

The Union of Myanmar

The State Peace and Development Council

**The Law Relating to Emoluments and Allowances of the
representatives of the Pyithu Hluttaw, the Amyotha Hluttaw, the Region Hluttaw
or State Hluttaw and the members of the Leading Body of the
Self-Administered Division or Self-Administered Zone**

(The State Peace and Development Council Law No. 6 / 2011)

The 6th Waxing Day of Pyatho, 1372 M.E.

(10th January, 2011)

Preamble

Since it is provided in section 443 of the Constitution of the Republic of the Union of Myanmar that the State Peace and Development Council shall carry out the necessary preparatory works to implement the Constitution, it has become necessary to enact the relevant laws to enable performance of the legislative, administrative and judicial functions of the Union smoothly, to enable performance of works that are to be carried out when the various Hluttaws come into existence and to enable performance of the preparatory works in accord with law.

As such, the State Peace and Development Council hereby enacts this Law in accord with section 443 of the Constitution of the Republic of the Union of Myanmar, in order to confer the emoluments and allowances commensurate with the functions and duties carried out in the interest of the Union and its citizens to the representatives of the Pyithu Hluttaw, the Amyotha Hluttaw, the Region or State Hluttaw and the members of the Leading Body of the Self-Administered Division or Self-Administered Zone who carry out duty under the Constitution of the Republic of the Union of Myanmar.

Chapter I

Title and Definition

1. This Law shall be called the Law Relating to Emoluments and Allowances of the Representatives of the Pyithu Hluttaw, the Amyotha Hluttaw, the Region or State Hluttaw and the Members of the Leading Body of the Self-Administered Division or Self-Administered Zone.

2 The following expressions contained in this Law shall have the meanings given hereunder:

- (a) Constitution means the Constitution of the Republic of the Union of Myanmar;
- (b) Hluttaw Representative means the Hluttaw representative elected under the Pyithu Hluttaw, the Amyotha Hluttaw, the Region or State Hluttaw Election Law and the Hluttaw representative who is the Defence Services personnel nominated by the Commander-in-Chief of the Defence Services as Hluttaw representative in accord with law for the purpose of this Law;
- (c) Member of the Leading Body means the following members of the Leading Body who are not the Chairperson and the member of the Executive Committee of the Self-Administered Division or Self-Administered Zone out of persons contained in sub-section (d) of section 276 of the Constitution for the purpose of this Law:
 - (i) members of the Leading Body who are the Hluttaw representatives elected under the Region or State Hluttaw Election Law;
 - (ii) members of the Leading Body who are the Defence Services personnel added and assigned duties by the Commander-in-Chief of the Defence Services under the Constitution;
 - (iii) members of the Leading Body who are representatives of national races having a population of over 10,000 from the remaining except the national races who have already obtained the respective Self-Administered Division or Self-Administered Zone residing in the Self-Administered Division or Self-Administered Zone;

- (iv) additional members of the Leading Body elected and appointed as the number of members of the Leading Body of the Self-Administered Division or Self-Administered Zone is less than 10;
- (d) Emoluments mean monthly emoluments stipulated in this Law entitled to be enjoyed by the Hluttaw representatives and members of the Leading Body;
- (e) Allowance means the allowance stipulated in this Law entitled to be enjoyed by the Hluttaw representatives and members of the Leading Body for travelling on duty, halt during travelling, accommodation and meal.

Chapter II
Emoluments

- 3. (a) The Hluttaw representatives elected under the Pyithu Hluttaw Election Law and the Amyotha Hluttaw Election Law and Hluttaw representatives who are the Defence Services personnel nominated by the Commander-in-Chief of the Defence Services in accord with law to those two Hluttaws are entitled to enjoy three hundred thousand kyats as monthly emoluments.
- (b) The Hluttaw representatives elected under the Region or State Hluttaw Election Law and Hluttaw representatives who are the Defence Services personnel nominated by the Commander-in-Chief of the Defence Services in accord with law to such Hluttaw are entitled to enjoy two hundred thousand kyats as monthly emoluments.
- (c) Members of the Leading Body contained in clause (i) of sub-section (c) of section 2 are entitled to enjoy two hundred thousand kyats as monthly emoluments.
- (d) Members of the Leading Body contained in clauses (ii), (iii) and (iv) of sub-section (c) of section 2 are entitled to enjoy one hundred thousand kyats as monthly emoluments.

4. The Defence Services personnel out of persons contained in section 3 are entitled to enjoy only one type of emoluments or salary which he desires out of his relevant monthly emoluments and salary entitled to be enjoyed as the Defence Services personnel.

5. The Hluttaw representatives and members of the Leading Body are entitled to enjoy the civil services personnel retirement pension while enjoying the monthly emoluments contained in this Law. However, the persons who obtained the right to enjoy the political pension shall not enjoy such political pension during this period.

Chapter III
Allowance

Allowance for Accommodation and Other Expense

6. The Hluttaw representatives and members of the Leading Body are entitled to enjoy two thousand kyats as the allowance for accommodation and three thousand kyats for other expense per day if the Union cannot arrange for free accommodation for travelling on duty.

7. The Hluttaw representatives and members of the Leading Body are entitled to enjoy the allowance for accommodation only for the stipulated period of such meeting if it is the matter for attending meeting. However, such persons are not entitled to enjoy allowance for accommodation if they reside at the place of meeting.

Allowance for Meal

8. The Hluttaw representatives and members of the Leading Body are entitled to enjoy five thousand kyats as allowance for meal per day for travelling on duty.

9. The Hluttaw representatives and members of the Leading Body are entitled to enjoy allowance for meal only for the stipulated period of such meeting if it is the matter for attending meeting.

Travelling Allowance

10. The Hluttaw representatives and members of the Leading Body, while travelling on duty are:

- (a) entitled to enjoy travelling allowance according to the rates stipulated by the Union Government for a trip;
- (b) if it is the matter for meeting, for travelling from the place of accommodation to the place of meeting, to be incurred from other expense contained in section 6.

Chapter IV
Miscellaneous

11. The Hluttaw representatives, commencing from the time of making affirmation before the Chairperson or Speaker of the relevant Hluttaw and members of the Leading Body, commencing from the time of making affirmation before the Speaker of the relevant Leading Body, shall be entitled to enjoy the emoluments and allowances contained in this Law.
12. For the emoluments and allowances of Hluttaw representatives and members of the Leading Body, it shall be allocated in the relevant budget fund.
13. The Hluttaw representatives and members of the Leading Body are entitled to enjoy:
- (a) lump sum emoluments of political pension stipulated by the Union Government based on their monthly emoluments if they carry out their duties efficiently for the full term;
 - (b) lump sum emoluments of political pension stipulated by the Union Government based on their monthly emoluments for such period of term of office if they cannot continue to carry out their duties because of illness before the expiry of the term without any offence or if they carry out their duties for being elected or assigned duties under the relevant Hluttaw Election Law or the Self-Administered Division or Self-Administered Zone Leading Body Law at the vacant office in a term;

- (c) lump sum emoluments of political pension for family stipulated by the Union Government based on their monthly emoluments for such period of term of office if they are deceased before the expiry of the term;
- (d) only one type of political pensions as they desire if they are entitled to enjoy more than one political pension.

14. The various incomes allowed to be enjoyed under this Law shall be exempted from the levy of income-tax.
15. This Law may be amended, inserted or repealed by the Pyidaungsu Hluttaw formed in accord with the Constitution of the Republic of the Union of Myanmar. This Law shall remain in force in so far as it is not repealed by the Pyidaungsu Hluttaw.
16. The Speaker of the Pyidaungsu Hluttaw may issue regulations, by-laws, orders, directives and procedures as may be necessary relating to the provisions contained in this Law.

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