

THE CITY OF YANGON DEVELOPMENT LAW (1990)

The State Law and Order Restoration Council Law No. 11/90

The 6th Waning Day of Kason, 1352 M.E.

14th May 1990

The State Law and Order Restoration Council hereby enacts the following

Chapter I Title and Definition

1. This Law shall be called the City of Yangon Development Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:-
 - (a) Committee means the City of Yangon Development Committee formed under this Law;
 - (b) Head of Office means the Head of the Service Personnel of City of Yangon Development Committee Office.

Chapter II Formation

3. In order to carry out the development works of the City of Yangon effectively, the Chairman of the State Law and Order Restoration Council shall form the City of Yangon Development Committee comprising a minimum of 7 members and a maximum of 15 members. If necessary, the number of members may be increased. Such formation shall be made with suitable citizens.
4. In forming the Committee under Section 3, the Chairman of the State Law Order Restoration Council shall, at the same time determine the Chairman Secretary of the Committee.
5. The Chairman of the Committee is the Mayor of Yangon.
6. The Head of Office is the Joint Secretary of the Committee.

Chapter III Duties and Responsibilities of the Committee

7. The Committee shall, in respect of the following duties and responsibilities, lay down the policy, give guidance, supervise or implement:-
 - (a) preparation of civil projects and establishment of new towns within the limits of the City of Yangon Municipality;
 - (b) administration of lands within the limits of the City of Yangon Municipality;
 - (c) determining only the population which should be allowed to settle properly in the City of Yangon;
 - (d) construction, repairing and demolition of buildings;
 - (e) demolition and re-settlement of squatter huts, squatter buildings and squatter wards;

- (f) construction of roads, bridges and maintenance thereof;
- (g) stipulation of conditions for traffic and parking of vehicles and slow-moving vehicles;
- (h) construction of gardens, parks, playgrounds and recreation centres and maintenance thereof;
- (i) carrying out works for lighting of roads;
- (j) carrying out works for water supply;
- (k) construction of reservoirs and pipelines and maintenance thereof;
- (l) carrying out works for sanitation;
- (m) carrying out works for public health;
- (n) construction, maintenance and administration of markets;
- (o) stipulation of conditions in respect of roadside stalls;
- (p) carrying out precautionary measures against fire.

8. The committee shall, in addition to the duties and responsibilities contained in Section 7 also carry out other duties and responsibilities prescribed by the City of Yangon Municipal Act, rules and bye-laws.

Chapter IV **Powers of the Committee**

9. The powers of the Committee are as follows:-

- (a) demarcation and re-demarcation of the territorial limit of the City of Yangon Municipality;
- (b) having the right to operate works independently with funds owned by the Committee;
- (c) prescribing, revising, assessing and collecting duties and taxes and their rates relating to development works, in accordance with the existing laws;
- (d) having the right to apply the foreign currency derived from the lease of buildings, lease of lands or by other means, for development works;
- (e) having the right to carry out works contributing to city development by making contacts with local and foreign organizations and with local and foreign individuals;
- (f) having the right to take loans and grants from the Government or from foreign organizations on its own responsibility;
- (g) having the right to carry out works by forming sub-committee work-wise;
- (h) arranging modern methods and systems in order to carry out development works more effectively;
- (i) exercising the powers conferred under the City of Yangon Municipal Act, rules and bye-laws;

(j) exercising the powers conferred from time to time by the Chairman of the State Law and Order Restoration Council.

10. Notwithstanding anything contained in the existing City of Yangon Municipal Act, State Housing and Town and Country Development Board Act and other existing laws, powers in respect of formulation and implementation of civil projects, establishment of new towns and administration of town lands within the limits of the City of Yangon Municipality, shall vest in the Committee.

11. The Committee may, in carrying out its duties and responsibilities act in consultation with the departments concerned if necessary.

Chapter V Finance

12. The Committee shall subsist on its own funds. In addition, it shall take responsibility for all its financial matters.

13. The Committee shall open a separate bank account for its funds and shall have the power to apply such funds for development works. Funds not immediately required for use may be invested in a suitable manner.

14. The Committee shall open a separate bank account for foreign currency accrued to it and shall have the power to apply such foreign currency for development works.

15. The Committee shall submit and report to the Chairman of the State Law and Order Restoration Council annual budget estimates prepared and submitted by the Head of Office and the progress of the annual finance and auditing work within 90 days of the end of the financial year. -

Chapter VI Organizational Set-up

16. The Committee shall draw and confirm the necessary organizational set-up based on the duties and responsibilities.

17. The Committee may, in preparing the organizational set-up under Section 16 include the following personnel contributing to the development works, after consultation with the departments concerned:-

- (a) service personnel carrying out the duty of precautionary measures against disease;
- (b) service personnel carrying out the duty of precautionary measures against fire;
- (c) members of Municipal Police Force and other service personnel carrying out the duty of security and maintenance of discipline.

18. The Committee, in appointing service personnel:-

- (a) has the power to appoint within the organizational set-up, in accordance with the existing regulations and bye-laws;
- (b) may appoint by transfer service personnel who would be able to carry out effectively the development works, in consultation with the departments concerned.

19. In appointing service personnel, the Committee shall not apply in excess of 30 per cent of the annual income accrued.

20. In order that the Head of Office may manage the service personnel, the Committee shall confer as may be necessary powers relating to service affairs to the Head of Office.

Chapter VII

Maintenance of Fund and Auditing of Accounts

21. In order that the Head of Office may maintain the accounts systematically and to enable auditing thereof, the Committee shall prescribe accounts procedures in consultation with the Auditor-General. Accounts shall be maintained in accordance with the accounts procedures so prescribed.

22. The Committee shall cause the accounts maintained by the Head of Office to be audited by the person assigned responsibility by the Auditor-General.

Chapter VIII

Miscellaneous

23. The Committee has the right to carry out the development works at its discretion. However, works involving policy shall be carried out only after obtaining the approval of the Chairman of the State Law and Order Restoration Council.

24. The Committee shall operate under its own name and common seal, and shall have perpetual succession and power to sue and be sued in its corporate name.¹¹²

25. In order to have speedy trial and disposal of municipal cases involving commission of offences for which proceedings have been instituted in respect of the City of Yangon Municipal Act, rules, bye-laws, orders and directives, the Committee shall carry out in consultation with the Supreme Court for opening of Courts at appropriate places within the limits of the City of Yangon Municipality.

26. Funds owned by the previous Yangon City Development Committee or Board, moveable and immoveable property, works in the process of execution, works which have been completed, assets and liabilities shall devolve respectively on the Committee.

27. The Committee shall apply the following existing laws, rules, bye-laws and orders in so far as they are not contrary to the spirit and concepts of this Law:-

(a) The City Development Law and orders issued hereunder;

(b) The City of Yangon Municipal Act, rules, bye-laws and orders.

28. For the purpose of carrying out the provisions of this Law, the Committee:-

(a) may, with the approval of the Chairman of the State Law and Order Restoration Council, issue necessary rules;

(b) may issue necessary orders, directives and procedures.

Sd./ Saw Maung
Senior General

Chairman
The State Law and Order Restoration Council