ANNOUNCEMENTS OF THE GOVERNMENT

19.	Announcement No. 1 / 2007	131
20.	Announcement No. 2 / 2007	134
21.	Announcement No. 3 / 2007	135
22.	Announcement No. 4 / 2007	137

LAWS

The Union of Myanmar
The State Peace and Development Council
The Law Amending the Myanmar Merchant Shipping Act, 2007
(The State Peace and Development Council Law No. 1 / 2007)
The 6th Waning Day of Tabodwe, 1368 M.E.
(7th February, 2007)

The State Peace and Development Council hereby enacts the following
Law:

1. This Law shall be called **the Law Amending the Myanmar Merchant Shipping Act, 2007.**
2. The expression "**home - trade ship**" contained in the Myanmar Merchant Shipping Act shall be substituted respectively by the expression "**near coastal voyage ship**".

2

3. Sub-section (3) of section 2 of the Myanmar Merchant Shipping Act shall be substituted as follows:

"(3) **near coastal voyage ship** means a ship employed in trading between any ports in the Union of Myanmar or between any port in the Union of Myanmar and any port or place in India or Pakistan or in the Straits Settlements, or in the Island of Sri Lanka or countries as stated in the notification published by the Department of Marine Administration with the approval of the Ministry of Transport ;"

4. In the Myanmar Merchant Shipping Act:

(a) the expression "**Chairman of the State Peace and Development Council may**" contained in sub-section (1) of section 21, section 37 J, section 84 , sub-section (1) of section 145, section 145 A, section 191, sub-section (1) of section 213, section 216 A, section 219, section 224 C, sub-section (1) of section 224 M, sub-section (1) of section 245, section 245 J, section 245 Q, section 270 and section 294 A shall be substituted respectively by the expression "**Ministry of Transport may, with the approval of the Government**";

- (b) the expression "**Chairman of the State Peace and Development Council**" contained in the other sections except sections mentioned in the aforesaid sub-section (a) shall be substituted respectively by the expression "**Ministry of Transport**".

5. In the Myanmar Merchant Shipping Act:

- (a) sub-section (3) of section 8 shall be substituted as follows:

"(iii) to give to all persons desirous of apprenticing boys to the sea service and duty authorized so to do by the rules relating to the apprentices made under this Act, and also to owners and masters of Myanmar flagged ships requiring apprentices, such assistance as may be in their power for facilitating the making of such apprenticeships;"

- (b) sub-section (1) of section 14 shall be substituted as follows:

" Grades of (1) Certificates of competency shall be granted in
Certificates of accordance with this Act for each of the following
competency " grades, namely:

Master(foreign-going).	- Deck Officer Class
First mate(foreign-going).	- Deck Officer Class II.
Second mate(foreign-going).	- Deck Officer Class III.

Master - Deck Officer Class IV.
(Near Coastal Voyage)

Mate - Deck Officer Class V.
(Near Coastal Voyage)

First class engineer - Marine Engineer Officer Class I.

Second class engineer - Marine Engineer Officer Class II.

Third class engineer - Marine Engineer Officer Class III.

First class engineer - Marine Engineer Officer Class IV.
(Near Coastal Voyage)

Second class engineer - Marine Engineer Officer Class V.
(Near Coastal Voyage).

Engine driver - ---- -

- (c) the expression "**as master or mate**" contained in sub-section (2) of section 14 shall be substituted by the expression "**as master, mate or engineer**";

- (d) section 17 shall be substituted as follows:

17.(1) A naval officer who has attained the rank of lieutenant in the Myanmar Navy may be issued with an equivalent certificate to serve as master or first mate of a sea going vessel.

- (2) A naval officer who has attained the rank of engineer or assistant engineer in the Myanmar Navy may be issued an equivalent certificate to serve as first class engineer or

second class engineer of a sea going vessel.

- (3) The equivalent certificate shall differ in form from a certificate of competency, and shall contain the name and rank of the person to whom it is delivered.
- (4) The provisions of this Act including the penal provisions shall apply in the case of an equivalent certificate as they apply in the case of a certificate of competency.
- (5) The Ministry of Transport may, with the approval of the Government make rules relating to the issue of the equivalent certificate for naval officers" ;
- (e) the expression " **every home-trade ship of more than three hundred tons burden**" contained in sub-section (2) of section 22 shall be substituted by the expression " **every near coastal voyage ship of more than five hundred gross tonnage**";
- (f) sub-section (1) of section 23 shall be substituted as follows:
 - (1)Any boy not under sixteen years of age may be bound as an apprentice in the sea service to the owner of any ship registered in the Union of Myanmar to be employed in any such ship, being

the property of such person, and while so employed to be taught the craft and duty of a seaman, and the provisions of the rules relating to apprentices made under this Act shall, subject to the provisions of this Act, apply accordingly";

- (g) the expression " **except home-trade ships of a burden not exceeding three hundred tons** " contained in sub-section (1) of section 27 shall be substituted by the expression " **except near coastal voyage ships of gross tonnage not exceeding five hundred**";

- (h) section 37 B shall be substituted as follows:
 Employment of children 37 B. No young person under sixteen years of age shall be engaged or carried to sea to work in any capacity in any ship registered in the Union of Myanmar, and no young seaman under sixteen years of age shall be engaged or carried to sea to work in any capacity in any foreign ship, except;
 - (a) in a school-ship, or training-ship, in accordance with the prescribed conditions; or
 - (b) in a ship in which all persons employed are members of one family; or

- (c) in a near coastal voyage ship of gross tonnage not exceeding five hundred; or
 - (d) where such young person is to be employed on nominal wages and will be in the charge of his father or other adult near male relative";
- (i) clause (b) of sub-section (1) of section 251 shall be substituted as follows:
- "(b) if the master, mate or engineer holds a certificate under any of the Merchant Shipping Acts, in the following cases:
- (i) where the incompetency or misconduct has occurred on a Myanmar flagged ship on or near the coasts of the Union of Myanmar, or on board a Myanmar flagged ship in the course of a voyage to a port outside of Myanmar waters;
 - (ii) where the incompetency or misconduct has occurred on board a ship registered in the Union of Myanmar;
 - (iii) where the master, mate or engineer of a ship, who is charged with incompetency or

misconduct on board that ship, is found in the Union of Myanmar";

- (i) clauses (a) and (b) of sub - section (1) of section 260 shall be substituted as follows:

- "(a) if, on any investigation made under the Merchant Shipping Act, or on any investigation made by any Court or tribunal for the time being authorized by the legislative authority in the Union of Myanmar to make inquiry into charges of incompetency or misconduct on the part of masters, mates or engineers of ships, or as to shipwrecks or other casualties affecting ships, the Court or tribunal reports that the master, mate or engineer is incompetent or has been guilty, of any gross act or misconduct, drunkenness or tyranny, or that the loss, stranding or abandonment of, or damage to, any ship, or loss of life has been caused by his wrongful act or default;
- (b) if he is proved to have been convicted of any offence which, if committed in the Union of Myanmar, would be non-bailable."

6. In the Myanmar Merchant Shipping Act:

- (a) the amount of money contained in sections 122, 124 and 224 A shall be substituted respectively by the expression " kyats 10,000."
- (b) the amount of money contained in sections 40, 71, 113, 114, 115, sub-section (2) of section 116, sections 220, 221, 222, 224 B, 229, 245 H, 245 P, 274 and 284 shall be substituted respectively by the expression " kyats 100, 000."
- (c) the amount of money contained in section 224 M shall be substituted by the expression " kyats 500,000."

(Sd.) Than Shwe

Senior General

Chairman

The State Peace and Development Council

The Union of Myanmar

The State Peace and Development Council

The Law Amending the National Archive and Mawgun Law, 2007

(The State Peace and Development Council Law No. 2/2007)

The 6th Waxing Day of Taboung, 1368 M.E.

(21st February, 2007)

The State Peace and Development Council hereby enacts the following Law.

1. This Law shall be called the Law Amending the National Archive and *Mawgun* Law, 2007.

2. Section 6 of the National Archive and *Mawgun* Law shall be substituted as follows:

" 6.(a) the government departments shall transfer the records in their possession which have completed 12 years and are no longer

in use to the Department. Although 12 years have not been completed if they desire to transfer them to the Department, they may do so.

- (b) the Department shall, after examining the records of the government departments which have completed 12 years, take over the records which are found to be no longer in use and which may become *mawgun*.
- (c) the government departments shall keep the records which may become *mawgun* under the examination of the Department out of the records which have completed 12 years but are still in use in accordance with the examination and direction of the Department. Such records shall be transferred to the Department when they are no longer in use.
- (d) the Department may copy the records which may become *mawgun* as such.

3. Section 12 of the National Archive and *Mawgun* Law shall be substituted as follows:

" 12. The duties of the Director General are as follows:

- (a) supervising the conservation and safe custody of the records and *mawguns* of the Department;
- (b) communicating with government departments to obtain the records which are to be sent to the Department under sub-section (a) of section 6;

- (c) receiving the records transferred by the government departments under sub-section (a) and (c) of section 6;
- (d) preparing the lists of *mawgun* series of the archives established by the government departments and other organizations and keeping them at the Department;
- (e) carrying out duties assigned by the Minister and Supervisory Body."

4. Section 14 of the National Archive and *Mawgun* Law shall be substituted as follows:

" 14. No one shall destroy, alter, add or in any manner ruin any *mawgun* or any record which may become *mawgun* under the examination of the Department as provided in sub-section(6) of section "

5. The expression " Kyats 10000 " contained in section 18 of the National Archive and *Mawgun* Law shall be substituted by the expression " one hundred thousand kyats ".

(sd.) Than Shwe

Senior General

Chairman

The Sate Peace and Development Council

The Union of Myanmar

The State Peace and Development Council

The State Supplementary Appropriation Law, 2007

(The State Peace and Development Council Law No. 3 / 2007)

The 5th Waxing Day of Hnauing Tague, 1368 M.E.

(22nd March, 2007)

The State Peace and Development Council hereby enacts the following Law:-

Chapter I

Title and Period of Effectiveness

1. (a) This Law shall be called the State Supplementary Appropriation Law, 2007.
- (b) This Law shall have effect for the 2006-2007 financial year.

Chapter II

**Sanctioned Allotment and Administration
of Supplementary Expenditures**

2. (a) The respective persons who have been assigned responsibility for expenditures sanctioned in Schedules (1), (2), (3) and (4) in respect of the State Peace and Development Council, Multi-Party Democracy General Election Commission, Government,

Chief Justice, Attorney General, Auditor General, Ministries, Departments, and State Economic Organizations and Cantonment Municipalities may incur the relevant expenditures shown against them.

- (b) Appropriation sanctioned under sub-section (a) shall be deemed to be supplementary expenditure in addition to the appropriation sanctioned under the State Budget Law, 2006.
- 3.
 - (a) The respective persons who have been assigned responsibility under section 2 may delegate the respective officials subordinate to them to administer the expenditures for which they are responsible.
 - (b) In administering the expenditures, it shall be in conformity with the provisions of this Law, provisions of the State Budget Law, 2006, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.

Taking of Loans

4. Kyats three hundred thousand million is further appropriated in addition to the amount of loans actually received after the execution of loan agreements mentioned in section 13 of the State Budget Law, 2006.

(Sd.) Than Shwe

Senior General

Chairman

The State Peace and Development Council

**The State Peace and Development Council,
Government , Chief Justice,**

Serial Number	Serial Number contained in the State Budget Law, 2006	Subject	Responsible Person
1	2	3	4
1	1	The State Peace and Development Council	Chairman of the State Peace and Development Council or a person delegated by the Chairman
2	2	Multi-Party Democracy General Election Commission	Chairman of the Multi-Party Democracy General Election Commission or a person delegated by the Chairman
3	3	Government	Prime Minister or a person delegated by the Prime Minister
4	4	Chief Justice	Chief Justice or a person delegated by the Chief Justice
5	5	Attorney General	Attorney General or a person delegated by the Attorney General
6	6	Auditor General	Auditor General or a person delegated by the Auditor General
		Total	

Multi-Party Democracy General Election Commission ,
, Attorney General and Auditor General

Schedule (1)

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
				Disbursement of Loans	Repayment of Loans		
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
1,373,177,000			155,547,000				
25,995,000							
53,649,000			321,702,946,000				
2,026,785,000			33,590,000				
1,328,543,000			33,590,000				
2,670,783,000							
7,478,932,000			321,925,673,000				

Ministries and

Serial Number	Serial Number contained in the State Budget Law, 2006	Subject	Responsible Person
1	2	3	4
1	1	Foreign Affairs	Prime Minister or a person delegated by the Prime Minister
2	2	Defence	- ditto -
3	4	Progress of Border Areas and National Races and Development Affairs	- ditto -
4	5	Home Affairs	- ditto -
5	6	Immigration and Population	- ditto -
6	7	Religious Affairs	- ditto -
7	8	Social Welfare, Relief and Resettlement	- ditto -
8	9	Information	- ditto -
9	10	Culture	- ditto -
10	11	Education	- ditto -
11	12	Health	- ditto -
12	13	Sports	- ditto -
13	14	Labour	- ditto -

Departments

Schedule (2)

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
				Disbursement of Loans	Repayment of Loans		
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
415,245,000	-	900,000	12,362,960				
124,445,340,000	-	-	15,846,211,000				
1,337,808,490	-	202,918,000	2,390,297,100				
26,144,650,200	-	-	100,490,000				
2,472,818,000	-	-	20,262,460				
687,934,000	-	-	1,447,220				
1,301,089,000	-	45,160,000	-				
1,656,304,000	-	-	-				
941,938,000	-	-	31,950,000				
97,506,592,000	-	-	-				
20,480,375,000	-	-	-				
976,847,000	-	-	-				
506,298,000	-	-	-				

Ministries and

Serial Number	Serial Number contained in the State Budget Law, 2006	Subject	Responsible Person
1	2	3	4
14	15	Forestry	Prime Minister or a person delegated by the Prime Minister
15	16	Agriculture & Irrigation	- ditto -
16	17	Livestock Breeding and Fisheries	- ditto -
17	18	Mines	- ditto -
18	19	Industry No.(1)	- ditto -
19	20	Industry No.(2)	- ditto -
20	21	Science and Technology	- ditto -
21	22	Energy	- ditto -
22	23	Electric Power No.(1)	- ditto -
23		Electric Power No.(2)	- ditto -
24	24	Construction	- ditto -
25	25	Transport	- ditto -
26	26	Rail Transportation	- ditto -
27	27	Communications, Posts and Telegraphs	- ditto -
28	28	Commerce	- ditto -

Departments

Schedule (2)

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
				Disbursement of Loans	Repayment of Loans		
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
4,273,425,000		—	1,111,657,000				
14,827,433,000	—	—	—				
1,993,759,000	—	—	—				
417,117,000	—	—	—				
524,762,000	—	—	—				
174,220,000	—	—	—				
5,307,204,000	—	—	—				
82,399,000	—	—	—				
1,048,261,000	—	—	36,836,054,000				
44,020,000	—	—	—				
9,756,336,000	—	—	3,083,402,000				
1,975,215,000	—	—	25,261,060				
847,605,000	—	—	—				
46,306,000	—	—	—				
541,154,000	—	—	—				

Ministries and

Serial Number	Serial Number contained in the State Budget Law, 2006	Subject	Responsible Person
1	2	3	4
29	29	Hotels and Tourism Services	Prime Minister or a person delegated by the Prime Minister
30	30	Co-operatives	- ditto -
31	31	National Planning and Economic Development	- ditto -
32	32	Finance and Revenue	- ditto -
		Total	

Departments

Schedule (2) End

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
				Disbursement of Loans	Repayment of Loans		
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
106,405,000	—	—	—				
2,954,828,500	—	—	—				
1,790,055,000	—	—	—				
2,543,313,000	—	—	—				
328,127,056,190	—	248,978,000	59,459,394,800				

State Economic

Serial Number	Serial Number contained in the State Budget Law, 2006	Subject	Responsible Person	Current Expenditure
1	2	3	4	5
1	1	State Economic Organizations	Prime Minister or a person delegated by the Prime Minister	Kyats 179,240,464,600
Total				179,240,464,600

Organization

Schedule (3)

Supplementary Expenditure Sanctioned						
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
			Disbursement of Loans	Repayment of Loans		
6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
		30,945,875,480				
		30,945,875,480				

Cantonment

Serial Number	Serial Number contained in the State Budget Law, 2006	Subject	Responsible Person	Current Expenditure
1	2	3	4	5
1	1	Cantonment Municipalities under the Ministry of Defence	Prime Minister or a person delegated by the Prime Minister	Kyats 77,578,000
		Total		77,578,000

The Union of Myanmar
The State Peace and Development Council
The State Budget Law, 2007
(The State Peace and Development Council Law No. 4/2007)
The 12th Waxing Day of Hnaung Tague, 1368 M.E.
(29th March, 2007)

The State Peace and Development Council hereby enacts the following Law:-

PART I

Title and Date of Effectiveness

1. (a) This Law shall be called the State Budget Law, 2007.
(b) The provisions of this law shall take effect commencing from 1st April, 2007 for the financial year 2007-2008.

PART II

**The State Peace and Development Council, Multi-Party Democracy
General Election Commission, Government, Chief Justice, Attorney
General, Auditor General, Ministries and Departments**

Chapter I

Receipts and Expenditures

2. The State Peace and Development Council, Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments shall carry out their functions in accordance with the State Budget Programme. In carrying out such functions, all receipts shall be credited to the State Budget and all expenditures payable shall be debited from the State Budget.
3. (a) The respective persons who have been assigned responsibility for the receipts and expenditures of the State Peace and Development Council, Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments shall supervise and collect those receipts and administer those expenditures as are shown against them in Schedules (1),(2),(3) and (4).

- (b) The respective persons who have undertaken the responsibility under sub-section (a) may delegate their powers to the respective persons serving under them.
 - (c) Supervision and collection of the receipts and administration of the expenditures shall be in accordance with the provisions of this Law, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.
4. (a) Out of the estimated receipts shown in Schedules (1) and (3), if foreign aids and loans received under Chapter III exceed the estimated amount, and if expenditures of those works which are to be incurred out of such excess amount received as foreign aids and loans are in excess of the sanctioned expenditures shown in Schedules (2) and (4), the Government may approve after scrutiny. Provided that, if expenditures to be incurred out of the State Budget in Kyats converted from the aforesaid foreign aids and loans are not covered by the sum shown in Schedules (2) and (4), then it may be incurred out of the reserve fund in accordance with the provisions of section 6.
- (b) The Government shall submit matters relating to expenditures in excess permitted under sub-section (a) to the State Peace and Development Council, together with objects and reasons case-wise.

5. In respect of any alterations of sums shown in Schedules (1), (2), (3) and (4) under requirement of work, it shall be shown in the revised estimate budget for the 2007-2008 financial year submitted to the State Peace and Development Council.

Chapter II

Reserve Fund

6. (a) Expenditures incurred by the State Peace and Development Council, Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments out of the reserve fund shown in Schedule (4), column 12 shall be effected only in accordance with the following conditions:-
- (i) being expenditure which cannot be anticipated ;
 - (ii) being a case in which expenditure must be incurred within the financial year;
 - (iii) where transfer of budget heads cannot be effected or where there is no allotment for transfer of budget heads under the existing laws, rules, regulations and bye-laws..
- (b) Any expenditure from the reserve fund shall be made only by the decision of the Government.

- (c) The Government shall submit matters relating to expenditure to be incurred out of the reserve fund to the State Peace and Development Council together with objects and reasons case-wise.

7. The State Peace and Development Council, Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments shall not be allowed to submit supplementary budget of the State in respect of receipt of amounts in excess of or less than the estimated amount under this Law or appropriation of allotment by transferring budget heads within the sanctioned expenditure or expenditure incurred from the reserve fund or expenditure incurred with the sanction of the Government under section 4. Provided that, if expenditures in conformity with the conditions contained in section 6 are not covered by the reserve fund allowed under this Law, then such expenditures may be submitted to the State Peace and Development Council together with objects and reasons case-wise.

Chapter III

Taking of Loans

8. For the purpose of projects or for expenditures shown in the State Budget, the Government may take loans by issuing security bonds guaranteed by the State or debentures and by other means, within the country or from abroad. Reasonable rates of interest may be prescribed for such loans. Conditions for repayment, redemption or provision otherwise may also be stipulated.

9. Regarding loans obtained by issuing security bonds for covering the deficit in the budget of the previous financial year, new security bonds may be issued when payment of the loan becomes due.

10. The State Economic Organizations and Cantonment Municipalities may take loans from abroad for their projects, with the approval of the Government.

11. The Government may grant permission to any Government Department to borrow money from abroad for any project.

12. (a) The Government may empower the Minister of the Ministry of Finance and Revenue for carrying out wholly or partly the duties contained in this Chapter III.

(b) The Minister of the Ministry of Finance and Revenue may, on behalf of the State, furnish guarantees for taking of loans under this Chapter III.

13. During the financial year commencing from 1st April, 2007 and ending on 31st March, 2008 the total amount of loans actually received by execution of loan agreements under this Chapter III shall not exceed Kyats six hundred thousand million.

PART III
State Economic Organizations

14. The State Economic Organizations shall carry out their functions in accordance with the State Budget Programme. In carrying out such functions, all receipts shall be credited to the State Budget and all expenditures payable shall be debited from the State Budget.

15. (a) The respective persons who have been assigned responsibility for the receipt and expenditure of the State Economic Organizations shall supervise and collect those receipts and administer those expenditures as are shown against them in Schedules (5) and (6).
- (b) The respective persons who have undertaken the responsibility under sub-section (a) may delegate their powers to the respective persons serving under them.
- (c) Supervision and collection of the receipts and administration of the expenditures shall be in accordance with the provisions of this Law, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.
16. (a) The Government may alter the amounts shown in Schedules (5) and (6), if it becomes necessary for the functions of the State Economic Organizations. Such alterations shall be shown in the revised estimate budget for the 2007-2008 financial year

submitted to the State Peace and Development Council, together with objects and reasons therefor.

- (b) The Government may determine the amount of money to be contributed by the State Economic Organizations towards the State.

PART IV

Cantonment Municipalities

17. The Cantonment Municipalities shall subsist on their own funds and shall carry out their functions in accordance with their Budget Programmes.

- 18. (a) The respective persons who have been assigned responsibility for the receipt and expenditure of Cantonment Municipalities shall supervise and collect those receipts and administer those expenditures as are shown against them in Schedules (7) and (8).
- (b) The respective persons who have undertaken the responsibility under sub-section (a) may delegate their powers to the respective persons serving under them.
- (c) Supervision and collection of the receipts and administration of the expenditures shall be in accordance with the provisions of this Law, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.

19. (a) The Government may alter the amounts shown in Schedules (7) and (8), if it becomes necessary for the functions of Cantonment Municipalities. Such alterations shall be shown in the revised estimate budget for the 2007-2008 financial year submitted to the State Peace and Development Council, together with objects and reasons therefor.
- (b) The Government may permit Cantonment Municipalities to obtain money required for carrying out their functions or for investment from grants or loans.
20. The Cantonment Municipalities may collect only such rates and taxes permitted under the existing laws, rules, regulations, bye-laws, orders, directives as are relevant to them.

PART V**Development Committees and Municipalities**

21. The Government may grant loans and contributions to the Development Committees and Municipalities.

(Sd) Than Shwe

Senior General

Chairman

The State Peace and Development Council

**The State Peace and Development Council,
Government, Chief Justice,**

Serial Number	Subject	Responsible Person	Receipts from the State Economic Organizations	
			Taxes	
1	2	3	4	5
			Kyats	Kyats
1	The State Peace and Development Council	Chairman of the State Peace and Development Council or a person delegated by the Chairman		
2	Multi-Party Democracy General Election Commission	Chairman of the Multi-Party Democracy General Election Commission or a person delegated by the Chairman		
3	Government	Prime Minister or a person delegated by the Prime Minister		
4	Chief Justice	Chief Justice or a person delegated by the Chief Justice		
5	Attorney General	Attorney General or a person delegated by the Attorney General		
6	Auditor General	Auditor General or a person delegated by the Auditor General		
	Total			

**Multi-Party Democracy General Election Commission,
Attorney General and Auditor General**

Schedule (1)

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debits		Receipts from Investment in Organizations	Savings
				Recovery of Loans	Drawal of Loans		
6	7	8	9	10	11	12	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
24,200,000							
1,200,000							
16,000,000		150,000					
900,000,000							
19,000,000							
25,000,000		1,000					
985,400,000		151,000					

**The State Peace and Development Council,
Government, Chief Justice,**

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	3	4
			Kyats
1	The State Peace and Development Council	Chairman of the State Peace and Development Council or a person delegated by the Chairman	3,537,628,000
2	Multi-Party Democracy General Election Commission	Chairman of the Multi-Part mocracy General Election Commission or a person delegated by the Chairman	62,000,000
3	Government	Prime Minister or a person delegated by the Prime Minister	500,000,000
4	Chief Justice	Chief Justice or a person delegated by the Chief Justice	3,111,100,000
5	Attorney General	Attorney General or a person delegated by the Attorney General	1,877,000,000
6	Auditor General	Auditor General or a person delegated by the Auditor General	3,645,000,000
	Total		12,732,728,000

**Multi-Party Democracy General Election Commission,
Attorney General and Auditor General**

Schedule (2)

Expenditures						
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organi- zations	Savings
			Disbursement of Loans	Repayment of Loans		
5	6	7	8	9	10	11
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
	5,000,000	1,969,330,640				
		10,000,000				
		200,094,748,500				
		328,805,000				
		173,391,500				
		829,000,000				
	5,000,000	203,405,275,640				

Ministries and

Serial Number	Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
1	2	3	4	5
			Kyats	Kyats
1	Tax levied on inland productions and public consumption	Prime Minister or a person delegated by the Prime Minister	271,215,785,000	
1	Excise duty		4,743,868,000	
2	Commercial tax		250,512,629,000	
3	Licence fees on imported goods		450,000,000	
4	State Lottery		8,771,408,000	
5	Taxes on Transport		1,620,000,000	
6	Sales proceeds of stamps		5,117,880,000	
2	Taxes levied on income and ownership	- ditto -	235,598,083,000	
1	Income-Tax		155,331,892,000	
2	Profit-tax		80,266,191,000	
3	Customs duties	- ditto -	15,000,000,000	
1	Customs duties		15,000,000,000	
4	Taxes levied on utility of State owned properties	- ditto -	120,497,000	
1	Taxes on land (Land Revenue)		93,612,000	
2	Water Tax and Embankment Tax		26,885,000	

[illegible]

Ministries and

Serial Number	Subject	Responsible Person		
			Taxes	Receipts from the State Economic Organizations
1	2	3	4	5
			Kyats	Kyats
3	Tax on extraction of forest products		4,289,700,000	
4	Tax on extraction of mineral		20,187,000	
5	Tax on Fisheries		3,400,000,000	
6	Tax levied on rubber		300,000	
5	Receipts from the State Economic Organizations	Prime Minister or a person delegated by the Prime Minister		501,478,615,000
6	Foreign Affairs	- ditto -		
7	Defence	- ditto -		
8	Progress of Border Areas and National Races and Development Affairs	- ditto -		
9	Home Affairs	- ditto -		
10	Immigration and Population	- ditto -		
11	Religious Affairs	- ditto -		
12	Social Welfare, Relief and Resettlement	- ditto -		
13	Information	- ditto -		
14	Culture	- ditto -		
15	Education	- ditto -		
16	Health	- ditto -		
17	Sports	- ditto -		
18	Labour	- ditto -		
19	Forestry	- ditto -		
20	Agriculture & Irrigation	- ditto -		
21	Livestock Breeding and Fisheries	- ditto -		
22	Mines	- ditto -		

Departments

Continuation of Schedule (3)

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receipts from Investment in Organizations	Savings
				Recovery of Loans	Drawal of Loans		
6	7	8	9	10	11	12	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
8,200,000							
18,108,980,000							
94,712,200							
1,086,525,000							
618,560,000							
51,215,000							
106,420,000							
772,004,000							
70,467,000							
5,487,038,000			56,353,000				
4,667,254,190		1,200,000	91,466,000				
125,015,000		50,000					
71,005,200							
710,000,000			1,080,000			22,000,000	
8,735,425,000		50,850,000					
754,800,000							
133,700,000		100,000					

Ministries and

Serial Number	Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
1	2	3	4	5
			Kyats	Kyats
23	Industry No.(1)	Prime Minister or a person delegated by the Prime Minister		
24	Industry No.(2)	- ditto -		
25	Science and Technology	- ditto -		
26	Energy	- ditto -		
27	Electric Power No.(1)	- ditto -		
28	Electric Power No.(2)	- ditto -		
29	Construction	- ditto -		
30	Transport	- ditto -		
31	Rail Transportation	- ditto -		
32	Communications, Posts and Telegraphs	- ditto -		
33	Commerce	- ditto -		
34	Hotels and Tourism Services	- ditto -		
35	Co-operative	- ditto -		
36	National Planning and Economic Development	- ditto -		
37	Finance and Revenue	- ditto -		
38	Pensions and Gratuities	- ditto -		
	Total		529,644,552,000	501,478,615,000

Departments

Schedule (3) end

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receipts from Investment in Organizations	Savings
				Recovery of Loans	Drawal of Loans		
6	7	8	9	10	11	12	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
528,583,300							
380,000							
951,958,000			500,000				
100,000							
10,004,500					52,142,000		
5,632,000,000		10,000,000					
1,016,036,000							
1,690,532,000							
300,000,000							
1,723,446,400							
214,785,000							
202,436,600			6,511,000				
535,683,650		250,400,000					
5,033,174,100	14,810,000			58,019,000			
505,000							
59,440,945,140	14,810,000	312,600,000	155,910,000	58,019,000	52,142,000	22,000,000	

Ministries and

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	3	4
			Kyats
1	Foreign Affairs	Prime Minister or a person delegated by the Prime Minister	944,038,000
2	Defence	- ditto -	256,368,575,300
3	Tatmadaw Affairs	- ditto -	
4	Progress of Border Areas and National Races and Development Affairs	- ditto -	5,411,509,000
5	Home Affairs	- ditto -	45,328,975,000
6	Immigration and Population	- ditto -	4,360,900,000
7	Religious Affairs	- ditto -	2,111,520,000
8	Social Welfare, Relief and Resettlement	- ditto -	2,695,000,000
9	Information	- ditto -	3,522,000,000
10	Culture	- ditto -	1,837,841,940
11	Education	- ditto -	151,772,258,000
12	Health	- ditto -	34,282,000,000
13	Sports	- ditto -	2,335,200,000
14	Labour	- ditto -	840,063,000
15	Forestry	- ditto -	10,504,336,600
16	Agriculture & Irrigation	- ditto -	49,081,411,000
17	Livestock Breeding and Fisheries	- ditto -	3,840,346,000

Departments

49

Schedule (4)

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings	Reserve Fund
			Disbursement of Loans	Repayment of Loans			
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
	8,362,000	371,483,420					
		95,764,920,000					
	5,301,491,000	16,816,362,830					
	524,770	2,000,001,070					
		249,936,000					
	100,379,600	130,137,600					
	71,450,000	2,699,999,990					
		7,767,990,920					
	58,060	2,251,765,800					
		17,364,785,620					
	3,321,000	9,900,000,050					
	21,400,000	1,207,000,250					
	187,000	139,588,500					
	645,400	3,711,088,000					
	413,000	69,623,858,830					
	474,000	1,908,651,890					

Ministries and

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	3	4
			Kyats
18	Mines	Prime Minister or a person delegated by the Prime Minister	1,141,000,000
19	Industry No.(1)	- ditto -	875,028,800
20	Industry No.(2)	- ditto -	409,300,000
21	Science and Technology	- ditto -	8,949,800,000
22	Energy	- ditto -	187,000,000
23	Electric Power No.(1)	- ditto -	5,699,000,000
34	Electric Power No.(2)	- ditto -	114,000,000
25	Construction	- ditto -	16,347,500,000
26	Transport	- ditto -	4,307,210,000
27	Rail Transportation	- ditto -	1,652,000,000
28	Communications, Posts and Telegraphs	- ditto -	122,700,000
29	Commerce	- ditto -	1,222,007,000
30	Hotels and Tourism Services	- ditto -	187,579,000
31	Co-operatives	- ditto -	4,378,268,000

Departments

Schedule (4)

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings	Reserve Fund
			Disbursement of Loans	Repayment of Loans			
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
		135,330,000					
		132,647,000					
		85,660,050					
	200,000	25,951,000,070					
		2,800,000					
800,000		66,372,848,000					
		23,000,000					
		84,177,100,840					
4,415,250	870,000	35,026,351,600		105,000,000			
		762,875,110					
	1,300,000	29,970,000					
	320,000	203,439,500					
	60,000	45,511,100					
	2,366,220	205,418,970					

Ministries and

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	3	4
32	National Planning and Economic Development	Prime Minister or a person delegated by the Prime Minister	Kyats 4,296,300,000
33	Finance and Revenue	- ditto -	6,406,755,000
34	Pensions and Gratuities	- ditto -	6,033,235,000
35	Gratuities and Commuted Pensions	- ditto -	15,001,500,000
36	Reserve Fund	Responsible person who is authorized to administer the allotment from this Fund as shown in Schedules 1, 2 & 3 or a person delegated by such responsible person	
	Total		652,566,156,640

Departments

53

Schedule (4) end

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings	Reserve Fund
			Disbursement of Loans	Repayment of Loans			
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
		2,578,980,720					
113,148,587,000	180,000	1,301,983,970		277,839,000	17,500,000	30,000	100,000,000
113,153,802,255	5,514,002,050	448,942,487,700		382,839,000	17,500,000	30,000	100,000,000

State Economic

Serial Number	Subject	Responsible Person		
			Taxes	Receipts from the State Economic Organizations
1	2	3	4	5
1	State Economic Organizations	Prime Minister or a person delegated by the Prime Minister	Kyats	Kyats
Total				

Organizations

Schedule (5)

Receipts						
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receipts from Investment in Organizations
				Recovery of Loans	Drawal of Loans	
6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
2,084,609,389,000		4,325,000			1,065,834,000	
2,084,609,389,000		4,325,000			1,065,834,000	

State Economic

Serial Number	Subject	Responsible Person	Current Expenditure	Payment of Interest
			4	5
1	State Economic Organizations	Prime Minister or a person delegated by the Prime Minister	Kyats 2,071,421,090,000	Kyats
	Total		2,071,421,090,000	

Organizations

Schedule (6)

Expenditures					
Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
		Disbursement of Loans	Repayment of Loans		
6	7	8	9	10	11
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
	226,778,171,000		670,396,000		
	226,778,171,000		670,396,000		

Cantonment

Serial Number	Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
			4	5
1	Cantonment Municipalities under the Ministry of Defence	Prime Minister or a person delegated by the Prime Minister	Kyats	Kyats
	Total			

Municipalities

Schedule (7)

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receipts from Investment in Organizations	Savings
				Recovery of Loans	Drawal of Loans		
6	7	8	9	10	11	12	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
253,233,700							
253,233,700							

Cantonment

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	3	4
1	Cantonment Municipalities under the Ministry of Defence	Prime Minister or a person delegated by the Prime Minister	Kyats 214,352,000
	Total		214,352,000

The Union of Myanmar

The State Peace and Development Council

The Law Relating to Private Health Care Services

(The State Peace and Development Council Law No. 5/2007)

The 4th Waning Day of Hnaung Tahu, 1368 M.E.

(5 April , 2007)

The State Peace and Development Council hereby enacts the following

Law:

Chapter I

Title and Definition

1. This Law shall be called the **Law Relating to Private Health Care Services**.
2. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Health care services** mean any service with respect to knowledge, technology and expertise relating to health care, including promotion of knowledge and behaviour on health, prevention of disease, diagnosis of disease, treatment of disease, rehabilitation of health and

research;

- (b) **Health care** means the activities with respect to knowledge, technology and expertise relating to health, including promotion of physical, mental and social well-being, prevention of disease, diagnosis of disease, treatment of disease, rehabilitation of health and research;
- (c) **Private health care services** mean any health care services contained in section 7 carried out by any private organization or individual with the intention to or not to obtain profit;
- (d) **Private clinic** means the clinic established systematically in accordance with the stipulations to carry out health care services as a private service for out-patients;
- (e) **Private general clinic** means the private clinic where medical treatment is provided, using relevant knowledge and skill by the person who has obtained the general medical practitioner's licence issued by Myanmar Medical Council, or the person who has obtained dental and oral surgeon registration, certificate or licence issued by the Dental and Oral Medical Council;
- (f) **Private specialist clinic** means private clinic where medical treatment is provided using relevant knowledge and skill by the person who has

obtained specialist medical practitioner's licence issued by the Myanmar Medical Council, or the person who has obtained specialist dental or oral surgeon registration certificate or licence issued by the Dental and Oral Medical Council for special treatment;

- (g) **Private hospital** means the hospital established systematically to carry out health care activities as a private service in accordance with the stipulations for out-patients and in-patients;
- (h) **Private general hospital** means the private hospital where health care is undertaken and provided by the health care personnel who has obtained general medical practitioner's licence or specialist medical practitioner's licence issued by the Myanmar Medical Council, or the person who has obtained dental and oral surgeon registration certificate or licence issued by the Dental and Oral Medical Council;
- (i) **Private specialist hospital** means the private hospital where health care is undertaken and provided by the person who has obtained one or more speciality's licence issued by the Myanmar Medical Council for specialist health care, or the person who has obtained specialist dental or oral surgeon registration certificate or licence for specialist

treatment issued by the Dental and Oral Medical Council;

- (j) **Private maternity home** means the maternity home established systematically in accordance with the stipulated characteristics to carry out ante-natal care, normal delivery and health care during and after child birth by admitting the pregnant women as a private service;
- (k) **Private diagnostic service** means provision of laboratory analysis of disease, radiological imaging and any other means of assistance in diagnosing and medical treatment as a private service;
- (l) **Private nursing home** means the premises established systematically in accordance with the stipulations to carry out nursing service after admission to persons suffering from physical or mental disease, persons in need of medical rehabilitation and aged persons as a private service;
- (m) **Private mobile health care service** means the health care services provided by the provider of health care as a mobile private service;
- (n) **Private health care agency** means the health care services for transportation of patient or undertaking local and foreign communication for health care as a private service;

- (o) **Private general health care service** means the health care service carried out by using or not using the electricity, heat, light, any kind of chemical or any instrument by any other means with respect to any physical or mental condition as a private service;
- (p) **Technician** means the person who has obtained the certificate, diploma, title or degree conferred by the training, school, institute, college or university established to teach the relevant technologies with respect to health care by any government department and organization or with the permission of any government department and organization. The said expression also includes the person who has obtained the certificate, diploma, title or degree conferred by a foreign country and also recognized by the Ministry of Health;
- (q) **Person-in-charge** means the person who has established, supervised or taken charge of the administrative duty of any private health care services;
- (r) **Health care service provider** means the person who has obtained medical practitioner's licence issued by the Myanmar Medical Council, dental and oral surgeon registration certificate or licence issued by the Dental and Oral Medical Council, nursing or midwifery licence issued by the Nurse and Midwifery Council and technicians;

- (s) **Central Body** means the Central Body relating to private health care services formed under this Law;
- (t) **Supervisory Committee** means the Supervisory Committee relating to private health care services formed under this Law.

Chapter II

Aims

3. The aims of this Law are as follows:

- (a) to develop private health care services in accordance with the national health policy;
- (b) to participate and carry out systematically by private health care services in the national health care system as an integral part;
- (c) to enable utilizing effectively the resources of private sector in providing health care to the public;
- (d) to enable the public to choose as desired in fulfilling their needs for health by establishing private health care services;
- (e) to enable provision of quality service at fair cost and to take responsibility.

Chapter III

Formation of the Central Body relating to Private Health Care Services

4. The Government:

- (a) shall form the Central Body relating to private health care services with not more than 21 persons consisting of the Minister for the Ministry of Health as Chairman, the Deputy Minister for the Ministry of Health as Deputy Chairman, the Director General of the Department of Health as the Secretary, the heads and representatives of the relevant government departments and organizations and representatives of the non-governmental organizations as members;
- (b) in forming under sub-section (a), may, if necessary, determine and assign duty to a suitable person out of the members as Joint Secretary;
- (c) may reorganize the Central Body formed under sub-section (a) as may be necessary.

Chapter IV

Duties and Powers of the Central Body

5. The duties and powers of the Central Body are as follows:

- (a) giving guidance in accordance with the national health policy relating to the private health care services;
- (b) giving guidance to maintain and promote the quality of private health care services by the relevant responsible persons in conformity with the stipulated standards and criteria;
- (c) granting or refusing to grant prior permission in respect of application to obtain prior permission to build new building or renovate a building to establish any private health care services other than private mobile health care service, private health care agency and private general clinic service;
- (d) determining the types of private hospital and kinds of curable disease;
- (e) issuing or refusing to issue licence in respect of application to grant the operation of any private health care services other than application for the operation of private general clinic service;
- (f) inspecting and supervising the private health care services as to whether or not they comply with the prescribed terms and conditions;

- (g) forming the necessary bodies comprising suitable persons to perform special matters and assigning duty thereto in respect of private health care services;
- (h) issuing directives for the private health care services to comply with and exercise the modern and developed medical technologies and methods;
- (i) determining necessary characteristics and requirements for private health care services;
- (j) forming supervisory committees relating to private health care services at the State, Divisional, District and Township levels and assigning functions and duties thereto;
- (k) giving decision on matters submitted by the different levels of supervisory committees;
- (l) forming the working committees for implementation of its duties and powers effectively;
- (m) revising or setting aside any decision of the State and Divisional Supervisory Committees;

- (n) determining the term of licence, licence fee and renewal fee of private health care services;
 - (o) submitting, if necessary, to the Government through the Ministry of Health on matters relating to private health care services.
6. The Central Body may, if necessary, delegate its duties and powers to the working committee or the different levels of supervisory committee or any organization or department.

Chapter V

Private Health Care Services

7. The private health care services are as follows:
- (a) private clinic service:
 - (1) private general clinic service;
 - (2) private specialist clinic service;
 - (b) private hospital service:
 - (1) private general hospital service;
 - (2) private specialist hospital service;
 - (c) private maternity home service;
 - (d) private diagnostic service;

- (e) private nursing home service;
- (f) private mobile health care service;
- (g) private health care agency;
- (h) private general health care service.

Chapter VI

Characteristics of the Private Hospital

7. The private hospital shall be in conformity with the following characteristics:
 - (a) having sufficient specific land area and constructing at the place permitted;
 - (b) the structural design and partition of rooms being in conformity with stipulated standards;
 - (c) having arrangement to keep the interior, exterior and premises of the hospital clean and tidy in conformity with health;
 - (d) having arrangement to carry out 24 hours duty by the stipulated health care service providers;
 - (e) having arrangement to provide 24-hour health care service to emergency out-patients and in-patients;

- (f) enabling to provide emergency life-saving health care service to patients;
- (g) having disinfected and well-equipped operation theatre for operating out-patient or in-patient;
- (h) having equipment and medicines in conformity with stipulated standard;
- (i) enabling diagnosis of disease according to the class and type of hospital;
- (j) having patient referral system;
- (k) having arrangement for the safe blood transfusion;
- (l) maintaining the systematic medical record;
- (m) having accountable supervisory and administration system according to the class and type of hospital;
- (n) carrying out for not affecting the environment, non-dissemination of infectious disease and systematic disposal of wastes according to the stipulated standard;

- (o) having arrangement for obtaining safe drinking water and water for domestic use sufficiently;
- (p) constructing a systematic water supply and sewerage system;
- (q) having systematic arrangements for preventive measures for disasters and emergency rescue;
- (r) having good communication system;
- (s) having arrangement to obtain 24 hours electricity;
- (t) having stipulated arrangement for deceased patients;
- (u) carrying out other requirements stipulated by the Central Body from time to time.

Chapter VII

Characteristics of the Private Clinic

9. The private clinic shall be in conformity with the following characteristics:
 - (a) being a building or room having suitable area;
 - (b) providing treatment only to out-patient, having no permission to admit in-patient;

- (c) having arrangement to keep the interior and exterior of the clinic clean and tidy in conformity with health;
- (d) having patient referral system;
- (e) maintaining the systematic medical record;
- (f) carrying out for not affecting the environment, non-dissemination of infectious disease and systematic disposal of wastes according to the stipulated standard;
- (g) having arrangement for obtaining safe drinking water and water for domestic use sufficiently;
- (h) constructing a systematic water supply and sewerage system;
- (i) providing health care services by stipulated health care service providers;
- (j) carrying out other requirements stipulated by the Central Body from time to time.

Chapter VIII

Characteristics of the Private Maternity Home

10. The private maternity home shall be in conformity with the following

characteristics:

- (a) having specific premises and specific building;
- (b) having arrangement to provide 24-hour health care for maternity patients and new-born children;
- (c) arranging to keep the interior, exterior and premises of the maternity home clean and tidy in conformity with health;
- (d) enabling to provide emergency life-saving health care service to patients;
- (e) having disinfected well-equipped operation theatre for operating the out-patient or in-patient;
- (f) having equipment and medicines in conformity with stipulated standard;
- (g) having patient referral system;
- (h) having arrangement for the safe blood transfusion;
- (i) maintaining the systematic medical record;
- (j) carrying out for not affecting the environment, non-dissemination of infectious disease and systematic disposal of wastes according to the

stipulated standard;

- (k) having arrangement for obtaining safe drinking water and water for domestic use sufficiently;
- (l) constructing a systematic water supply and sewerage system;
- (m) having systematic arrangement for preventive measure for disasters and emergency rescue;
- (n) having good communication system;
- (o) having arrangement to obtain 24 hours electricity;
- (p) providing health care services by stipulated health care service providers;
- (q) carrying out other requirements stipulated by the Central Body from time to time.

Chapter IX

Prior Permission for Private Health Care Services

11. A person desirous of constructing a new building or renovating the existing building for establishing any private health care services other than private mobile health care service and private health care agency shall, to obtain prior permission,

apply to the relevant Township Supervisory Committee together with the recommendation of the relevant development committee or development body in accordance with the stipulations mentioning the following facts:

- (a) the health care service to be established;
- (b) location, area and address of the service to be established;
- (c) land and buildings surrounding the location;
- (d) constitution of building and rooms;
- (e) health care programme;
- (f) other requirements stipulated by the Central Body from time to time.

12. The relevant Township Supervisory Committee shall , after scrutinizing the application made under section 11, submit to the District Supervisory Committee, and the District Supervisory Committee shall submit to the State and Divisional Supervisory Committee stage by stage together with remarks.

13. The State and Divisional Supervisory Committee, in respect of the application made under section 11:

- (a) shall, if it is of matter for prior permission to construct a new

building or renovate the existing building for establishing any private health care services other than private general clinic services, submit to the Central Body together with remarks;

- (b) may, after scrutiny, if it is of matter for prior permission to construct a new building or renovate the existing building for establishing private general clinic services, issue the prior permission together with the stipulated terms and conditions or refuse to issue the prior permission.

14. The Central Body may, after scrutinizing the application for the prior permission submitted by the State and Divisional Supervisory Committee to construct a new building or renovate the existing building for establishing any private health care services under sub-section (a) of section 13, issue the prior permission together with the stipulated terms and conditions or refuse to issue the prior permission.

Chapter X

Licence for Private Health Care Services

- 15. A person desirous of establishing any private health care services shall:
 - (a) apply to the relevant Township Supervisory Committee in accordance with the stipulations to obtain licence for private health care services

which he desires to carry out ;

- (b) if it is an application of licence for any private health care services other than private mobile health care service and private health care agency, submit together with the prior permission issued under sub-section (b) of section 13 or section 14.

16. The Township Supervisory Committee shall, after scrutinizing the application made under sub-section (a) of section 15 in accordance with the stipulations, submit to the District Supervisory Committee and the District Supervisory Committee shall submit to the State and Divisional Supervisory Committee stage by stage together with remarks.

17. The State and Divisional Supervisory Committee:

- (a) shall submit the application of licence to carry out any private health care services other than private general clinic service to the Central Body together with remarks.
- (b) may, after scrutinizing the application of licence to carry out private general clinic services, issue the licence together with the stipulated terms and conditions or refuse to issue the licence.

18. The Central Body may, after scrutinizing the application of licence submitted by the State and Divisional Supervisory Committee under sub-section (a) of

section 17, issue the licence together with the stipulated terms and conditions, or refuse to issue the licence.

19. A person who obtains a licence for any private health care services shall:

- (a) comply with the terms and conditions of the licence;
- (b) comply with the notifications, orders and directives issued by the Central Body, Ministry of Health and Department of Health from time to time;
- (c) perform the duties assigned by the Ministry of Health when necessary in case of emergency situation of health.

20. (a) A person who obtains a licence for any private health care services shall, when desirous of continuing his services after the expiry of the term of licence, apply before the expiry of the term of licence at least 60 days in advance to the relevant Township Supervisory Committee to extend the term of licence, in accordance with the stipulations.

- (b) The Central Body and the different levels of the supervisory committee shall perform in accordance with the stipulations in respect of the application to extend the term of licence under sub-section (a).

21. A person who obtains the licence for any private health care services shall, if desirous of transferring or leasing the licence to another person, apply in accordance with the stipulations to the relevant Central Body or State and Divisional Supervisory Committee which is authorized to issue the licence .

Chapter XI

Control and Promotion of the Quality of Private Health Care Services

22. The Central Body may, in order to control and promote the quality of private health care services, form the Private Health Care Quality Control and Promotion Bodies comprising suitable experts.

23. The Private Health Care Quality Control and Promotion Bodies shall, after scrutinizing the following facts in accordance with the directive of the Central Body in respect of private health care services, submit to the Central Body:

- (a) the number of health care service providers and whether their qualification and equipment are sufficient or not;
- (b) whether or not performing in accordance with the practices prescribed by the World Health Organization and relevant interna-

tional organizations of respective subjects for each services;

- (c) whether or not the measures are arranged to promote the quality in performing the health care services in accordance with the stipulations;
- (d) whether or not strict measures have been taken so that health hazard may not occur and infectious disease may not spread to the health care service provider, patient, public and environs.
- (e) whether or not the health care users are satisfied with the provision of health care service;
- (f) whether or not the working condition of the health care service providers is satisfactory;
- (g) whether or not the terms and conditions prescribed by the Central Body from time to time are complied with.

24. The Private Health Care Quality Control and Promotion Bodies and the different levels of supervisory committees may direct the relevant person-in-charge and health care service providers as may be necessary to maintain and promote the quality of private health care services.

Chapter XII

Duties and Obligations of Person-in-Charge and Health Care Service Provider

25. The duties and obligations of the person-in-charge and health care service provider are as follows:

- (a) providing health care mainly for the requirement of patient's health;
- (b) complying in accordance with the notifications, orders and directives issued by the Central Body, the Ministry of Health and Department of Health;
- (c) complying in accordance with the existing laws, rules, notifications, orders and directives relating to health;
- (d) complying with and exercising the modern and developed medical technology and methods in accordance with the directives issued by the Central Body;
- (e) complying in accordance with the directives relating to the highly infectious disease and criminal cases stipulated by the Ministry of Health, from time to time;
- (f) if necessary, referring in time to the relevant specialist, department and hospital aiming for the benefit of the patient;
- (g) providing life-saving treatment to any emergency patient and mak-

ing referral if necessary;

- (h) providing high quality service to the public at fair service charge;
- (i) complying with the directives of the Private Health Care Quality Control and Promotion Body and the different levels of supervisory committee;
- (j) laying down plans to be able to appease the dissatisfaction of health care user;
- (k) forming the administrative sub-body, the sub-body for quality control and promotion and other necessary sub-bodies as may be required according to the size and type of hospital;
- (l) keeping confidential of the patient's personal health matter except on official request of the relevant government department and organization;
- (m) obtaining permission of the Ministry of Health, if it is required to do research by making use of patients;
- (n) paying stipulated taxes and revenues regularly.
- (o) avoiding from performing any other services without permission or licence, in carrying out private health care services permitted under

the relevant licence.

Chapter XIII

Taking Administrative Action

26. If the private health care services licence holder fails to comply with any duty contained in section 19 or has been convicted for committing any offence contained in this Law or if the person-in-charge fails to comply with the duties and obligations contained in section 25, the Central Body and the State and Divisional Supervisory Committees authorized to issue licence for relevant private health care service, may pass any of the following administrative orders on the relevant licence holder:

- (a) warning;
- (b) imposing the stipulated fine;
- (c) suspension of the licence for a limited period;
- (d) cancellation of the licence.

27. The Central Body or the State and Divisional Supervisory Committee that takes action under section 26, shall inform the relevant Myanmar Medical Council, Dental or Oral Medical Council or Nursing and Midwifery Council to take necessary action if the health care service provider fails to comply with any of the

duties and obligations contained in section 25.

Chapter XIV

Appeal

28. Any person dissatisfied with an administrative order passed by the State and Divisional Supervisory Committee under section 26 or any other order passed under this Law may file an appeal to the Central Body within 60 days from the date of passing such order.

29. The Central Body may, in an appeal under section 28, revise, set aside, or confirm the decision passed by the State and Divisional Supervisory Committee.

30. The order or decision passed by the Central Body under this Law shall be final and conclusive.

Chapter XV

Offences and Penalties

31. Whoever carries out the private hospital service without licence may, on conviction, be punished with imprisonment for a term which may extend from a minimum of 1 year to a maximum of 5 years and may also be liable to a fine.

32. Whoever carries out the private maternity home service or private clinic service without licence shall, on conviction, be punished with imprisonment for a term which may extend from a minimum of 6 months to a maximum of 3 years

and may also be liable to a fine.

33. Whoever performs any other Health Care Services except private hospital service, private maternity home service and private clinic service without licence shall, on conviction, be punished with imprisonment for a term which may extend from a minimum of 3 months to a maximum of 1 year and may also be liable to a fine.

34. Whoever has obtained licence:

- (a) in carrying out services at the place permitted under relevant licence, by virtue of the private health care services, carries out any other services without permission or licence with the exception of the matter prohibited under any existing law shall, on conviction, be punished with imprisonment for a term which may extend from a minimum of 1 year to a maximum of 5 years and may also be liable to a fine;
- (b) in carrying out services at the place permitted under relevant licence by virtue of the private health care services, violates the matter prohibited under any existing law shall, on conviction, be punished under relevant existing law.

35. Whoever transfers or hires a licence that he has obtained under this Law to another person without the permission of the Central Body or State and

Divisional Supervisory Committee authorized to issue the relevant licence shall, on conviction, be punished with imprisonment for a term not exceeding 3 years or with fine or with both.

Chapter XVI

Miscellaneous

36. The Ministry of Health shall:

- (a) bear the expenses of the Central Body and other bodies formed by the Central Body under this Law;
- (b) make arrangement to enable the Central Body and different levels of supervisory committee to perform the office work.

37. If a person who has carried out the private health care clinic registered under the Union of Myanmar Public Health Law, 1972 before this Law has come into force is desirous of continuing his services, he shall apply for a temporary licence in accordance with the stipulations within 90 days commencing from the date of coming into force of this Law and:

- (a) if he carries out private hospital service, or private maternity home service, he shall, after fulfilling the relevant characteristics and requirements prescribed under this Law, apply for a licence in accordance with the provisions of this Law, within a year commencing

from the date of coming into force of this Law.

- (b) if he carries out private specialist clinic service or private diagnostic service, he shall, after fulfilling the relevant characteristics and requirements prescribed under this Law, apply for a licence in accordance with the provisions of this Law, within 9 months commencing from the date of coming into force of this Law.
- (c) if he carries out any other private health care services, with the exception of services contained in sub-section (a) and sub-section (b), he shall, after fulfilling the relevant characteristics and requirements prescribed under this Law, apply for a licence in accordance with the provisions of this Law, within 6 months commencing from the date of coming into force of this Law.

38. The Central Board may, exempt any private health care services from all or part of the provisions contained in this Law, subject to time limit if it is in public interest.

39. (a) The person injured due to the negligent act of the person-in-charge or health care service provider at any private health care services, may sue the relevant person-in-charge or health care service provider under the Law of Tort to obtain damages for his injury;

- (b) The person-in-charge or health care service provider, sued under subsection (a), shall not be exempted from administrative action taken under any relevant existing law.

40. In respect of private clinics before this Law has come into force, the notifications, orders and directives issued by the Ministry of Health and Department of Health under the Union of Myanmar Public Health Law, 1972 may continue to be applicable in so far as they are not inconsistent with this Law.

41. The provisions of this Law shall not apply to the private traditional hospital and private traditional clinic which conduct treatment by the traditional medicine.

42. For the purpose of implementing the provisions of this Law:

- (a) The Ministry of Health may, with the approval of the Government, issue such rules as may be necessary;
- (b) The Central Body and the Ministry of Health may issue such procedures, notifications, orders and directives, and the Department of Health may issue such orders and directives, as may be necessary.

(Sd) Than Shwe

Senior General

Chairman

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
The Law Amending the Outports Act
(The State Peace and Development Council Law No. 6/2007)
The 13th Waning Day of Nayon , 1369, M.E.
(12th June , 2007)

The State Peace and Development Council hereby enacts the following Law.

1. This Law shall be called the Law Amending the Outports Act.

2. Section 8 of the Outports Act shall be substituted as follows:

" Penalties 8. Whoever removes, or attempts to remove, or abets the removal of any goods with the intention that the payment of any dues payable under this Act may be evaded, and whoever wilfully commits any breach of any rule made under section 5, shall be punishable with a fine not exceeding Kyats ten thousand."

Sd/ Than Shwe

Senior General

Chairman

The State Peace and Development Council

The Union of Myanmar

The State Peace and Development Council

The Law for the Second Amending of the Judiciary Law 2000

(The State Peace and Development Council Law No. 7/2007)

(The 9th Waning Day of Tawthalin , 1369, M.E.)

(5th October , 2007)

The State Peace and Development Council hereby enacts the following law:

1. The Law shall be called the Law for the Second Amending of the Judiciary Law 2000.

2. Section 4 of the Judiciary Law 2000 shall be substituted as follows:

“4. The Supreme Court shall sit in Nay Pyi Daw. If necessary, it may also sit in Yangon, Mandalay and in any other suitable place.”

Sd./ Than Shwe
Senior General
Chairman

The State Peace and Development Council

ORDERS

The Union of Myanmar
The State Peace and Development Council
Order No. 2/2007
The 10th Waning Day of Taboung, 1369, M.E.
(12th March, 2007)

Appointment of Deputy Chief Justice

The State Peace and Development Council hereby appoints and assigns duties to U Tun Tun Oo as Deputy Chief Justice with effect from today.

By Order,

(Sd.) Thein Sein,

Lieutenant General,

Secretary (1),

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
Order No. 3/2007
The 3rd Waning Day of Kason, 1369, M.E.
(3rd May, 2007)

Conferring Powers relating to Land Administration

The State Peace and Development Council hereby confers on the Nay Pyi Taw Development Committee powers relating to land administration over the lands owned by the Committee within the Nay Pyi Taw Development area and lands and privately-owned lands transferred and taken over by the Committee in accordance with the existing Law.

By Order,

(Sd.) Thein Sein,

Lieutenant General,

Secretary (1),

The State Peace and Development Council

The Union of Myanmar
State Peace and Development Council

Order No 4/ 2007

13th Waxing of Thadingyut, 1369 M.E.

(24th October 2007)

Appointment of Minister

The State Peace and Development Council has appointed and assigned duties to U Aung Kyi as Minister for Labour with effect from today.

By Order,

Sd/ Thiha Thura Tin Aung Myint Oo

Lieutenant- General

Secretary

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
Order No 5/ 2007
13th Waxing of Thadingyut, 1369 M.E.
(24th October 2007)

Appointment of Deputy Minister

The State Peace and Development Council has appointed and assigned duties to the following persons as deputy minister with effect from today.

- | | | |
|-----|-------------------------|---|
| (1) | Maj-Gen Thein Htay | Ministry of Defence |
| (2) | Maj-Gen Kyaw Swa Khaing | Ministry of Industry-2 |
| (3) | Maj-Gen Thein Tun | Ministry of Communications,
Posts and Telegraphs |

By Order,

Sd/ Thiha Thura Tin Aung Myint Oo

Lieutenant- General

Secretary

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
Order No 6/ 2007
12th Waning of Thadingyut, 1369 M.E.
(7 November 2007)

Appointment of Deputy Ministers

The State Peace and Development Council has appointed and assigned duties to the following persons as deputy minister with effect from today.

- | | | |
|-----|------------------------|---------------------------------|
| (1) | Brig- Gen Win Myint | Ministry of Electric Power No.2 |
| (2) | Brig- Gen Tin Tun Aung | Ministry of Labour |

By Order,

Sd/ Thiha Thura Tin Aung Myint Oo

Lieutenant- General

Secretary-1

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
Order No. 7/2007
(The 6th Waning Day of Tazaungmon, 1369 M.E.)
(30th November, 2007)

Prescribing Procedures Relating to the Drafting of the State Constitution

Preamble

The State Peace and Development Council hereby prescribes the following Procedures relating to the Commission for Drafting of the State Constitution, formed under Declaration No. 2/2007 dated 18th October, 2007 of the State Peace and Development Council.

Chapter I

Aim

1. It is aimed to enable drafting of an enduring State Constitution successfully for the emergence of a genuine well-disciplined, flourishing and democratic State in the Union of Myanmar.

Chapter II

Title and Definition

2. These Procedures shall be called **the Procedures Relating to the Drafting of the State Constitution.**

3. The following expressions contained in these Procedures shall have the meanings given hereunder:

- (a) **Draft** means the draft of the State Constitution;
- (b) **Commission** means the Commission for Drafting of the State Constitution;
- (c) **Committee** means the Committee formed under these Procedures by the Commission;
- (d) **Body** means the Bodies formed under these Procedures by the Commission;
- (e) **Member** means member of the Commission for Drafting of the State Constitution, Committee or Bodies.

Chapter III

Duties and Powers of the Commission

4. The duties and Powers of the Commission are as follows:
- (a) drafting the Constitution by amending the usage, spelling and syntax etcetera as may be necessary in conformity with law and without prejudice to the objective and essence contained in the basic principles and detailed basic principles laid down in accordance with the records of the National Convention;
 - (b) carrying out by, forming the committees and bodies as may be necessary to enable the drafting of the Constitution;
 - (c) submitting to and obtaining approval of the meeting of the Commission after drafting by the Committee or the Body;
 - (d) convening and holding the meetings of the Commission from time to time;
 - (e) Presiding at the meeting of the Commission by the Chairman of the Commission;
 - (f) respecting and abiding by the existing laws, orders and directives;
 - (g) abiding by the orders, procedures and directives for the Commission issued by the State Peace and Development Council;
 - (h) submitting the final report to the State Peace and Development

Council by the Commission after carrying out its functions and duties assigned;

- (i) carrying out other duties as are assigned by the State Peace and Development Council.

Chapter IV

Duties and Powers of the Members

5. The duties and powers of the members are as follows:

- (a) attending regularly the meetings of the Commission, Committee or Body in which he is included;
- (b) asking for leave in advance from the Chairman of the Commission if he is unable to attend the meeting of the Commission, Committee or Body due to any valid cause;
- (c) keeping the confidential matters relating to the Commission;
- (d) conducting in accordance with the dignity of a member;
- (e) performing dutifully functions and duties assigned;
- (f) having the right to submit his opinions and advice honestly and openly in accordance with the basic principles and detailed basic principles laid down by the National Convention for drafting and enduring State Constitution.

Rights and Privileges of Members

6. The rights and privileges of members are as follows:
 - (a) having the right to enjoy privileges, rewards and other expenses relating to the stipulated accommodation, food and travel allowances;
 - (b) having the right to enjoy salary or other remuneration entitled from the officer or enterprise where a civil service personnel was originally employed and who is a member while he is attending the meeting or performing other duties assigned full-time.
7. The time during which the civil service personnel-cummember of the Commission under clause (b) of Article 6 is attending the meeting and performing other duties assigned full-time shall be deemed to the time on original duty.

Chapter VI

Miscellaneous

8. The Commission may obtain the necessary assistance from relevant government organizations for enabling to carry out successfully the functions for the drafting of the State Constitution.

9. Any person performing as a member of the Commission, Committee or Body or civil service personnel carrying out functions relating to drafting of the State Constitution, shall be deemed to be serving the duty of the State.
10. The Commission shall bear the expenses to be incurred in carrying out functions for drafting of the Constitution from the funds of the office of the Pyithu Hluttaw's. The said expenses shall be utilized in accordance with the stipulated financial procedures.
11. The Commission may issue orders and directives as may be necessary for the purpose of implementing these procedures.
12. Where it is necessary to amend or insert provisions contained in these procedures, the State Peace and Development Council shall carry out to amend or insert as may be necessary.

By Order,

(Sd.) Thiha Thura Tin Aung Myint Oo

Lieutenant General,

Secretary (1),

The State Peace and Development Council.

**The Union of Myanmar
The State Peace and Development Council
(Notification No 1 / 2007)
(1st Waxing of Tabaung. 1368 M.E.)
(16th February 2007)**

New Year Holidays Designated

The Thingyan Festival is the new year occasion held in esteem by Myanmar people. To enable Myanmar people to take part in the traditional water- throwing festival, go to pagoda and stupas to perform meritorious deeds and keep Precepts, pay respects to elderly persons and do charity and for the

State service personnel to be able to take a vacation for rest and recreation after a long work of the whole year, a period of 10 days beginning from the day before Thingyan Akyò Day is designated as the Myanmar New Year holidays of the Union Of Myanmar.

By order,

Sd/ Thein Sein

Lieutenant- General

Secretary-1

The State Peace and Development Council

Announcements

The Union of Myanmar
The State Peace and Development Council
Announcement No (2/2007)
7 th Waxing of Thadingyut 1369 ME
(18 October, 2007)

Formation and Assignment of Commission for Drafting State Constitution

1. Since 29 September 2007, the entire people have held mass rallies state and division- wise throughout Myanmar to express their unanimous support for the National Convention and the forthcoming State constitution.
2. In response to the unanimous support of the entire people, and in recognition of the people's desire of upholding Our Three Main National Causes: Non- disintegration of the Union, Non- disintegration of national solidarity and Perpetuation of sovereignty, ensuring community peace and prevalence of law and order, building of a peaceful, modern and developed discipline- flourishing democratic nation, and successfully implementing the State's seven-step Road Map, the Commission for Drafting the State Constitution is formed and duties are assigned as follows to implement the third step of the seven- step Road Map-- Drafting of a new constitution:

Commission for Drafting State Constitution

1. U Aung Toe (B.A., B.L.) Chairman
 Chief Justice
 Supreme Court
 Nay Pyi Taw

- | | | |
|----|---|----------------|
| 2 | U Aye Maung (B.A., B.L.)
Attorney- General
Attorney- General's Office
Nay Pyi Taw | Vice- Chairman |
| 3. | U Thaung Nyunt (B.Sc., B.L.)
Legal Adviser
Yangon | member |
| 4. | Brig-Gen Kyaw Hsan
[B.Sc., (D.S.A.), Diploma in Defence and Security]
Minister
Ministry of Information
Nay Pyi Taw | member |
| 5. | Maj- Gen Khin Aung Myint
[B.A., Diploma in Defence and Security]
Minister
Ministry of Culture
Nay Pyi Taw | member |
| 6. | Maj- Gen. Soe Maung
[B.Sc., (D.S.A.), H.G.P., M.A. Defence Studies]
Judge Advocate- General
Ministry of Defence
Nay Pyi Taw | member |
| 7. | Dr Than Nyun
[B.A. (Hons), M.Sc. (Econ.)(London), Ph.D(Cambridge)
Chairman | member |

Civil Service Selection and Training Board

Nay Pyi Taw

8. Dr. Tun Shin member

[B.A.,LL.B.(Ygn), M.A. Business Law (London),
LL.D., Int'l Law (Ghent, Belgium), F.R.G.S. (London)
A.M.R.Aes (London), Dip Int'l Law (London)

Deputy Attorney- General

Attorney General's Office

Nay Pyi Taw

9. U Tun Tun Oo member

[B.A.(Law) LL.B., M.A. (Defence Studies)]

Deputy Attorney- General

Attorney General's Office

Nay Pyi Taw

10. U Thein Soe [B.Sc.(D.S.A.), R.L.] member

Deputy Chief Justice

Supreme Court

Yangon

11. U Tun Tun Oo member

[B.A.,(Law), LL.B.]

Deputy Chief Justice

Supreme Court

Nay Pyi Daw

- | | | |
|-----|--|--------|
| 12. | Dr Tin Aung Aye
[B.Sc..B.L., LL.M.(Germany), LL.D.(Germany)]
Supreme Court Judge
Supreme Court
Yangon. | member |
| 13. | U Tin Aye(B.A., H.G.P.,R.L.)
Supreme Court Judge
Supreme Court
Yangon. | member |
| 14. | Dr. Khin Maung Nyunt
[B.A, MA(Modern Hist), Ph.D. (London)]
member
Myanmar Historical Commission
Yangon. | member |
| 15. | U Tun Aung Chein [B.A.,M.A.(Hist)(U.S.A.)]
Secretary
Myanmar Historical Commission
Yangon. | member |
| 16. | Dr Maung Maung Wint
[M.B.B.S., M.R.C.P.(U.K.), F.R.C.P.(Edin),Dr. Med. Sc.(Int. Med.)]
Director- General (Retd.)
Medical Science Department
Literary Director
Defence Service Medicial Academy
Ministry of Defence.
Yangon. | member |

17. U Kyaw Myint Oo member
 [B.Sc., M.Sc., UNDP, Certificate in Enviromental
 Toxicology and Pollution Control Management]
 Rector (Retd.)
 Dagon University
 Yangon.
18. U Myat Thu (Tekkatho Myat Thu) member
 [B.A.(Law), LL..B., H.GP.]
 Writer
 Advocate
 Chief Editor (Retd.)
 Yangon.
19. Dr. Soe Yin member
 [B.Sc., (Hons.), M.Sc.(U.K.), Ph.D. (Italy)
 Rector (Retd.)
 Yangon University
 member
 Exêcutive Committee of Myanmar Academy of
 Arts and Science
 Yangon.
20. U Lay Myint member
 [M.A. (Philo.), H.GP.,R.L., D.B.L, D.I.L]
 Advocate and Legal Adviser.
 Yangon.

21. Dr. Myo Thant Tin member
[B.E. (Chemical), M.Sc. (Chem, Eng),
Ph.D. (Loughborough, England)]
member
Executive Committee of Myanmar Academy of
Arts and Science
Yangon.
22. Dr. Myint Thein member
[B.Sc., B.Sc.(Hons.), M.Sc., B.L., M.A.(U.S.A), Ph.D(U.S.A)]
President
Myanmar Academy of Agriculture, Forest,
Livestock Breeding and Fishery Sciences
Yangon.
23. Dr Tha Hla Shwe member
(M.B.B.S, DPTM, DCMT(UK), M.S.Ed(USA), Dr. Med. Sc]
Rector (Retd.), University of Medicine-2
President, Myanmar Red Cross Society
Yangon.
24. Dr Nilar Thein member
[B.Sc., (Chem.)(Hons.), M.Sc.(CS), Ph.D.(Singapore)
Rector
University of Computer Studies
Yangon.
25. U T Khun Myat [B.A.(Law), LL.B.] member
Law Officer
Kutkai.

26. Dr. Khin Zaw member
 [B.A.(Ed.), B.Ed., Ph.D.(Moscow)]
 Rector (Retd.)
 Yangon Institute of Education
 Yangon.
27. U Than Kyaw [B.A.(Law), LL.B.) member
 Director (Retd.)
 Attorney- General's Office
 Yangon.
28. Dr. Daw Tin May Tun member
 [Ph.D. (Myanmar), (International Law)
 Professor(Head of Department),Law Department
 Yangon University of Distance Education
 Yangon.
29. Dr. Daw Khin Mar Yi member
 [Ph.D. (Myanmar), (Intellectual Property Law)
 Professor(Head of Department),Law Department
 Yangon University
 Yangon.
30. U San Lwin (B.A. (D.S.A.)) member
 Director- General (Retd.)
 Department of Myanmar Language Commission
 Yangon.

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| 31. | Dr. Daw Khin Phone Myint Kyu
[Ph.D. (Myanmar), (Civil Law, Family Law)
Professor(Head of Department),Law Department
Mandalay University of Distance Education
Mandalay. | member |
| 32. | U Tun Aung [B.A.(Law),LL.B.]
District Law Officer
Pyapon. | member |
| 33. | Daw Mary Minan [B.A.(Law),LL.B.]
Law Officer Grade-1
Myitkyina. | member |
| 34. | U Sai Maung Yi [B.Com., H.G.P.]
Higher Grade Pleador
Bhamo | member |
| 35. | U N Zaw Naw [B.A. (Law), LL..B.]
District Law Officer (Red.)
Myitkyina | member |
| 36. | U D Samram [B.A. (Law), LL.B.]
District Law Officer
Mohnyin. | member |
| 37. | U Toe Yei [B.A(Law), LL.B]
Advocate
Loikaw. | member |

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| 38. | U Saw Aung Kyaw Min [B.A. (Law), LL.B.]
Higher Grade Pleader
Hpa-an. | member |
| 39. | U Hauk Khant Mahn [B.A. (Law), LL.B.]
Staff Officer (Retd.)
Tonzang. | member |
| 40. | U Shi Thee (B.Sc.,B.Ed.)
Township Education Officer
Leshi. | member |
| 41. | U Nyunt Tin [B.A. (Geog.), H.G.P.]
State Judge (Retd.)
Mawlamyine. | member |
| 42. | U Tha Hla [B.A. (Law), LL.B.]
Deputy State Law Officer (Retd.)
Sittway. | member |
| 43. | U Sai Hkam Hmat [B.A., H.G.P.]
Higher Grade Pleader
Lashio. | member |
| 44. | U Nyunt Maung [B.Sc.(Zoo.)]
Merchant
Namhsan. | member |
| 45. | U Hsai Paung Nap (B.A., H.G.P.)
Higher Grade Pleader
Lashio. | member |

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|-----|--|-----------|
| 46. | U Peter Thaung Sein(LL.B., D.C.Sc.)
Advocate
Kengtung. | member |
| 47. | U Steven [B.A. (Geog.), H.G.P.]
Higher Grade Pleader
Kengtung. | member |
| 48. | U Sai Kyaw Zan [B.A. (Law), LL.B., D.C.Sc.]
District Law Officer
Tachilek. | member |
| 49. | U Nyi Nap [B.Sc. (Phy:)]
Merchant
Tachilek. | member |
| 50. | U Sai Tint Hsaing [B.A. (Law),LL.B.]
Advocate
Taunggyi. | member |
| 51. | U Khun Hsan Shwe (LL.B.)
Merchant
Taunggyi. | member |
| 52. | U Ngwe Soe (LL.B.)
Merchant
Pindaya. | member |
| 53. | Dr Thaung Myint
[M.B,B.S., M.Sc.(Forensic Medicine), GDR]
Professor(Head of Department)(Retd.)
Forensic Medicine Department | Secretary |

University of Medicine (Mandalay)

Adviser

Ministry of Health.

Nay Pyi Taw.

54. U Win Ko (LL.B., LL.M.) Joint Secretary
Director - General
Multi - party Democracy General Election Commission Office
Yangon.

By order,

Sd/ Thein Sein

Lieutenant- General

Secretary-1

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
Declaration No. 3/ 2007
13th Waxing of Thadingyut, 1369 ME
(24th October 2007)

Assignment of duty as Prime Minister

The State Peace and Development Council has appointed and assigned duties to Lt- Gen Thein Sein as Prime Minister with effect from today.

Sd/ Than Shwe

Senior General

Chairman

The State Peace and Development Council

The Union of Myanmar
The State Peace and Development Council
Declaration No. 4/ 2007
13th Waxing of Thadingyut, 1369 ME
(24th October 2007)

Assignment of duty as Secretary-1 of State Peace and Development Council

The State Peace and Development Council has appointed and assigned duties to Lt- Gen Thiha Thura Tin Aung Myint Oo as Secretary-1 of the State Peace and Development Council with effect from today.

Sd/ Than Shwe

Senior General

Chairman

The State Peace and Development Council

**NOTIFICATION
OF
THE GOVERNMENT**

The Union of Myanmar
Office of the Government
Notification No. 13/2007

Nay Pyi Taw, the 4th Waxing Day of Second Waso, 1369,M.E
(18th July, 2007)

In exercise of the powers conferred by clause (10) of sub- section (a) of section 5 of the Control of Money Laundering Law, the Government of the Union of Myanmar hereby determines the following offences as money laundering offences:

- (1) corruptions;
- (2) illegal loggings;
- (3) trafficking in persons;
- (4) forgeries;
- (5) smuggling of persons and illegal property;
- (6) kidnappings and abductions;
- (7) extortions;
- (8) infringements of rights of trademark and patent;
- (9) tax evasions
- (10) any organized crime applicable under the Control of Money Laundering Law.

By Order,

Col. Thant Shin,

Secretary,

The Government of the Union of Myanmar

**ANNOUNCEMENTS
OF
THE GOVERNMENT**

The Government of the Union of Myanmar

Announcement No.1/2007

8 th Waning Day of Tawthalin, 1369 ME

(4th October 2007)

1. In the Union of Myanmar, the Government and the people are striving hand in hand to build up a new democratic nation.
2. However, starting from 28th August 2007, there occurred demonstrations of some monks. The demands made by the demonstrators in the beginning were only to bring down commodity prices but later the demands made by them were nothing to do with monks and it was found to be the wished of a political party and other organizations aspiring to create unrest. Unrests occurred due to the attempts of those who want to grab power through short-cut and that of some foreign nations to destabilize the nation.
3. The unrests are now totally under control by authorities for ensuring stability and the rule of law, with the cooperation of Sanghas and people who do not want any unrest.

4. Due to lopsided broadcasts by some international media, some member nations of the United Nations Organization were worried about Myanmar's situation and the UN Secretary-General sent his Special Envoy Mr Ibrahim Agboola Gambari to Myanmar to make urgent investigation and submit a report.
5. Myanmar is grateful to some member nations of the UN for their understanding upon Myanmar's situation and their principled stances.
6. Mr Gambari arrived Myanmar on 29th September. He witnessed the situation has returned to normalcy and he had an opportunity to pay a courtesy call on State Peace and Development Council Chairman Senior General Than Shwe. Mr Gambari also had opportunities to meet with those worthy to be met for enquiring the situation.
7. At the courtesy call, State Peace and Development Council Chairman Senior General Than Shwe mentioned Mr Gambari that Daw Aung San Su Kyi has been exerting efforts for Confrontation. Utter Devastation, and Imposing All Kinds of Sanctions including Economic Sanction againsts Myanmar. If she declares to give them up, the Senior General will personally meet her.
8. At present, the people of various States and Divisions all over the country are convening mass rallies to support the National Convention and welcome the forthcoming Constitutions as well as to denounce recent unrests.

9. Hence, the Government, with the support and in response to confidence and aspiration of the people, will continue to build up the nation into a discipline flourishing genuine democratic one in accordance with the seven-step Road Map

By Order,

Sd./

Thant Shin

Colonel

Secretary

The Government of the Union of Myanmar

The Government of the Union of Myanmar

Announcement No.2/2007

12th Waning Day of Tawthalin, 1369 ME

(8th October 2007)

Assignment of the Minister for Relations

1. The United Nations Secretary- General's Special Envoy Mr Ibrahim A Gambari during his visit to Myanmar from 29th September to 2nd October 2007, recommended appointment of a liaison officer for relation with Daw Aung San Suu Kyi.
2. In respect of Mr Ibrahim A Gambari's recommendedation and in view of smooth relations with Daw Aung San Suu Kyi, Deputy Minister for Labour U Aung Kyi is assigned duty as Minister for Relations.

By Order,

Sd/

Thant Shin

(Colonel.)

Secretary

The Government of the Union of Myanmar

The Government of the Union of Myanmar

Announcement No.3/2007

1st Waxing Day of Thadingyut, 1369 ME

(12th October 2007)

1. It is regrettable that the United Nations Security Council has issued a Presidential Statement on Myanmar on 11 October 2007, totally disregarding the fact that the situation in Myanmar does not represent a threat to the regional and international peace and security.
2. As the basic principle of the Foreign Policy of the Union of Myanmar is to maintain friendly relations with all the countries in the region and in the world and to have close cooperation with the United Nations, the Government of the Union of Myanmar will consistently adhere to and implement this principle.
3. After having compelled to take State responsibilities, the Government of the Union of Myanmar in accordance with the aspiration of the entire population, has been implementing the Seven-Step Road Map towards a peaceful, modern, developed and discipline- flourishing democratic state. The process has been receiving support from countries around the world including our neighbours and ASEAN member states.

4. In implementing the Seven- Step Road Map, the National Convention, as a first and crucial step, has been successfully completed. The entire population, including the various nationalities, had been overwhelmingly expressing their strong support for the fundamental principles and detailed basic principles to be enshrined in the new State Constitution.

5. We are of the opinion that the Presidential Statement of the United Nations Security Council should be in line with the desire of the entire people of the Union of Myanmar. Nonetheless, the Government of the Union of Myanmar together with the people will remain resolved to continue its implementation of the Seven-step Road Map.

By Order,

Signed

Thant Shin

Colonel

Secretary

The Government of the Union of Myanmar

Government of the Union of Myanmar

Announcement No.4/2007

1st Waxing Day of Thadingyut

(12 October 2007)

1. The Prime Minister of the Union of Myanmar General Soe Win passed away on the 12th October 2007. The State Funeral for the late Prime Minister will be held at the Mingaladon War Cemetery at 2 pm on Sunday the 14th October 2007.
2. It is hereby announced to observe a period of official mourning for 3 days from 12 to 14 of October 2007 and to fly the National Flag at half mast.

By Order,

Signed

Thant Shin

(Colonel)

Secretary

Government of the Union of Myanmar

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Adaptation of Expressions Law	1988-1989	28
Adaptation of Expressions Law	1988-1989	207
Adaptation of Expressions Law	1997	67
Animal Health and Development Law	1993-1994	183
Anti-Trafficking in Persons Law	2005	66
Atomic Energy Law	1998-1999	63
Attorney General Law	1988-1989	4
(Repealed by the Attorney General Law, 2001, Law No. 1/2001)		
Attorney General Law, 2001	2001	1
Auditor General Law	1988-1989	21
Blood and Blood Products Law	2003	1
Board of Yangon City Electric Power Supply Law	2005	83
Body Organ Donation Law	2004	1
Central Bank of Myanmar Law	1990	124
Child Law	1993-1994	110
City of Mandalay Development Law	2002	110
City of Mandalay Development Law	1991-1992	211
(Repealed by the City of Mandalay Development Law, Law No. 8/2002)		

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
City of Yangon Development Law	1990	107
Commercial Tax Law	1990	52
Computer Science Development Law	1995-1998	200
Conservation of Water Resources and Rivers Law	2006	64
Control of Money Laundering Law	2002	78
Control of Smoking and Consumption of Tobacco Product Law	2006	48
Co-operative Society Law	1991-1992	196
Dental and Oral Medicine Council Law	1988-1989	70
Development Committees Law	1993-1994	54
Development of Border Areas and National Races Law	1993-1994	156
Electronic Transactions Law	2004	85
Eye Donation Law	1995-1996	114
Fertilizer Law	2002	95
Financial Institutions of Myanmar Law	1990	147
Fire Services Law	1997	1
Forest Law	1991-1992	176
Freshwater Fisheries Law	1991-1992	1
Highways Law	2000	91

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Insurance Business Law	1995-1996	162
International <i>Theravada</i> Buddhist Missionary University Law	1998-1999	87
Judiciary Law	2000	81
Judiciary Law (Repealed by the Judiciary Law, 2000, Law No. 5/2000)	1988-1989	3
Law Amending the Attorney General Law, 2001	2003	14
Law Amending the Bar Council Act	1988-1989	229
Law Amending the Canal Act	1998-1999	1
Law Amending the Central Bank of Myanmar Law	1995-1996	75
Law Amending the Central Bank of Myanmar Law	1997	13
Law Amending the City of Yangon Development Law	1995-1996	73
Law Amending the City of Yangon Development Law	1995-1996	113
Law Amending the City of Yangon Municipal Act	1991-1992	74
Law Amending the Code of Civil Procedure	2000	87
Law Amending the Commercial Tax Law	1991-1992	54
Law Amending the Commercial Tax Law	2006	16
Law Amending the Computer Science Development Law	1998-1999	3
Law Amending the Control of Money Laundering Law	2004	107
Law Amending the Court Fees Act	1990	44
Law Amending the Defence Services Act, 1959	1988-1989	135

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Law Amending the Development Committees Law	1997	68
Law Amending the Development of Border Areas and National Races Law	2006	62
Law Amending the Electricity Law	1990	3
Law Amending the Embankment Act	1998-1999	2
Law Amending the Financial Institutions of Myanmar Law	1993-1994	275
Law Amending the Gambling Law	1990	123
Law Amending the Income-tax Law	1988-1989	77
Law Amending the Income-tax Law	1991-1992	71
Law Amending the Income-tax Law	2006	12
Law Amending the Judiciary Law, 2000	2003	13
Law Amending the Law Relating to the Fishing Rights of Foreign Fishing Vessels Law	1993-1994	176
Law Amending the Law Relating to the Nurse and Midwife	2002	15
Law Amending the Law Safeguarding the State from the Danger of Subversive Elements	1991-1992	87
Law Amending the Leave and Holidays Act, 1951	2006	60
Law Amending the Motor Vehicle Law, 1964	1988-1989	243
Law Amending the Municipal Act (Repealed by the Development Committees Law,	1990	1

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Law No.5/1993)		
Law Amending the Myanma Gemstone Law	2003	81
Law Amending the Myanma Marine Fisheries Law	1993-1994	180
Law Amending the Myanmar Accountancy Council Law	2001	62
Law Amending the Myanmar Agricultural and Rural Development Bank Law	1997	15
Law Amending the Myanmar Aircraft Act	2004	103
Law Amending the Myanmar Citizenship Law	1997	17
Law Amending the Myanmar Companies Act	1988-1989	64
Law Amending the Myanmar Immigration (Emergency Provisions) Act, 1947	1990	2
Law Amending the Myanmar Language Commission Law	1988-1989	239
Law Amending the Myanmar Maternal and Child Welfare Association Law	1993-1994	162
Law Amending the Myanmar Maternal and Child Welfare Association Law	2003	80
Law Amending the Myanmar Medical Act, 1957	1988-1989	65
Law Amending the Myanmar Merchant Shipping Act	1988-1989	120
Law Amending the Myanmar Merchant Shipping Act	1998-1999	157
Law Amending the Myanmar Merchant Shipping Act, 2007	2007	1
Law Amending the Myanmar Police Force Maintenance of Discipline Law	1997	70

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Law Amending the Myanmar Red Cross Society Act, 1959	1988-1989	26
Law Amending the Myanmar Registration of Ships Act	2003	15
Law Amending the Myanmar Stamps Act	1990	47
Law Amending the National Archive and Mawgun Law, 2007	2007	10
Law Amending the Outports Act	2007	92
Law Amending the Partnership Act	1988-1989	63
Law Amending the Political Pension Law	1993-1994	288
Law Amending the Political Pension Law	2000	89
Law Amending the Political Pension Law	2001	7
Law Amending the Printers and Publishers Registration Law, 1962	1988-1989	208
Law Amending the Profit Tax Law	1988-1989	82
Law Amending the Profit Tax Law	1991-1992	73
Law Amending the <i>Pyithu Hluttaw</i> Election Law	1990	113
Law Amending the <i>Pyithu Hluttaw</i> Election Law	1991-1992	85
Law Amending the State-owned Economic Enterprises Law	1997	28
Law Amending the Suppression of Prostitution Act, 1949	1998-1999	61
Law Amending the Tariff Act, 1953 (Repealed by the Tariff Law, Law No. 2/1992)	1988-1989	66
Law Amending the Television and Video Law	1988-1989	134

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
(Repealed by the Television and Video Law, Law No. 8/1996)		
Law Amending the Transfer of Immoveable Property Restriction Law	2005	1
Law Amending the Union of Myanmar Basic Education Law, 1973	1988-1989	221
Law Amending the Union of Myanmar Board of Examinations Law, 1973	1988-1989	230
Law Amending the Union of Myanmar Co-operative Societies Law, 1970 (Repealed by the Co-operative Society Law, No.9/1992)	1988-1989	57
Law Amending the Union of Myanmar Educational Research Law, 1973	1988-1989	228
Law Amending the Union of Myanmar Agricultural and Vocational Education Law, 1974	1988-1989	226
Law Amending the Union of Myanmar University Education Law, 1973	1988-1989	223
Law Amending the Union of Myanmar University Education Law, 1973	1998-1999	4
Law Amending the Wireless Telegraphy Law	1993-1994	164

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Law Amending the Workmen's Compensation Act, 1923	2005	64
Law for the Second Amending of the Judiciary Law, 2000	2007	93
Law for the (Second Time) Repeal of Laws	1993-1994	52
Law for the Repeal of Laws	1991-1992	99
Law Protecting the Peaceful and Systematic Transfer of State Responsibility and the Successful Performance of the Functions of the National Convention Against Disturbances and Oppositions	1995-1996	158
Law Relating the Forming of Organizations	1988-1989	23
Law Relating to Aquaculture	1988-1989	231
Law Relating to Nurse and Midwife	1990	188
Law Relating to Overseas Employment	1998-1999	143
Law Relating to Private Health Care Services	2007	62
Law Relating to <i>Sangha</i> Organization	1990	198
Law Relating to the Fishing Rights of Foreign Fishing Vessels	1988-1989	121
Law Repealing the National Intelligence Bureau Law	2004	106
Law Restricting the Use of Military Designations and Ranks	1988-1989	240
Motion Picture Law	1995-1996	191
Multi-party Democracy General Election Commission Law	1988-1989	1

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
Mutual Assistance in Criminal Matters Law	2004	70
Myanma Mines Law	1993-1994	276
Myanmar Accountancy Council Law	1993-1994	195
Myanmar Aerospace Engineering University Law	2002	8
Myanmar Agricultural and Rural Development Bank Law	1990	168
Myanmar Citizens Investment Law	1993-1994	242
Myanmar Gemstone Law	1995-1996	87
Myanmar Historical Commission Law	1991-1992	88
Myanmar Hotel and Tourism Law	1993-1994	165
Myanmar Insurance Law	1993-1994	143
Myanmar Marine Fisheries Law	1990	81
Myanmar Marine University Law	2002	1
Myanmar Medical Council Law	2000	1
Myanmar Meternal and Child Welfare Association Law	1990	202
Myanmar National Olympic Council Law	1993-1994	87
Myanmar Pearl Law	1995-1996	76
Myanmar Police Force Maintenance of Discipline Law	1995-1996	54
Myanmar Tourism Law	1990	115
(Repealed by the Myanmar Hotel and Tourism Law, Law No. 14/1993)		
Myanmar War Veteran Organization Law	1988-1989	209
Narcotic Drugs and Psychotropic Substances Law	1993-1994	1
National Archive and <i>Mawgun</i> Law	1990	177
National Drug Law	1991-1992	163

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
National Food Law	1997	18
Pesticide Law	1990	94
Plant Pest Quarantine Law	1993-1994	101
Political Parties Registration Law	1988-1989	10
Prevention and Control of Communicable Diseases Law	1995-1996	1
Private Industrial Enterprise Law	1990	211
Promotion of Cottage Industries Law	1991-1992	91
Protection and Preservation of Cultural Heritage Regions Law	1998-1999	76
Protection of Wild Life, Wild Plants and Conservation of Natural Areas Law	1993-1994	257
<i>Pyithu Hluttaw</i> Election Law	1988-1989	136
Salt Enterprises Law	1991-1992	154
Savings Banks Law	1991-1992	144
Science and Technology Development Law	1993-1994	250
Special Limitation Law	1988-1989	31
State Budget Law, 1989	1988-1989	83
State Budget Law, 1990	1990	16
State Budget Law, 1991	1991-1992	26
State Budget Law, 1992	1991-1992	120
State Budget Law, 1993	1993-1994	26
State Budget Law, 1994	1993-1994	214
State Budget Law, 1995	1995-1996	18

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
State Budget Law, 1996	1995-1996	130
State Budget Law, 1997	1997	40
State Budget Law, 1998	1998-1999	25
State Budget Law, 1999	1998-1999	107
State Budget Law, 2000	2000	41
State Budget Law, 2001	2001	22
State Budget Law, 2002	2002	32
State Budget Law, 2003	2003	34
State Budget Law, 2004	2004	22
State Budget Law, 2005	2005	16
State Budget Law, 2006	2006	18
State Budget Law, 2007	2007	28
State Supplementary Appropriation Law, 1990	1990	5
State Supplementary Appropriation Law, 1991	1991-1992	15
State Supplementary Appropriation Law, 1992	1991-1992	110
State Supplementary Appropriation Law, 1993	1993-1994	16
State Supplementary Appropriation Law, 1994	1993-1994	205
State Supplementary Appropriation Law, 1995	1995-1996	7
State Supplementary Appropriation Law, 1996	1995-1996	119
State Supplementary Appropriation Law, 1997	1997	30
State Supplementary Appropriation Law, 1998	1998-1999	9
State Supplementary Appropriation Law, 1999	1998-1999	95
State Supplementary Appropriation Law, 2000	2000	27
State Supplementary Appropriation Law, 2001	2001	9

INDEX OF LAWS (MYANMAR LAWS SERIES)

Particulars	Year	Page
State Supplementary Appropriation Law, 2002	2002	20
State Supplementary Appropriation Law, 2003	2003	22
State Supplementary Appropriation Law, 2004	2004	9
State Supplementary Appropriation Law, 2005	2005	3
State Supplementary Appropriation Law, 2006	2006	1
State Supplementary Appropriation Law, 2007	2007	13
State-owned Economic Enterprises Law	1988-1989	117
Tariff Law	1991-1992	106
Television and Video Law	1995-1996	181
Traditional Drug Law	1995-1996	172
Traditional Medical Council Law	2000	17
Union of Myanmar Foreign Investment Law	1988-1989	32
University for the Development of the National Races of the Union Law	1991-1992	78
University of Culture Law	1993-1994	96
Veterinary Council Law	1995-1996	102

INDEX OF RULES **(MYANMAR LAWS SERIES)**

Particulars	Year	Page
Control of Money Laundering Rules	2003	87
Mutual Assistance in Criminal Matters Rules	2004	139
Political Parties Registration Rules	1988-1989	13
Procedures Relating to the Union of Myanmar Foreign Investment Law	1988-1989	40
Rules Amending the Defence Services Rules	1988-1989	249
Rules Amending the Income-tax Rules	1988-1989	245
Rules Amending the State Flag Rules	1988-1989	248
Rules Amending the Union of Myanmar Co-operative Society Rules, 1970	1988-1989	59
Rules relating to the Supervision of Controlled Precursor Chemical	2004	111