

The State Law and Order Restoration Council
The Science and Technology Development Law
(The State Law and Order Restoration Council Law No. 5/94)
The 14th Waning Day of Kason, 1356 M.E.
(7th June, 1994)

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

Chapter 1
Title and Definition

1. This Law shall be called the Science and Technology Development Law;
2. The following expressions contained in this Law shall have the meanings given hereunder: -
 - (a) Science means basic science and applied science;
 - (b) Technology means expertise and service which are beneficial to production processes and which are a combination of skill and know-how;
 - (c) Science and Technology Development means work carried out to ensure the development of skill, know-how and expertise which, in practice are being applied in the field of science;
 - (d) Research and Development means work which brings out development of technology which can implement in practice the results of scientific experiments;
 - (e) Technology Transfer means the transfer of Technology in accordance with this Law. This expression shall not include the sale, purchase and hiring of goods;
 - (f) Council means the National Council for Science and Technology Development formed under this Law;
 - (g) Ministry means the Ministry responsible for the Myanmar Scientific and Technology Research Department;
 - (h) Department means the Myanmar Scientific and Technological Research Department formed under this Law.

Chapter II
Objectives

3. The objectives of this Law are as follows:-
 - (a) to carry out development of Science and Technology for promotion of industrial production contributory towards the National Economic Development Plans;
 - (b) to carry out Research and Development for the increased extraction and utilization of domestic raw materials and the promotion of industrial production enterprises based on modern Science and Technology;
 - (c) to effect Technology Transfer for the promotion of production processes and the improvement of the quality of goods;
 - (d) to nurture luminaries required for the development of Science and Technology and for Research and Development and to improve their qualifications;

(e) to communicate and co-operate with domestic and foreign research institutes and organizations for the development of Science and Technology and Research and Development;

(1) to honour and grant appropriate benefits to outstanding luminaries and inventors in the field of Science and Technology.

Chapter III

Establishment of the National Council for Science and Technology Development

4. The Government:

(a) shall form the National Council for Science and Technology Development consisting of the following persons:

(1) a person assigned by the Government ----- Chairman

(2) Ministers or Deputy Ministers of Ministries -----Members
conducting Science and Technology Development
activities

(3) heads or government departments and -----Member
government organizations conducting Science
and Technology Development activities

(4) appropriate luminaries -----Member

(5) Director General Myanmar Scientific and
Technological Research Department----- Secretary

(b) may determine the Vice-Chairman and Joint Secretary if necessary, in forming the Council.

5. Non-governmental members of the Council are entitled to receive such remuneration as may be prescribed by the Ministry.

Chapter IV

Duties and Powers of the Council

6. The duties and powers of the Council are as follows:—

(a) laying down policies for the successful implementation of the objectives of this Law;

(b) providing guidance and supervising the Science and Technology Development works and Research and Development activities conducted by government departments and government organizations;

(c) promoting and assisting the Science and Technology Development works and Research and Development activities conducted by nongovernmental organizations, Co-operative Societies, private luminaries ;

(d) coordinating the Science and Technology Development works and Research and Development activities conducted by government departments and government organizations, non-governmental organizations Co-operative Societies and private luminaries;

(e) nurturing luminaries for the successful implementation of the development of Science and technology and Research and Development and making provisions for the improvement of their qualification;

(f) making arrangements to enable communication and co-operation with foreign research departments relating to Science and Technology;

- (g) providing guidance for the formation of Science and Technology related associations;
- (h) forming scientific organizations and work committees as may be necessary and determining the functions and duties thereof;
- (i) providing guidance for the convening of, and participation in conferences, seminars and meetings on domestic and foreign Science and Technology;
- (j) submitting advice to the Government from time to time on matters relating to domestic and foreign Technology Transfer;
- (k) recommending the presentation of Awards and Titles by the State to outstanding luminaries and Inventors in the field of Science and Technology;
- (l) awarding gratuity, in accordance with the stipulation, to outstanding luminaries and inventors in the field of Science and Technology;
- (m) submitting reports to the Government from time to time on the activities of the Council.

Chapter V

Formation of the Myanmar Scientific and Technological Research Department

7. The Central Research Organization established under the Union of Myanmar Applied Research Institute Act, 1954 is hereby reorganized as the Myanmar Scientific and Technological Research Department.
8. Movable and immovable properties, assets and liabilities of the Central Research Organization shall devolve respectively on the Department

Chapter VI

Functions and Duties of the Department

9. The functions and duties of the Department are as follows:
 - (a) conducting works of research and applied research based on Science and Technology;
 - (b) carrying out research aimed at solving technological problems and difficulties faced by the domestic industries;
 - (c) conducting developmental research for the extension of successful laboratory scale processes to production scale;
 - (d) identifying potential usefulness of natural resources for commercial exploitation;
 - (e) designing and fabricating machinery and equipment; establishing pilot plants;
 - (f) convening of and participating in domestic and foreign conferences and seminars on Science and Technology; exchange of luminaries and co-operation;
 - (g) conducting standardizations and specifications of weights and measures, equipment and machinery, raw materials and finished goods;
 - (h) submitting advice to the Council from time to time on matters relating to domestic and foreign Technology Transfer;
 - (i) conducting Research and Development on environmental conservation;
 - (j) conducting Research and Development on the usage of atomic energy and protection from atomic radiation;

- (k) establishing and maintaining the Central Science Library, collecting and exchanging scientific and technological literature;
- (l) providing advice and service relating to Science and Technology; disseminating technical information; compiling, publishing and distributing scientific and technological publications;
- (in) conducting Research and Development projects and scientific and technological activities assigned by the Council or the Ministry.

Chapter VII

Technology Transfer

10. Any person or organization may transfer Technology which they have developed successfully in the following manner:—

- (a) allowing the right to use the Technology to any person free of charge;
- (b) selling or allowing the right to use the Technology, upon payment of a fee, for a contracted period of time within the country under a contract.

11. The manner and conditions relating to domestic and foreign Technology Transfer, shall be as determined by the Government.

12. In transferring Technology which any government department or government organization has developed successfully, under section 10 sub-section (b):

- (a) monetary benefits may be granted in the prescribed manner to the relevant inventor or to persons who are mainly instrumental in the development of the Technology;
- (b) if the person who has obtained the right to use the Technology so desires, he may assign the duties to the inventor or to persons who are mainly instrumental in the development of the Technology in accordance with the existing regulations and bye-laws for government servants.

13. Contracts for Technology Transfer under section 10 sub-section (b) shall contain the following facts:-

- (a) statement of the nature and applicability of the Technology transferred;
- (b) statement of the type of Technology, the nature and amount of the financial payment;
- (c) statement of the period for which the transferred Technology may be used;
- (d) statement of the rights and responsibilities of the transferor and transferee of the transferred technology;
- (e) other agreements.

14. The Department shall establish a registration office for the registration of Technology Transfer contracts.

15. A contract for Technology Transfer:-

- (a) shall be registered in the prescribed manner;
- (b) unless registered, there shall be no right of instituting a suit based thereon.

16. The provisions of this Chapter shall not apply to the transfer of patented inventions or registered designs.

Chapter VIII
Miscellaneous

17. The orders and directives issued under the Union of Myanmar Applied Research Institute Act, 1954 may, in so far as they are not inconsistent with this Law, continue to be applicable.

18. (a) The expenses of the Council shall be borne by the Department.

(b) The office work of the Council shall be carried out by the Department.

19. For the purpose of carrying out the provisions of this Law:

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

(b) the Council, Ministry or the Department may issue such orders and directives as may be necessary.

20. The Union of Myanmar Applied Research Institute Act, 1954 is hereby repealed.

Sd./ Than Shwe
Senior General
Chairman

The State Law and Order Restoration Council

http://web.archive.org/web/20110902222232/http://www.blc-burma.org/html/Myanmar%20Law/lr_e_ml94_05.html