UNION OF MYANMAR

MYANMAR LAWS

【2008】

OFFICE OF THE ATTORNEY GENERA

UNION OF MYANMAR

MYANMAR LAWS

(20118)

PUBLISHED BY
OFFICE OF THE ATTORNEY GENERAL

FIRST EDITION

FIRST IMPRESSION, APRIL 2008

• 2000 COPIES .

' PRICE "~~ iYATS

PUBLISHED BY
OFFICE OF THE ATTORNEY GENERAL

FOREWORD

The Attorney. General Law, 2001 has assigned the Office of the Attorney General responsibility to carry out compiling and publishing of law books, law manuals and periodicals in accordance with stipulations. The Attorney General has published Myanmar Laws in Myanmar language since 1988 to date and "Myanmar Laws" series in English annually under The Attorney General Law of 2001. OAG has published various issues of Law Journal, Law Dictionary and rare Myanmar law books which are already out of print.

OAG believes that the issuing of Myanmar Law series partly fulfilled the requirement of legal field and it is intended to help legal practitioners, scholars and law students inside and outside of the Myanmar so as to understand Myanmar laws in English. Myanmar participation in international and regional activities has been increasing, so Myanmar Laws in English would be useful for the various officials of Government and non-Govemment organizations, to ■ understand, so as to use of their legal knowledge in international and regional fora.

In the year 2008, eight laws were enacted in Myanmar, among which, the Referendum Law for the Approval of the Draft Constitution of the Republic of the Union of Myanmar is very important in building the mordem, prosperous and developed Country.

English translation of Myanmar law is made by the Office of the Attorney General. There may be divergences and ambiguities between Myanmar and English versions, in such case the Myanmar text shall prevail.

The Office of the Attorney General believes that the Myanmar Law series will give better understanding of Myanmar laws to all. readers.

OFFICE OF THE ATTORNEY GENERAL
NAYPYITAW, UNION OF MYANMAR.
A£RIL,2009.

MYANMAR LAWS (2008)

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LAWS

The Union of Myanmar

Hie State Peace and Development Council

The Referendum Law for the Approval of the Draft Constitution of the Republic of the Union of Myanmar, 2008

(The State Peace and Development Council Law No. 1 7*2008)

The 5th Waning Day ofTabodwe, 1369 M.E.

■ {26th February, 2008)

■ Preamble

. The Commission for Drafting the State Constitution has drafted the State Constitution of the Republic of the Union ofMyanmar leading to non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of sovereignty; building of the modem, developed and discipline-flourishing democratic State for which the whole people is longing for;.and for the long-term interest of all nationalities who are residing in the Union in accordance with the basic principles and detailed basic principles adopted by the National Convention.

Hie State Peace and Development Council hereby enacts the following Law to enable to adopt the draft law drafted as such by the whole people through referendum.

■ Chapter I

Title and Definition

1. This Law shall be called the Referendum Law for the Approval of the Draft Constityition of t^Eepufelic of

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

(a) This Law means the Referendum Law for the Approval of the Draft Constitution of the Republic of the Union of Myanmar, 2008;

(b) Referendum means the referendum held for enabling to approve the draft StafeConstitution of the Republic of the Union ofMyanmar;

(c) Commission means the Commission for Holding Referendum;

(d) State or Divisional Sub-commission means the State or Divisional Sub-commission for Holding Referendum. Such expression includes Sub-commissions of the Shan State(North), Shan State (East) and Bago Division (West);

(e) District Sub-commission means the District Sub-commission for Holding Referendum;

(f) Township Sub-commission means the Township Sub-commission

for Holding Referendum;

(g) Ward or Village-tract Sub-commission means Ward or Village-tract Sub-commission for Holding Referendum;

(h) Citizen means the person who has been a citizen according to existing law;

(i) Member of religious order means:

(i) in the case of Buddhist, monks, novices, religious laymen and nuns;

Explanation: The expression, member of religious order, applies to a religious monk or a member of the religious order while he is serving temporarily as such;

(ii) in the case of Christians, persons who have been recognized and ordained or assigned duties by the relevant Churches as an individual who has dedicated himself mainly to serving the Christian religious order, persons included in the group of individuals or organization which oftheir own volition have submitted to the control of the respective head according to the religion professed as organized by religious discipline or vow;

(iii) in the case of Hindus, Sanyazi, Mahant or Hindi priest;

(j) Referendum Area means ward or village-tract prescribed by th« Commission to vote for holding referendum;

(k) Voting roll means the roll of persons who are at the prescribed referendum areas and have the right to vote;

(1) Polling Booth Team means the team appointed by the relevanl ' Subcommission for canying out voting in collective responsibility;

(m) Polling Booth Officer means the leader of the polling booth team appointed by the relevant Sub-commission;

(n) Cancelled Vote means:

(1) the bailot paper or advance ballot paper which has no prescribed mark,

(2) the ballot or advance ballot paper scrutinized and decided by the polling booth team to be the fake vote or advance ballot paper, and

(3) the ballot paper destroyed in any means and inserted in the ballot box.

Chapter II

Convening the Referendum

(a) The referendum shall be held for the approval of the draft constitution of the Republic of the* Union of Myanmar;

(b) The referendum shall be held completely within the period prescribed by the Commission.

(a) The Commission shall declare the day on which the referendum is to be held in 21 days advance;

(b) The Township Sub-commissions and the Ward or Village-tract Sub-commissions shall declare the list of the persons who have right to vote as to their referendum area for holding referendum in 7 days advance.

Chapter III

Formation of the Commission and Sub-commissions

(a) The State Peace and Development Council shall form a referendum commission for holding referendum with necessary number of suitable citizens;

(b) The commission formed under sub-section (a) shall form or may cause to form the following sub-commissions:

(1) a State or Divisional Sub-commission in a State or Division comprising 15 members;

(2) a District Sub-commission in a district comprising 15 -members;

(3) a Township Sub-commission in a township comprising 15 members;

(4) a Ward or Village-tract Sub-commission in a ward or village-tract comprising 5 to 20 members.

Chapter IV

Duties and Powers of the Commission for Holding Referendum and Sub-commissions

The duties and powers of the Commission are as follows:

(a) holding referendum;

(b) forming, guiding and supervising the sub-commissions;

(c) determining and declaring referendum areas for holding referendum;

(d) prescribing period to hold referendum;

(e) guiding and supervising for preparation of list and schedule relating to holding referendum;

(f) prescribing forms, seals, ballot papers and advance ballot paper to be used by the Commission and Sub-commissions for holding referendum; .

(g) issuing ballot papers and advance ballot papers to each District . Sub-commission;

(h) sending advance ballot papers to the relevant head of embassy or consulate through the Ministry of Foreign Affairs to enable the persons who are at abroad and having right to vote, to cast vote;

(i) declaring the number of persons eligible to vote, persons who cast vote, persons who cast vote-in-favour and their comparison in percentage, reporting to tfîê'State Peace and Development Council;

(j) canying out other necessary matters relating to referendum.

7. Duties and powers of the. State or Divisional Sub-commissions are as follows: : .

(a) forming District Sub-eoinmisSiôris'BncÎ T^wnsiÎîp Sub-commissions in accordance with the directive of the Commission;

(b) supervising and coordinating the performance of the works of District, Township and Ward or Village- tract Sub-commissions;

(c) reporting the performance of the works of State or Divisional Sub-commission to the Commission;

(d) sending in advance to the Commission of the list of persons eligible to vôtê sent by Township Sub-commissions according to township;

(e)sending list to the Commission after preparing it in accordance with stipulations by differentiating the list of persons eligible to vote, persons who cast vote, votes-in-favour, votes-against and cancelled votes after collecting the number of votes sent by Township Sub-commissions after the referendum has been held.

Duties and Powers of District Sub-commissions are as follows:

(a) asking for ballot papers and advance ballot papers for Township Sub-commissions from the Commission and distributing them sufficiently to Township Sub-commissions;

(b) supervising and coordinating the performance of works of Township Sub-commissions and Ward or Village-tract Sub-commissions;

(c) carrying out in accordance with the directives of the Commission and State or Divisional Sub-commissions.

9. Duties and Powers ofTownship Sub-commissions are as follows:

(a) forming Ward or Village-tract Sub-commissions in accordance with the directive of the Commission;

(b) supervising the referendum held in ward or village-tract;

(c) declaring, adding, amending and approving the voting rolls ac cording to the relevant referendum areas relating to referendum,

. sending in advance of the approved list of persons eligible to vote to the relevant State or Divisional Sub-commrnîssion:

'(d) asking for necessary ballot papers and advance ballot papers for referen dum areas in township from the District Sub-com mission and distributing them sufficiently to the Ward or Vil lage-tract Sub-commissions according to referendum areas and the teams contained in clauses (2), (3), (4), (5) and (6) of sub-section (d) of section 12;

(e) declaring the days to vote at the referendum areas in township;

(f) reporting list to the State or Divisional Sub-commission after preparing it by differentia'ting the list of persons who cast vote, votes-in-favour, votes-against and cancelled votes after collecting

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the number of votes sent by Ward or Viilage-tract Sub-commissions, and sending copy to the Commission and relevant District Sub-commissions;

(g) reporting the performance of the works of Township Sub_T * commission to District Sub-commission and sending copy to the Commission and relevant State or Divisional Sub-commissions;

{h) cariying out other necessary matters relating to referendum.

10. Duties and Powers of Ward or Village- tract Sub-commissions are as follows:

(a) carrying out and taking responsibility for the referendum held in ward or village-tract;

(b) reporting to the relevant Township Sub-commission for approval after preparing voting roll for referendum and declaring the approved voting roll in ward or village-tract;

(c) declaring the polling booth areas and venues in ward or village-tract referen dum area with the approval ofTownship Sub-commission and appointing members of polling booth and polling booth officer;

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Proviso: If any polling booth officer and member of polling booth is unable to cany out duty assigned for any reasons on the day of referendum, any suitable citizen who is respected by the local public may be assigned in substitution. Such assignment shall be reported to Township Sub-commission.

(d) distributing ballot papers and advance ballot papers obtained from Township Sub-Commission to polling booth teams sufficiently ;

(d) making ballot boxes in accordance with the stipulations;

(e) opening ballot boxes of each polling booth at that polling booth and supervising in counting vote;

(f) sending list to Township Sub-commission after preparing it in accordance with stipulations by differentiating list of persons who cast vote, votes-in-favoiir, votes-against, cancelled votes, ballot paper and advance ballot paper received, remaining ballot papers and advance ballot papers;

(g) reporting the performance of the works of Ward or Village-tract Sub-commission to Township Sub-commission;

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(h) carrying out other necessary matters relating to referendum. -

Chapter 5

Preparing Voting Rolls [1]

11. (a) Each and every citizen, associate citizen, naturalized citizen and temporary document holder who has completed the age of eighteen years on the day of referendum shall have the right to vote at the referendum. Such each and every person who is entitled to vote shall be mentioned in the voting roll.

(b) The names of the following persons which are in conformity with the provisions contained in sub-section (a) are entitled to be mentioned in the voting roll:

(1) the diplomats, diplomatic staff, consular staff of the Union of Myanmar and members of their household;

• (2) members of army, navy or air force of Tatmadaw who are out ofreferendum area on duty on the day of referendum although they live within military unit, and members of their household living together with them;

(3) persons who are appointed by the Government to carry out duties outside the Union of Myanmar and members of their household; -

(4) State scholars and members of their household living together with them who are at abroad;

(S'» other persons who are at abroad with the permission of the Government;

(6) students who are studying at various universities, degree colleges, colleges, institutes and schools;

Explanation: University, degree-college, college, institute and school means the universities, degree-colleges, colleges, institutes and schools opened or recognized by the Government to study by students. Such expression includes vocational schools, schools and homes or social welfare or universities or schools established by the Tatmadaw.

... Among the students studying at universities, degree-colleges, colleges, institutes and schools, students who came from other región and are studying there other than students who are included in voting roll of the area where the relevant university, degree-college, college, institute and school is established, are entitled to vote in accordance with the provisions of this Law.

(7) persons who are taking medical treatment as in-patient in hospital and service personnel who are on duty;

(8) - persons who are at the worksite of other region, departed from base camp, under the assignment of any Government department or organization;

(9) detainees in custody of police station or prisons;

In preparing the voting roll, temporary workers who came from referendum area of permanent residence to other referendum area individually or in group until passing the day of referendum, they may be included in the voting roll of the referendum area where they are-existing. The relevant Township Sub-commission shall be informed to Gancel the list of the names of those persons from the voting roil of the referendum area where they originally resided.

The following persons shall not be included in the voting roll:

(1) . members of religious orders;

(2) persons who have been adjudged to be of unsound mind as provided for in the relevant law;

(3) persons serving prison terms, having been convicted under sentence of a court for any offence;

(4) persons who are illegally at abroad;

(5) foreigners.

Voting roll shall be prepared by Ward or Village-tract Sub-commissions according to their ward or village-tract. •

Ward or Village-tract Sub-commissions shall include the name of each and every eligible voter who lives in the ward or village-tract under subsection (a) of section 11 in the voting roll.

In preparing voting roll under sub-section (a),, the names of persons mentioned in sub-section (b) of section 11 shall not be included in the voting roll of Ward or Village-tract where they reside. If it is included in that voting roll, the name of that person shall be excluded from the voting roll.

In preparing the voting roll for the persons included in sub-section (b) of section 11, the following teams formed with suitable number of members as directed by the Commission shall prepare

(1) for the persons who are at abroad and eligible to vote and members of their household living with them, head of the relevant embassy and team or head of consulate and team;

(2) for the members of army, navy, air force ofTatmadaw who are out of referendum area on duty on the day of referendum although they reside in military unit and members of their household living together with them, relevant commanding office and team;

(3) for the students who are studying at various universities, degree-colleges, colleges, institutes and schools, rector of the university and team if it is the university; principal and team if it is the degree-college and college-; principal and team if it is the institute and school'; head of such school and team if it is the school for social welfare; head of home and team if it is the home;

(4) for persons taking medical treatment as in-patient in hospital and service personnel who are on duty, medical superintendent of the hospital and team;

(5) for the persons who are at the work-site of other region, departed from their base camp, under the assignment of any Government department or organization, head of such worksite and team;

(6) for detainees in custody of police station, in-charge of -relevant police station and team; for detainees in prison, warden and team.

(e) in preparing voting roll for members of army, navy and air force of Tatmadaw who are eligible to vote under sub-section (a) of section 11 and members of their household, Ward or Village-tract Sub-commission shall carry out as follows:

(1) including the names of members of army, navy and air force ofTatmadaw who reside at the regiments, military units, military commands based within their relevant Ward or Village-tract and members of their household with the help ofrelevant commanding officer;

(2) including the names of members of army, navy and air force of Tatmadaw who are out of relevant military unit. and the names of members

of their household living together with them, in the voting roll of referendum area where they reside.

13. (a) Ward or Village-tract Sub-commissions shall carry out inspection, declaration, amending and adding to the voting roll. However, in respect of amending, adding to the voting roll, the approval of relevant Township Sub-commission- shall be obtained.

(b) The teams formed under sub-section (d) of section 12 shall carry out inspection, declaration, amending, adding and approving the voting roll like the Ward or.Village-tract Sub-commissions. If dispute arises relating to voting -roll, approval shall be obtained, for the team formed under clauses (1) and (2) of sub-section (d) of section 12, from the Commission, and for other teams, from their relevant Township Sub-commission. The decision of Commission and Township Sub-commission shall be final and conclusive.

Chapter VI

Voting

14 (a) Every person who includes in the voting roll for the referedum is entitled to vote.

(b) The person who is entitled to vote shall cast vote only at the polling booth of the referendum area in which his name is included.

15 * Stipulated ballot box shall be placed at visible place for public for enabling voters to cast vote conveniently at every- polling booth where referendum is to be held.

16 A person who is entitled to vote shall have the right once to vote at the referendum. ■ .

17 A person eligible to vote shall obtain the ballot paper from Polling Booth Officer or person assigned by Polling Booth Officer, express his wish secretly at stipulated place in the polling booth and put into the ballot box.

18 The persons eligible to vote who are at abroad, and persons who are to travel out of the referendum area where they reside on the day referendum is held are entitled to vote with advance ballot paper in accordance with the stipulations.

19. The means of voting for the persons mentioned in sub-section (b) of section 11 shall be as stipulated in the Rules made under this Law.

Chapter VII

Postponing and Dissolving of Voting

20 (a) The relevant Township Syb-commission may postpone once to the suitable date for enabling to vote at all polling booths . or some polling hooths or a polling booth within stipulated period under sub-section (d) of section 6, if free and fair referendum may not be held stably due to natural disaster or situation affecting the security or any other disaster. In addition, polling booths may be immediately transferred to suitable place it deems appropriate. Such, postponement and transfer shall be submitted to District Sub-commission and the copy shall be submitted to the Commission and relevant State or Divisional Sub-commissions.

(b) If the persons eligible to vote are unablef to vote at any polling booth on stipulated day to vote due to any reasons contained in sub- section (a), the Polling Booth Team shall declare postponement of voting . If it is postponed while

being voted, Polling Booth Team shall close the ballot box in the presence of 5 persons eligible to vote and such pro-

■ cess of the event shall be submitted immediately to respective Ward or Village- tract Sub-commission. Such Sub- commission shall report to Township Sub-commission with its recommendation. -

(c) Ward or Village - tract Sub-commission shall determine and declare a day within the stipulated period under sub- section (d) of section 6 and venue for casting vote by remaining persons eligible to vote at the polling booth declared for postponement.

(d) New ballot box shall be used for voting on the day postponed :

21. (a) If situation arises to dissolve voting for referendum due to any reasons contained in section 20, Ward or Village-tract Sub-commis_sion may dissolve some polling booths or all polling booths within its referendum area. If such situation arises, Ward or Village-tract Sub - commission shall submit its performance immediately to the relevant Township Sub-commission.

Township[1] Sub-commission shall report the submission of Ward or Village-tract Sub- commission under sub-section (a), to District Sub-commission with its recommendation immediately and send the copy to Commission and relevant State or Divisional Sub-commissions.

If situation arises to dissolve voting of referendum due to any reasons contained in section 20, Township Sub-commission may dissolve a referendum area or up to the half of all stipulated referendum-areas in its Township. If situation arises to dissolve over- half of all referendum areas, Township Sub-commission shall report to relevant District Sub-commission and State or Divisional Sub-commission immediately with its recommendation .

The State or Divisional Sub-commission shall make decision on the submission of Township Sub-commission under sub-section(c). Such decision shall be final and conclusive. The State or Divisional Sub-commission shall report such decision for dissolution to the Commission and send the copy to relevant District Sub- commissions and Township Sub- commissions.

Chapter VIÏÏ

Counting of Votes

22. (a) The polling both team, immediately after closing the polling booth, shall:

(1) inspect the ballot boxes$_v$ in the presence of not less than ten persons eligible to vote, open such ballot boxes and count the votes, in counting so, votes-in-favour, votes-against and cancelled votes shall be differentiated and counted.

(2) continue to obtain the votes from remaining eligible voters in the postponed date under sub-section (c) of section 20. Only after closing su#i polling booth obtaining the vote, votes from such polling booth shall be counted by adding the votes from the

- ballot boxes closed safely under sub-section (b) of section 20;

(3) count only the votes in the ballot boxés closed safely under sub-section (b) of section 20, if voting is unable to be held also on the postponed date under sub-section (c) of section 20;

(4) prepare separately the list of voters contained in voting roil, votes in favour, votes against, cancelled votes, ballot papers received and remaining ballot papers and send to Ward or Village-tract Sub Commission in conformity with clause (1);

The Ward or Village-tract Sub-commission shall collect the. lists sent under clause (4) of sub-section (a) according to polling booth, prepare combined list, and advance ballot papers received and send to relevant Township Sub-commission with report.

The Township Sub-commission shall send combined list to State or Divisional Sub-commission with report of :

(1) the lists collected and prepared according to the Ward or Village-tract sent by Ward or Village-tract Sub-commissions under sub-section (b);

(2) the lists obtained after counting advance ballot papers sent by teams formed under clauses (2),(3), (4), (5) and (6) of sub-section (d) of section 12 and advance ballot papers sent by Ward or Village-tract Sub-commissions and lists contained in clause (1). ;Such Copy shall be sent to the Commission and relevant District Sub-commissions.

(d) The State or Divisional Sub-commission shall collect and send the voting lists sent by the Township Sub-commissions under sub-section (c) to the Commission.

(e) The Commission shall count the advance ballot papers sent by teams formed under clause (1) of sub-section (d) of section 12 after differentiating votes in favour, votes against and cancelled votes.

Chapter IX

Declaring Votes

23. The Commission shall, after holding the referendum, combine the lists oi advance ballot papers submitted by the State or Divisional Sub-commissions under sub-section (d) of section 22 and lists of advance ballot papers counted by the Commission under sub-section (e) of section 22, declare the number of eligible voters, number of voters, number of voters in favour and the comparison of them in percentage.

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Chapter X

Prohibition and Penalty

24. . In respect of the referendum, no one shali act any of followings:

(a) voting more than once;

(b) possessing the fake, bailot paper or fake advance ballot paper; . .

(c) destroying the ballot paper or advance ballot paper;

(d) taking away the bailot paper outside the polling booth;

(e) opening the ballot box without authority, destroying or affecting it in any other means ;

(f) . destroying the polling booth; .

' (g) doing or destroying intentionally the lists, notices or other documents issued by the Commission and Sub-commission, unable to be read;

(h) talking, distributing papers, using posters or disturbing the voting in any other means in the polling booth or .on the premises.of polling booth or at the public or private place to destroy the referendum.

25. Whoever violates any prohibition contained in section 24. attempt to violate as such, commit any criminal act by conspiring to violate or abet in violation, shall, on conviction, be punished with

imprisonment not exceeding 3 years or with a fine not exceeding one hundred thousand kyats or, with both.

Chapter XI

Obtaining Financial and Staff Assistance

26. (a) The Commission shall:

(1) submit and request to the State Peace and Development Council by calculating the estimated expenditure ■ for holding referendum and expend;

(2) allocate, as appropriate, out of the fund requested and obtained under clause (1) to the Sub-commissions.

(b) The Sub-commissions shall:

(1) expend the fund allocated by the Commission under sub-section (a) as directed by the Commission and keep the accounts systematically;

(2) send their balanced statements of accounts to the Commission after holding the referendum.-

27. The Commission may co-ordinate and obtain necessary staff and :y material assistance for the Commission and Sub-commissions from the ministries and organizations.

Chapter - XII
Miscellaneous

28. The Commission shall submit the report to the State Peaci. and Development Council after declaring the situation of the vote obtained under section 23.

' 29.(a) If the post of the member of the Commission becomes vacant for any reasons, the State Peace and Development Council may substitute and appoint member for such post;

(b) If the post of the member of any Sub-commission for any reasons, the following Commission or Sub-commissions may substitute and appoint:

(1) if it is the post of the member of State or Divisional Sub-commission, the Commission;

(2) if it is the post of the member ofDistrict Sub-commission, relevant State or Divisional Sub-commission;

(3) if it is the post of the member of the Township Sub-commission, relevant State or Divisional Sub-commission,

(4) if it is she post of the member-Ward or Village-tract Sub-commis- st- .n. relevant Township Sub-commission.

(c) The performance of the Commission or Sub-commission shall not be null and void due to vacancy of the post of the member of the Commission and Sub-commission.

30. For the purpose of implementing the provisions of this Law, the State Peace and Development Council may make Rules as may be necessary.

31. The Commission may issue such notifications, orders and directives as may be necessary without being contrary to the provisions of this Law or Rules made hereunder.

Sd./ (Than Shwe)

Senior General

Chairman

The State Peace and Development Council

The Union of Myanmar

The State Peace and Development Council

The Law Amen ding the Limitation **Act, 2008**

(The State Peace and Development Council Law No. 2/2008)

The 11th Waxing Day of Tabaung, 1369 M.E. .

(17th March, 2008)

The State Peace and Development Council hereby enacts the following

This Law shall be called the Law Amending the Limitation Act, 2008.

In the first schedule, second division of the Limitation Act:

(a) the expression ''Council of People's Justices" contained in articles 151,155 and 156 shall be substituted by the expression ''Supreme Court;"

(b) the expression "Township Judges' Committee" contained in articles 152 and 153 shall be substituted by the expression ''District Court;"

(c) The expression "State or Divisional Judges* Committee" contained in articles 152-A and 154 shall be substituted by the expression "State or Divisional Court;"

(d) The expression "Twenty days" contained in "Period ofLimitation" column of article 151 shall be substituted by the expression "Thirty days."

(Sd.) Than Shwe
Senior General
Chairman
The State Peace and Development Council

The Union of Myanmar

. The State Peace and Development Council

The State Supplementary Appropriation Law, 2008

(The State Peace and Development Council Law No. 3/2008)

The 14th Waxing Day of Tabaung ,1369 M.E.

(20th March, 2008)

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, 2008.

(b) This Law shall have effect for the 2007-2008 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), and (3) 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 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. 2007.

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, 2007, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.

Chapter III

Taking of Loans

4. Kyats two hundred thousand million is further appropriated in addition to the amount of loans actually received after the execution ofloan agreements mentioned in section 13 of the State Budget Law, 2007.

(Sd.) Than Shwe
Senior General
Chairman
The State Peace and Development Council

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

Sériai Number	Serial Number contained in the State Budget Law, 2007	Subject ,	Responsible Person
i	2	3 '	4 '
1	I	The State Peace and Development Council	Chair of the State Peace and Development Council or a person delegated by the Chairman
2 ■	2 .	Multi - Party Democracy Genera! 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
1,110,995,000			63,425,000				
11,936,000							
5G5,766,00Q			'560,644,830,000				
83.515,000							
31,781,000							
64,553,000			•				
1,808,546,000			560,708,255,000				

Ministries and

Serial "lumber	Serial ' Humber contained in the State Budget Law, 2007	Subject	Responsible Person
1	2	3	*4*
1	1	Forcing 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	34	• Labour	- ditte - .

Departments

Schedule (2)

. Supplementary Expenditure Sanctioned							
Current . Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		ment in Organi-zations	Savings
				Disb-urse-ment of Loam	Repay-ment of Loans		
5	6	7	8	9	10	11	12
Kyats	• Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
74,754,000		4,881,000					
2,511,336,000			1,771,907,000				
178,969,000		347,078,000	11,636,295,000				
. 900,276,000		254,557,000					
676,610,000			255,667,000				
309,417,000			270,000,000				
375,224,000		46,484,000					
213,269,000							
194,265,000		8,000	•				
1,751,381,000							
330,306,000							
98,424,000			50,000,000				
. 118,814*000							

Serial dumber	Serial Number contained in the State Budget Law, 2007	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 ■	*n*	Mines	- ditto -
18	19	industry No (1)	- ditto -
19	20	Industry Mo (2)	. - ditto
20	21	Science and Technology	- ditto-
21	22	Energy	- ditto -
22	23 .	Electric Po'fter No (1)	- ditto -
23	25	Construction	- ditto -
24	26	Transport	- ditto-
25	27	Rail Transportation	- ditto -
26	28	Communications, Posts and Telegraphs	- • ditto - '
27	29	Commerce	- ditto - . ■

Departments

Schedule (2)

Supplementary Expenditure Sanctioned							
* Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Invest-ment in Organi-zations	Savings
				Disb-urse-ment of Loans	Repay-ment of Loans		
5 -	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
237,935,000	"						
4,021,714,000			14,413,455,000				
283,840,000							
83,724,000							
37,779,000							
85,147,000							
780,772,000		30,000	6,900,480,000				
2,566,000							
109,620,000			* 35,410,577,000				
1,302,894,000			1,082,739,000				
481,255,000			2,759,489,000				
69,815,000						*	
18,778,000							
' 328,339,000							

Ministries and

Serial dumber	Serb! ' Number contained in the State Budget Law, 2007	Subject	Responsible Person
1	2	. *>	4
28	30	Hotels and Tourism Services	Prime Minister or a person delegated by the Prime Minister
29	31	Co - operatives	- ditto -
30	32	National Planning and , Economic Development	- ditto - ’
31	33	Finance and Revenue	- ditto -
.		Total	

Departments

Schedule (2) End

Supplementary Expenditure Sanctioned

Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Invest-ment in Organi-zations	Savings
				Disb-urse-ment of Loans	Repay-ment of Loans		
5	6	7	S	9	10	11	32
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
38,535,000							
68,796,000							
222,947,000		2.295,000					
8,884,278,000	4,735,219,000						
& 24,771,779,000	4,735,219,000	655,333,000	74,550,609,000				

Serial Slumber	Serial Number contained in the State Budget Law, 2007	Subject	Responsible Person
i	2	3 .	4
I	1	State Economic Organizations Total	Prime Minister or a person delegated by the Prime Minister

Organization

' Schedule (3)

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of . Interest	Contribution	Capital Expenditure	Debts: Disb-urse-ment of Loans	Debts: Repay-ment of Loans	Invest-ment in Organi-zations	Savings
5	6	7 ■	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	. Kyats	Kyats
448,225,994,000			86	,5-	^3,863,00)		
448,225,994,000			86,543,863,00^				

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The Union of Myanmar

The State Peace and Development Council

The State Budget Law, 2008

(The St^te Peace and Development Council Law No. 4/2008)

The 3rd Waning Day of Tabaung, 1369 M.E. .

' (24th March, 2008)

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, 2008.

(b) The provisions of this law shall take effect commencing from 1st April, 2008 for the financial year 2008-2009.

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 payableshall 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).

The respective persons who have undertaken the responsibility under sub-section (a) may delegate their powers to the respective persons serving under them.

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.

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. .

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-

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 2008-2009 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 $(4)_s$ 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 Peaee 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, 2008 and ending on 31st March, 2009 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 fonctions 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 heir 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 2008-2009 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 2008-2009 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 arid Development Council,
• Government, Chief Justice,

Serial Number	Subject ■	Responsible Person /	Taxes	Receipts from the State Economic Organizations
Î	' 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 ' deletated by the Attorney General		
6	Auditor General	Auditor General or a person delegated by the Auditor General		
	Total	■ i		

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

scheduie(i)

■ Receipts							
Other Current . Receipts	Interest Receipts	Capital Receipts	Receipts fro Foreign Aids	Debts		Receipts from Investment in OrganizaiioiE	Savings
				Recovery of Loans	Drawai of Loans		
6	7	8	9	10	11	12	13 ■
Kyats	Kyats	Kyats .	Kyats	Kyats	Kyats	Kyats	Kyats
26,000,000							
1,200,000							
16,000,000		150,000					
1,000,000,000							
19,000,000							
25,000,000		1,000					
						4	
			. -				
1,087,200,000		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 '	3,990,300,000
2	Multi-Party Democracy General Election Commission	Chairman of the Multi-Party Democracy General Election Commission or a person delegated by the Chairman	72,400,000
3	Government	Prime Minister or a person delegated by the Prime Minister.	620,400,000
4	Chief Justice	•Chief Justice or a person delegated by the Chief Justice	3,312,200,000
5	Attorney General	Attorney General or a person deletated by the Attorney General	1,894,500,000
6	Auditor General	Auditor General or a person delegated by the Auditor General	3,697,600,000
?gfi	Total		.13,587,400,000

Multi-Party Democray General Election Commission,
Attorney General and Auditor General scheduie^)

Expenditures						
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in GïganizHïïOffi	Savings
			Disbursemen of Loans	Payments of Loans		
5	6	7	8	9	10	11
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
	5,000,000	3,854,957,000				
		2,000,000				
	-	360,044,000,000				
		185,839,370				
		128,435,000				
		181,000,000'				
	5,000,000	362,396,231,370				

Serial Number		Subject	Responsible Person	Taxes	Receipts from the State Economic . Organizations
1		, 2	3	4	5
				Kyats	Kyats
i		Tax levied on inland productions and pubic consumption	Prime Minister or a person delegated by the Prime Minister	346,395.487,000	
	1	Excise duty		5,189,318,000	
	2	Commercial tax		320,000,000,000	
	3	Licence fees on imported goods		585,000,000	
	4	State Lotteiy		12,800,000,000	
	5	Taxes on Transport		1,621,169,000	
	6	Sales proceeds of stamps		6,200,000,000	
2		Taxes levied on income and ownership	- ditto -	361,000,000,000	
	. I	Income - Tax [1] ■		261,000,000,000	
	2	Profit - tax		100,000,000,000	
3		Customs duties	- ditto -	22,000,000,000	
	1	Customs duties		22,000,000,000	
4		Taxes levied on utility of State owned properties	-ditto- .	10,147,941,000	
	1	Taxes on land (Land Revenue)		98,227,000	
	2	Water Tax and Embankment Tax		2,329,241,000	

Departments

' '

Schedule{3)

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receiptsfrom 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

Sériai. Number		Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
1		2	3	4	5
				Kyais	Kyats
		Tax on extraction of forest products		3,896,700,000	
	4	Tax on extraction of mineral		' 23,473,000	
	5	Tax on Fisheries		3,800,000,000	
	6	Tax levied on rubber		300,000	
5		Receipts from the State Economic organizations	Prime Minister or a person delegated by the Prime Minister		852,860,090,000
6		Foreign Affairs	- ditto - .		
' 7		Defence	- ditto -		
8		Progress of Border Areas and National Races and Development	- ditto -		
*		Affairs '			
9		Home Affairs	- ditto -		
10		Immigration and Population	- ditto -		
li		Religious Affairs	- ditto -		
12		Social Welfare, Relief and Resettlement	- ditto -		
Ï3		Information	- ditto - .		
14		Culture	- ditto -		
15		Education ■	- ditto -		
16		Health	- ditto -		
17		Sports '	- ditto -		
IS		Labour .	- ditto -		
¡9		Forestry ■	- ditto -		
20		Agiculture *&* Irrigation	- ditto -		

Departments

Continuation of Schedu!e{3)

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receiptsfroir investment in Organization*	Savings
				Recovery of Loans	Drawal of Loans		
6	7	8	9	10	11	12	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
20,200,000							
26,902,522,000							
156,886,200							
1,178,659,000							
910,018,000							
51,420,000							
: 96,450,000							
1.409.009.000							
123,000,000							
7.754.159.000			32.240.000				
6,318,556,400		1,200,000	93.590.000				
230,015,000		200,000					
61,725,000							
1,103,000,000			7,339,000			22,000,000	
10,938,600,000		51,500,000			44,954,000		

Serial Number	Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
• 1	2	3	4 * '	5
			Kyats	Kyats
21	Livestock Breeding and Fisheies	Prime Minister or a person delegated by the Prime Minister		
22	Mines	- ditto -		
23	industry No (1) .	- ditto -		
24	Industry No (2)	- ditto -		
25	Science and Technology	- ditto *i*		
26	Energy	- ditto -		
27	Electric Power No (I)	- ditto -		
28	Electric Power No (2)	- ditto-		
29	Construction	- ditto -		
30	Transport	- ditto -		
31	R&il 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 Revence	*i* - ditto-		
38	Pensions and Gratuities	- ditto -		
	Total		739,543,428,000	852,860,090,000

Departments

Schedu!e(3) end

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receiptsfron investment in Organization;	Savings
				Recovery of Loans	Drawai of Loans		
.6	7	8	9	10	11	12	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
1,135,000,000							
180,000,000		150,000					
524,763,200							
700,000							
1,193,328,800			1,000,000				
50,000							
40,060,000					594,355,000		
6,148,000,000		20,000,000					
1.180.408.000							
1.880.182.000							
350,000,000							
3,526,423,500							
174.130.000							
446.620.000							
1,025,877,550		500,400,000					
5,542,136,600	14,76I,00C						
10,020,000				49,873,000			
31,611,919,250	14,761,000	573,450,000	134,169,000	49,873,000	639,309,000	22,000,000	

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	. 973,339,000
2	Defence	- ditto -	251,911,360,000
3	Tatmadaw Affairs	- ditto -	
4	Progress of Border Areas and National Races and Development Affairs	- ditto -	5,490,000,000
5	Home Affairs	- ditto -	47,800,015,000
6	Immigration and Population	- ditto -	4,800,525,000
7	Religious Affairs	- ditto -	2,404,316,000
8	Social Welfare, Relief and Resettlement	* ditto -	2,887,600,000
9	Information	- ditto -	3,690,405,000
10	Culture	- ditto -	2,062,210,00
11	Education	- ditto - •	155,104,600,000
12	Health	- ditto -	■ 36,940,479,000
13	Sports	- ditto -	2,415,263,000
14	Labour	- ditto -	874,950,000
15	Forestry	- ditto -	10,923,000,000
16	Agiculture & Irrigation	. - ditto * '	55,265,982,000
17	Livestock Breeding .and Fisheries	- ditto -	3,960,230,000

Departments

Schedule(4)

Expenditures							
Payment of Interest	Contribution	Capita) Expenditure	Debts '		in	Savings	Reserve Fund
			Disbursement of Loans	Payments of Loans			
5	6	7 .	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
	27.461.000	206,004,550					
■i		102.535.072.000					
	5,851,491,000	14,916,200,810					
	255,225,330	4,412,039,090					
		160,882,750					
	100,379,600	241,168,000					
	120.418.000	1.697.000.000					
		5,158,241,600					
	60,000	947,423,330					
	307,500	12,310,997,380					
	3,321,000	7.866.000.000					
	25,137,000	908,000,000					
	187.000	187,644,810					
	676,200	2.499.586.000					
	■ 413,000	70,377,828,170					
	770.000	1,381,065,650					

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	1,232,000,000
19	■Industry No (1)	- ditto - .	892,168/780
20	Industry No (2)	- ditto -	481,000.000
21	Science and Technology	- ditto -	10,388,740,900
22	Energy	- ditto - .	183,000,000
■23	Electirc Power No (1)	- ditto - ■	6,012,800,000
24	Electric Power No (2)	- ditto -	132,000,000
25	Construction	- ditto -	29,199,133,000
.26	Transport	- ditto -	5,250,053,000 •
27	Rail Transportation	- ditto -	1,749,000,000
28	Communications, Posts and ' Telegraphs	- ditto - '	161,925,000
29	***Commerce***	- ditto -	1,448,565,000
30	Hotels and'Tourism Services	- ditto -	, 214,570,000
31	Co - operatives	- ditto -	4,463,134,000

Departments

Schedule(4)

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Csgafliza&ar	Savings	Reserve Fund
			Disbursemeni of Loans	Payments of Loans			
5	6	***T***	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
		71,674,400					
		239.001.000					
		20,680,000					
	259.000	17,042,000,000					
		10,089,000					
7,500,000		95,428,887,000					
		31,000,00c					
		58,271,943,200					
8,265,180	690.000	23,584,239,590		105,000,000			
		686,915,700					
	1,300,000	112.689.000					
	320.000	3,900,000					
	210.000	19,246,870					
		105,183,960					

Serial Number	Subject	Responsible Person	Current Expenditure
I	• 2	3	4
			Kyats -
32	National Planning and Economic Development	Prime Minister or a person delegated by the Prime Minister	4,377,397,740
33	Finance and Revence	- ditto -	7,648,220,000
34	Pensions and Gratuities	- ditto -	6,892,485,000
. 35	Gratdtis and Commuted Pensions	- ditto -	26,885,500,000
36	Reserve ■ Fund	Responsible person who is authorized to administer the allotment from this Fund as shown inSchedules 1.2 & 3 or a person delegated by such responsible person	
	Total		695,115,966,420

Departments

Schedu!e{4) end

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investmen in QgSlizMiOil!	Savings	Reserve Fund
			Disbur-sement of Loans	Payments of Loans			
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	'trysts	Kyats	Kyats	Kyats	Kyats
	2,248,000	2,386,637,000					\
162,837,284,000	10,160,665,000	1.245,860,270		273,546,000	17,500,000	30,000	
							100,000,000
162,853,043,180	16,551338,730	425,065,102,810		378,546,000	17,500,000	30,009	109,000,000

Serial Number	Subject	Responsible Person		
			Taxes	Receipts from the Slate 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

Sdiedule(5)

Receipts						
Other Current Receipts	Interest Receipts	Capita! Receipts	Receipts from Foreign Aids	Debts		Receiptsfrom investment in Organizations
				Recovery of Loans	Drawal of. Loans	
6	7	“ 8 •	9	10	11	12
Kyats 2,792,985.601,000	Kyats	Kyats 5,300,000	Kyats	Kyats	Kyats 2,322,135,000	Kyats
2,792,985,601,000		S,3 00,000			2,322,135,000	

Serial Number	Subject	Responsible Person	Current Expenditure
]	2	3	4
1	State Economic Organizations	Prime Minister or a person delegated by the Prime Minister	Kyats . 2,881,133,774,000
•	Total		2,881,133,774,000

Organizations

' Schedule(6)

Expenditures						
Payment of Interest	Contribution	Capital Expenditure	Debts '		Investment in Qigroizatians	Savings
			Disbursement of Loans	Payments ■ of Loans		
5 •	6	7	8	9	10 ■	11
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
		329,177,099,870		702,191,000		
		329,177,099,870		702,191,000		

Cantonment

Serial Number	Subject	Responsible Person		
			Taxes	Receipts from the - State ' Economic Organizations
1	2	3	4	5 ’
1	Cantonment Municipal ities 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		Receiptsfron investment in Organization	Savings
				Recovery of Loans	Drawai of Loans		
6	7	8	9	10	11	12	13
Kyats 278,700,000	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
278,700,000							

Cantonment

Serial riiiifJ.iiT	Subject	Responsible Person	Current Expenditure
1	2 ‘	3	4 '
I	Cantonment Municipalities under the Ministry of Defence	Prime Minister or a person delegated by the Prime Minister	Kyats - 209,600,000
	Total		209,600,000

Municipalities

Schedule(S)

Expenditures '						
Payment of Interest	Contribution	Capita! Expenditure	Debts .		Investment in Onsmiraim;	Savings
			Disbursement of Loans	Payments of Loans		
5	6	7 '	8	9	10	11
Kyats	Kyats	Kyats 8,000,000	Kyats i	Kyats	Kyats	Kyats
. .. >		8,000,000				

The Union of Myanmar

The State Peace and Development Council

The Law Amending the Ports Act -

(The State Peace and Development Council Law No. 5/20OB)

The 14th Waxing ofWagaung 1370 ME'

(15 August, 2008)

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

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

2. The expression ” British” contained in sub-section (6) of section 3 of the Ports Act shall be deleted.

3. Clause (3) of sub-section (1 A) of section 6 of the Ports Act shall be substituted as follows:

"(3) If any person disobeys any rule made under clause (p) of sub-section (1), he shall be punishable for every such offence with fine not exceeding one hundred thousand kyats."

4. Sub-section (2) of section 8 of the Ports Act shall be substituted as follows:

'(2) If any person wilfully and without lawful excuse refuses or neglects to obey any lawful direction of the conservator, after notice thereof has been given to him. he shall, for every such offence, be punishable with fine not exceeding ten thousand kyats, and in the case of a continuing offence with a further fine not exceeding ten thousand kyats for every day during which, after such notice as aforesaid, he is proved to have wilfully and without lawful excuse continued to disobey the direction."

5. Sub-section (2) of section 10 of the Ports Act shall be substituted as 'follows:

"(2) The owner of any such timber, raft or other thing shall be liable to pay the reasonable expenses of the removal thereof, and if such owner or any other person has without lawful excuse caused any such obstruction or impediment, or causes any public nuisance affecting or likely to affect such free navigation or lawful use, he shall also be punisliable with fine not exceeding ten thousand kyats."

6. Sub-section (2) of section 13 of the Ports Act shall be substituted as follows:

"(2) Any master or other person offending against the provisions of this section shall, for every such offence, be punishable with fine not exceeding ten thousand kyats."

7. Sub-section (2) of section 15 of the Ports Act shall be substituted as follows:

"(2) If the master of the vessel, or any person in possession or occupation of the building of place, without lawful excuse, refuses to allow any such person as is mentioned in sub-section^) to board or enter such vessel, building or place in the performance of any duty imposed upon him by this Act, he shall for every such offence be punishable with fine not exceeding twenty thousand kyats." ■

8. Sub-section (2) of section 16 of the Ports Act shall be substituted as follows:

"(2) Any master refusing of neglecting to comply with such requisition shall be punishable with fine not exceeding fifty thousand kyats and any seaman then under his orders who,

after being directed by the master to obey the orders of the conservator or port-officer for the purpose aforesaid, refuses to obey such orders, shall be punishable with fine not exceeding two thousand five hundred kyats."

9.% Sub-section (2) of section 19 of the Ports Act shall be substituted as follows: .

"(2) If any person offends against the provisions of this section, he shall for every such offence be liable, in addition to the payment of the amount of damage done, to fine not exceeding two hundred thousand kyats, or to imprisonment for a term not exceeding two years."

10. Section 20 of the Ports Act shall be substituted as follows:.

"Wilfully loosening vessel from moorings.

20. If any person wilfully and without lawful excuse loosens or removes from her moorings any vessel within any such p0rtwithout leave or authority from the owner or master of . the vessel, he shall, for every such offence, be punishable with fine not exceeding *j twenty thousand kyats, or with imprisonment for a term not exceeding six months."

11. Sub-section (2) of section 21 of the Ports Act shall be substituted as follows:-

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"(2) Any person who by himself or another so casts or throws any ballast or rubbish or any such other thing or so discharges any oil or water mixed with oil, and the master of any vessel from which the same is so cast, thrown or discharged, shall be punishable with fine not exceeding fifty thousand kyats, and shall pay any reasonable expenses which may be incurred in removing the same."

12. Section 22 of the Ports Act shall be substituted as follows:

"Graving vessel within prohibited limits."

22. If any person graves, breams or smokes any vessel in any such port contrary to the directions of the conservator, or at any time or within any limits at or within which such act is prohibited by the Government he and the. master of the vessel shall for every such offence be punishable with fine not exceeding fifty thousand kyats each."

13. . Section 23 of the Ports Act shall be substituted as follows:

"Boiling pitch on board vessel within prohibited

23. If any person boils or heats any pitch, tar, resin, dammer, turpentine, oil, or other such combustible matter on board any vessel within any such port, or at any place within its limits where such act is prohibited by the .Government or contrary to the directions of the conservator, he and the

master of the vessel shall for every such offence be punishable with fine not exceeding twenty thousand kyats each."

14. . Section *24* of the Ports Act shall be substituted as follows:

"Drawing-spirits by Unprotected artmeia light.

24. If any person, by an unprotected artificial lights draws off spirits on board any vessel within any port subject to this he anc the master of the vessel shall for every such offence be punishable with fine not exceeding twenty thousand kyats each."

15. - Sub-section (2) of section 25 of the Ports Act shall be substituted as follows:

"(2) A master offending against sub-section (1) shall be punishable for every such offence with fine not exceeding twenty thousand kyats."

16. Sub-section (2) of section 26 of the Ports, Act shall be substituted as follows:

"(2) A master offending aganist sub-section (1) shall be punishable for every such offence with fine not exceeding twenty thousand kyats."

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17. Section 27 of the Ports Act shall be substituted as follows:

" Discharge of firearms in port

27. If any person, without lawful excuse, discharges any firearm in any port subject to this Act, or on or from any pier, landingplace, wharf of quay thereof, except a gun loaded only with gunpowder for the purpose of making a signal of distress, or for such other purpose as may be allowed by the Government, he shall for every such offence be punishable with fine not exceeding five thousand kyats."

18. Section 28 of the Ports Act shall be substituted as follows:

" Penalty on master to take order to extinguish fire."

28. If the master of any vessel in which fire takes place while lying in any such port wilfully omits to take order to extinguish the fire or obstructs the conservator to the port-officer, or any person. acting under the authority of the conservator or port-officer, in extinguishing or attempting to extinguish the fire,, he shall be punishable with imprisonment not exceeding six months, or with fine not exceeding one hundred thousand kyats, or with both."

19. Sub-section (2) of section 29 of the Ports Act shall be substituted as follows:

"(2) If any person offends against the provisions of sub-section (1), he shall be punishable with fine not exceeding ten thousand kyats."

20. Sub-section (2) of section 30 of the Ports Act shall be substituted as follows: .

"(2) If any person offends against sub-section (1), he shall- for every such offence be punishable with fine not exceeding ten thousand kyats and shall pay any reasonable expenses which may be incurred in repairing any injury done by him to the bank or shore."

21. Sub-section (3) of section 31 of the Ports Act shall be substituted as follows:

"(3) If any vessel except in case of urgent necessity, enters, leaves or is moved in the port contrary to the provisions of . sub-section (1) the master of the vessel shall for every such offence be punishable with fine not exceeding twenty thousand kyats, unless upon application to the proper officer the master was unable to procure a pilot, harbour-master or assistant of the port-officer or harbour-master to go on board the vessel." -

22. Sub-section (2) of section 32 of the Ports Act shall be substituted as follows: »

"(2) The master of such a vessel who, having been required by the conservator to comply with the provisions of s ib-section (1), neglects or refuses, .without lawful excuse, so to do for the space of seven days after such requisition, shall be punishable with fine not exceeding fifty thousand kyats."

23. Sub-section (2) of section 39 of the Ports Act shall be substituted as follows:

"(2) A master failing without lawful excuse to make such report within the time aforesaid shall for every such offence be punishable with fine not exceeding ten thousand kyats."

24. Clause (b) of sub-section (1) of section 41 of the Ports Act shall be substituted as follows:

"(b) If the owner or master or such person neglects or refuses to produce the register or otherwise to satisfy the conservator as to what is the true tonnage of the vessel in respect of which the port-dues are payable, he shall be punishable with-frne not exceeding ten thousand kyats, and the conservator

may cause the vessel to be measured, and the tonnage thereof to be ascertained, according to the mode of measurement prescribed by the rules for the time being in force for regulating the measurement of vessels, and in such case the owner or master of the vessel shall also be liable to pay the expenses of the measurement."

25. Sub-section (2) of section 51 of the Ports Act shall be substituted as follows: .

■’"(2) If the master of a vessel arriving as aforesaid offends against sub-section (1), he shall be punishable for every such offence with fine not exceeding one hundred thousand kyats.” ,

26. Section 53 of the Ports Act shall be substituted as follows:

" Penalty on 53. Any pilot in charge of a vessel who disobeys, or abets provkioniof[18] disobedience to, any of the provisions of this Chapter, shall this Chapter." ^ $p_{un}i_s$hable with fine not exceeding fifty thousand kyats for each instance of such disobedience or abetment, and, in addition, shall be liable to have his authority to act as a pilot withdrawn."

88.

.27. Section 54 of the Ports Act shall be substituted as follows:

" Penalty for disobedience to rales and orders of the Government."

54. If any person disobeys any rule o£ order-which the Government has made in pursuance of this Act and for the punishment of disobedience to which express provision has not been made elsewhere in this Act, he shall be punishable for every such offence with fine not exceeding ten thousand kyats."

28, Sub-section (2) of section 57 of the Ports Act shall be substituted as follows:

"(2) Whenever any person is liable to pay any sum, not exceeding one hundred thousand kyats, as expenses or damages under this Act, any Magistrate, upon application made to him by the authority to whom the sum is payable, may, in addition to -or instead of any other means for enforcing payment, recover the sum as if it were a fine."

29. Sub-section (1) of section 62 of the Ports Act shall be substituted as follows:

"Hoisting unlawful colours in port.

(i) if any. vessel belonging to any citizen of the Union of Myanmar, or sailing under the colours to the Union of Myanmar, hoists, carries or wears within the limits of any

port subject to this Act, any flag, jack, pennant or colours, thé use whereof is prohibited by rules made under this Act, the master of the vessel shall for every offence be punishable with fine not exceeding five thousand kyats."

(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 Code of Civil Procedure .

(The State Peace and Development Council Law No. 6/2008)

The 12th Waning ofWagaung 1370 ME ,

(28. August, 2008) .

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

1. This Law shall be called the Law Amending the Code of Civil Procedure. . -

2. Section 7, sub-section (4) of Section 24, sub-section (2), first proviso of section 35 A, rule 13 of order 38, order 50 and order 53 of the Code of Civil Procedure shall be deleted.

3. The sum. of fine contained in sub-section (c) of section 32 of the Code of Civil Procedure shall be substituted by the expressjon of "five thousand kyats." . .

4. The sum of money contained in clause (a) of sub-section (1) of section 58 of the Code of'Civil Procedure shall be substituted by the expression of "one hundred thousand kyats."

5. In sub-section (1) of section 60 of the Code of Civil Procedure:

(a) the amount of money contained in clause (h) and clause (i) shall be substituted by the expression "ten thousand kyats."

(b) the expression "a railway administration or" contained in clause (i) shall be deleted;

(c) clause (j) shall be substituted as follows:-

"0) the pay and allowances of persons to whom the Defence Services Act, 1959 applies."

(d) clause (k) shall be substituted as follows:-

"(k) all compulsory deposits;"

6. In sub-section (1) of section 86 of the Code of Civil Procedure:-

(a) the expression "or any member of a British foreign military mission" shall be deleted;

(b) the expression "a Secretary to the Government" shall be substituted by the expression "a Director-General of the Office of the Government".

7. The amount of fine contained in sub-section (1) of section 95 of the Code of Civil Procedure shall be substituted by the expression "one hundred thousand kyats."

8. The proviso "Provided also that nothing in this proviso shall affect tlje power of Supreme Court in the exercise of its revisional jurisdiction" shall be added after the proviso of section 115 of the Code of Civil Procedure.

9. *li}* order 26 of the Code of Civil Procedure:

(a) the second paragraph contained in rule 23 shall be substituted as follows:

" Commissioners" fees for every effective meeting , shall not exceed five thousand kyats for the first two hours and one thousand kyats for each succeeding hour."

(b) the text of the paragraph of rule 24 shall be substituted as follows:

"24. When, under the orders of a State or Divisional Court or District Court, an oath or solemn affirmation is administered to a declarant of an affidivit at his request elsewhere than at the Court, a fee of fifteen hundred kyats ' shall be paid by the said declarant:"

(c) the amount of fees contained in sub-rule (b) of rule[1]24 shall be o ibstituted by the expression "five hundred kyats;"

(d) the amount of fees contained in sub-rule (c) of rule "24 shall be substituted by the expression "five thousand kyats."

10, In sub-rule (a) of rule 6 of order 34 of the Code of Civil Procedure:

(a) the expression "or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of Myanmar, from time to time and one per cent shall be added in addition to tfiat rate fixed as such;" shall be added after the expression "as the Court deems reasonable" contained in clause (1);

(b) the expression "or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of Myanmar, from time to time and one per cent shall be added in addition to that rate fixed as such;" shall be added after the expression "the preliminary decree" contained in clause (2); [r]

(c) the expression "failing both such rates, at nine per cent per annum; and" contained in clause (3) shall be substituted by the expression" where both of such rates are not fixed, at such rate as the Court deems reasonable or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of

Myanmar, from tune to time and one per cent shall be added in addition to that rate fixed as such;"

11. In rule 6 of order 34 of the Code of Civil Procedure, the expression "or in a suit instituted by the Bank, at such rate as fixed by the Central Bank of Myanmar, from time to time and one per cent shall

• be added in addition to that rate fixed as such;" contained in sub-rule (b) shall be added after the expression of "as the court deems reasonable."

12. The amount of money contained in the first proviso of rule 4. of order 38 of the Code of Civil Procedure shall be substituted by the amount of "one hundred thousand kyats."

(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 Myanmar Historical Commission Law

(The Sfate Peace and Development Council Law No. 7/2008)

The 10th Waning ofTawthaiin 1370 M.E.

(24 September, 2008)

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

1. This Law shall be called the Law Amending the Myanmar Historical Commission Law.

2. The expression " Ministry of Education[1]' contained in sub-section (b) of section 2 of the' Myanmar Historical Commission Law shall be substituted by the expression " Ministry of Culture".

3. The expression " the Universities Historical Research Department" contained in sub-section (c) and (d) of section - 5 of the Myanmar Historical Commission Law shall be substituted by the expression " the Department of Historical Research" respectively.

4. Section 9 of the Myanmar Historical Commission Law shall be substituted as follows:

"9.(a) Thfc Ministry shall form the Department of Historical Research, with the approval of Government to enable carrying out of functions of the Commission.

(b) The functions, rights and liabilities of the Universities Historical Research Department shall devolve on the Department of Historical Research."

(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 Territorial Sea and Maritime Zone Law

(The State Peace and Development Council Law No. 8 /2008)

llie 8th Waxing ofNadaw, 1370 M.E

(5 December,, 2008)

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

■1. This Law shall be called[11] the Law Amending the Territorial Sea and Maritime Zone Law," .

2. After clause 3 of the Annex to the Territorial Sea and Maritime Zone Law, clause 4 and clause 5 shall be inserted as follows: -

"4. Preparis Archipelago

North Western Point of Cow & Calflsland	Lat	14*	56’	07 "N
	Long	93'	38 s	46 "E
Western Point of Ohn Pin . Island	Lat.	14*	52’	.15 "N
	Long	93*	34’	08 "N
North Western Ppint of Thee Phyu Island	Lat	14*	51 '	40 "N
	Long	93*	34 *	12 "E

(d)	Northwestern Point of Sin Island	Lat 14“ Long 93 ‘	50' 34 ’	56"N 10"E
(e)	. North Western Point of Lu G aung Island	Lat .14* Long. 93 *	47' 32 '	24 "N 59 "E
(f)	Southern Point ‘ of Lu Gaung Island	Lat. 14" Long 93 '	47' 33 '	08"N 00"E
(g)	Southern Point of Preparis Island	Lat, 14' Long. 93 "	50’ 36'	17 "N 40"E
(h)	North Eastern Point of Preparis Island	Lat. 14' Long. 93 *	53 [1] 38 '	54"N 35[U]E
(i)	Eastern Point of Cow & Calf Island '	Lat. 14 ' Long. 93"	55 ' 39’	52"N 06 ”E
5.	Co Co Archipelago			
(a)	North Eastern Point ofMingalar Island	Lat. 14* Long 93	11 ' 22 '	33"N 20 "E

(b)	. Western Point of slipper Island	Lat Long.	14* 93*	11' 21’	28 "N 17 "E
(c)	North Western Point of Little Co Co Island	Lat. Long	14* 93*	00' 13'	55 "N 09 "E
(d)	Southern Point of Little Co Co Island	Lat. Long.	13* 93'	58’ 13 '	18 "N 22 "E
(e)	Southern Point of Jerry Island -	Lat. Long.	14* 93*	02' 21 ’	54 "N 52 "E

(f) North Eastern Point of Great Co Co Island -Lat. 14* 08’ 48 "N Long. 93* 22' 41 "E

. (Sd.) Than Shwe
Senior General .
Chairman
The State Peace and Development Council

RULES

• The Union of Myanmar

The State Peace and Development Council

The Referendum Rules for the Approval of the Draft Constation of the Republic of the Union of Myanmar, 2008

(The State Peace and Development Council Rules No. 1 / 2008)

The 7th waning ofTabodwe, 1368 M.E.

(28th February, 2008)

In exercise of the power conferred by section 30 of the Referendum Law for theApproval of the Draft Constitution of the Republic of the Union of Myanmar$_s$2008, the State Peace and Development Council hereby markes the following Rules: .

Chapter I

Title and Defmetion

1. These Rules shall be called the Referendum Rules for the Approval of the Draft Constitution of the Republic of the Union of Myanmar, 2008.

2, The expressions contained in these Rules shall have the same meanings as are assigned to. them in the Referendum Law for the Approval of the Draft Constitution of the Republic of the Union of Myanmar. In addition, the following expressions shall have the meanings given hereunder:

(a) Law means the Referendum Law for the Approval of the Draft Constituion of the Republic of the Union of Myanmar.2008.

(b) Rules mean the Referendum. Rules for the Approval of the Draft Constitution of the Republic of the Union of Myanmar,2008.

Chapter II

Preparing Voting Rolls

3. Voting rolls shall be prepared under the responsibility of the relevant Ward or Village-tract Sub-commissions and the teams formed under sub-section^) of section 12 of the Law.

4. Voting Rolls shall be prepared according to the relevant referendum area in accordance with the provisions contained in Chapter V of the Law. in so preparing, entries shall be made in Myanmar Language according to Form(l) contained in the Rules. No one shall be included in the voting roll of more than one referendum area.

Proviso: However, if there is difficulty in writing and including the name of a person eligible to vote in Myanmar Language, it may be written in English alphabet within brackets.

5. In preparing voting roil according to Rule 3, temporary workers who come from referendum area of permanent residence .to other

referendum area individually or in group until the day of referendum is over shall be prepared in Fonn(l) as additional voting roll in the voting roll of the referendum area where they are situate. They shall be allowed tho vote in the referendum. The names and addresses of persons allowed to vote in the referendum. The names and addresses of persons allowed to cast vote as such shall be informed to the relevant Township Sub-commission to enable carrying out as may be necessary. On receiving the information, the relevant Township Sub-commission shall cancel the names of such persons from the voting roll of the referendum area where they originally resided. .

6. Voting roll for each referendum area shall be prepared in accordance with the directive of the Commission. The number of eligible persons to vote included in such roll shall be submitted to the Township Sub-commission in Form(2)together with Form(l)as stipulated. The Township Sub-commission shall prepare the total township list from the lists sent by the Ward or Viilage-tract Sub-commissions, submit the same to the State or Divisional Sub-commission in Form(3) in the quickest manner and send the copy to the Commission. The State or Divisional Sub-commission shall collect the lists sent in Form(3) and submit the same to the Commission in Form(4-A). The Commission shall prepare the particulars of Form(4-A) in Form(4-B).

7. (a) In declaring the voting roll in advance under sub-section(b) of section 4 of the Law, it shall be done so by means of . loud speaker or amplifier or by affixing the voting roll or by any other means in order to inform the persons eligible to vote.

(b) The voting rolls prepared according to sub[i]-section(d)of section 12 of the Law shall also be declared by relevant teams at least 7' days in advance before holding the referendum in order to inform the eligible persons to vote according to sub-rule (a).

8. (a) . The person whose name is not included in the voting roll although he is entitled to have his name included according to sub-section(a) of section 11 of the Law may report, if he is covered by sub-rule (a)of Rule 7, to the relevant Ward or Villagetract Sub-commission or if he is covered by sub-rule (b) of Rule 7,to the relevant team 7 days after the decleration of the voting roll for including his name inthe voting roll.

(b) When report is made under sub-rule(a), the relevant Ward or Village-tracl Sub-commission shall, after making necessary inquiry, include the names of the persons who should be included in the voting roll, with the approval of the Township Sub-commission.

The voting roll prepared by the teams formed under sub-section(d) of section 12 of the Law shall be inspected, declared, amended and added only by such teams. If there arises dispute relating to the voting roll, approval shall be obtained from the Commission for the teams formed under clauses (i) and (ii) of sub-section (d) of section 1.2 of the Law and -from the relevant Township Sub-commission for other teams. The decision of the Commission and the. Township Sub-commission shall be final and conclusive.

There is the right to appeal to the Township Sub-commission . in time if the relevant Sub-commission refuses to include the name although it is informed to include in the relevant voting roll under sub-rule(a). The decision of the Township Sub-commission shall be.final and conclusive.

If the name of any person that should not be included in the voting roll was included and declared wrongly, the relevant Ward or Village- tract Sub-commission shall remove his name from the voting roll after scrutinizing and obtaining the approval of the Township Sub-commission.

(f) The Ward or Village-tract Sub-commission may scrutinize and amend if there is clerical error relating to the name of a person that should be included in the voting roll.

9. (a) If a person knows that his name is included in the voting roll of more than one referendum area, such person may choose and submit, in writing, the referendum area where he wishes to vote to the relevant Ward or Village-tract Sub-commission. There after, his name shall be removed from the voting roll of the referendum area where he does not wish to vote.

(b) - If it is known that the name of a person is included in the voting rolls of more than one referendum areas, not by reporting under sub-rule (a), but by any other means it shall be carried out as follows:

(i) if it is found by the relevant Ward of Village-tract ' Sub-commission informing the owner of the name; cancelling the name of such person from the voting roll if the reply relating to the choice of referendum area where he wishes to vote is not received within seven days from the date of such information;

10. (a) A person eligible to vote, who is included in the voting roll, and who wishes to object to the name and other facts of another person included in the voting roll may object to the relevant Ward or Village-tract Sub-commission within seven days from the date of declaration of the voting roll.

(b) With respect to the objection under sub-rule (a), the relevant Ward or Village-tract Sub-commission shall, after examing the person who objects and the person who is objected pass decision as to whether the voting roll should be approved or cancelled. If it is decided to cancel from the voting roll, the approval of the Township Sub-commission shall be obtained. The decision of the said Township Sub-commission shall be final and conclusive.

11. (a) The Ward or Village-tract Sub-commission may add in the voting roll as additional voting roll for the eligible voters who arrive only after declaration of the voting roll.

(b) The relevant teams may add in the voting roll as additional voting roll for the eligible voters who arrive only after declaration of the voting roll of persons who are covered by Sub-section (d) of section 12.

Chapter 111

Voting

12. Each Ward or Vil.lage-tract Sub-commission:

(a) may use suitable buildings and rooms as polling booth. Only if they are not available polling booths may be construted in accordance with the stipulations.

(b) shall, in determining and building polling booths, arrange so as hot to affect the secret voting system. ■

(c) shall form the polling booth team comprising at least five members including polling booth officer at the polling booth as stipulated.

(d) shall make the ballot box with wood or plywood or galvanized iron sheet or other material in order to make it secure. In doing so, it shall be strong and secure so that the ballot papers in the ballot box may not be taken out easily nor be destroyed.

(e) shall make the size of ballot boxes normally as 15 inches in length, 12 inches in breadth and 15 inches in height and, shall make a hole of a inches, in length and one and half inches in breadth on the upper lid to put the ballot paper into the ballot box.

(f) shall assign duty to at least one member of the Sub-commission at a polling booth to supervise the polling booths as may be necessary on the day of the referendm.

13. The polling booth team shall arrange the polling booth and its environs so as not to affect the secret voting.

14. The polling booth team shall close the ballot box securely after showing to not. less, than five persons who are eligible voters that the ballot boxes in the polling booth have no ballot papers and other articles at the commencement of the opening of the polling-booth.

15. (a) The polling booths shall be kept open from six O'clock in the morning to four O'clock in the evening on the day of the referendum. However, the polling booth may be closed earlier than four O'clock in the evening, if all the persons

■ who are eligible to vote included in the voting roll have

- completed casting of the vote.

/

(b) The polling booth officer shall allow the persons who have not cast the vote from among the persons present on the premised of the polling booth to vote before closing the polling booth, although the time for voting is over.

16. The polling booth team shall take measures for law and order of the polling booth and its environs and for systematic entry anf exit of eligible voters to and from the polling booth. .

17. The polling booth team shall supervise so as not to allow the entry of irrelevant persons into the polling booth.

18. The Polling Booth Team shall allow the person, who is recommended by the responsible persons of the Ward or Village-tract of his residence, to vote although there is a minor error in respect of the name, address etcetera in the voting roll. The Polling Booth Officer shall correct the errors and defects in the voting roll and add his signature.

19. The person who votes shall express his desire by writing the mark of a right (□) if he is in favour and the mark.of a cross (x) if he objects on the ballot paper in voting.

20. If a person who has the right to vote informs that he has cause to travel beyond the referendum area of his residence on the date of referendum, the relevant Ward and Village-tract Sub-commission shall carry out as follows enable casting of advance ballot paper:

(a) issuing advance ballot paper with envelope after scrutiny of the name, national registration card number, citizenship scrutiny card number, associate citizenship card number,

naturalized citizenship card or temporary registration certificate and name of voting area of the person who has the right to vote the voting roll and causing to sign or impress-finger print on the voting roll that he has received the advance ballot paper;

explaining and showing the procedure to use the advance ballot paper to the person who has the right to vote;

exchanging the advance ballot paper if person who has right to vote thinks that advance ballot paper has a mark which affects secret voting system and makes a request to exchange it.;

informing the name of the person who has the right to vote and has drawn the advance ballot paper to the relevant polling both team. On receiving such information, entering a remark by the polling booth officer that the advance ballot paper has been issued agaist the name , of such person in the voting roll:

causing the person who draws the advance ballot paper to rerutn it immediately after he has cast vote in such advance ballot paper by closing the envelope securely. Keeping the envelope which contain such advance ballot paper and sending such envelopes containing advance ballot papers with Form (5) to Township Sub-commission.

21. (a) Each ballot paper shall be issued to each voter after scrutiny as to whether he is the correct person who has the right to vote. The person who has the right to vote shall be made to sign or impress fringer print on the voting roll that he has received advance balltot paper. The polling booth officer shall sign on the ballot paper at the stipulated place.

(b) The advance ballot paper shall be exchanged if it is considered by the person who has the right to vote that the ballot paper contains a mark, which shall affect the secret voting system and requests to exchange it.

■ 22. In voting by blind persons and disabled persons, polling booth team shall help them without affecting the secret voting system.

23. For enabling to vote with advance ballot paper by persons under military custody, the Ward and the Village-tract Sub-commission shall coordinate with the relevant Commanding Officer and carry out.

24. (a) After closing the polling booth, according to sub-rule (a) of rule 15 the polling booth officer and members of the polling booth team shall carry out as follows in the presence of not less than 10 persons who have the right to vote:

(i) examining the ballot box:

(ii) opening the ballot box and counting the votes;

(iii) in counting votes, differentiating and counting the votes in-favour, votes-against and concélled votes and listing them;

(iv) packing securely votes-in-favour, votes-against, cancelled votes and balance of ballot papers in separate packages.

(b) The polling booth team shall prepare a list in Form (6) of the list of voters on the voting roll, votes-in favour, votes against, cancelled votes, accepted ballot papers and balance of ballot papers and send it to the relevant Ward or Village-tract Sub-commission in the . quickest manner.If there is an unusual matter relating to voting a special report may be sent;

(c) The Ward or Village-tract Sub-commission shall collect the lists sent under sub-rule (b) according to the polling booth, prepare a combined list in Form (7) and sent it to the
. relevant Township Sub-commission in the quickest manner;

(d) The Township Sub-commission shall:

collect the lists sent under sub-rule (c) according to the ward and village-tract and prepare the list in Form (8-A);

count the advance ballot papers sent under rulers 25(c), 27(c), 28(c), 29(c) and 30 (c) in Form (8-B) in the presence of not less than 10 persons who have the v-ight i:o vote and who live in such township. In counting so, votes-in-favour, votes against and cancelled votes shall ' be differentiated counted and prepared in. Form (8-c);

open the envelopes of advance ballot papers sent under sub-rule (c) of rule 20 and count them in the presence of not less than 10 persons who have the right to vote and who live in such township. In counting so, votes-in-favour. votes against and cancelled votes shall be differentiated counted and the list prepared in Form (*-D);

combine date contained in Form (8-A), (8-C) and (8-D) and insert in Form (8-E) and sent it to the relevant State and Divisional Sub-commission together with the report. Copy of the said Form E shall be sent ot the

Commission and the relevant Divisional Sub-commission. .

(e) (i) The State and Divisional Sub-commission shall collect the lists sent under clause (4) of sub-rule (d) according to township, prepare the list in Form (9-A) and (9-B) and sent it to the Commission;

■ (ii) The Commission shall count the votes sent by the teams formed under clause (1) of sub-section (d) of section 12 of the law in Form (9-C), differentiate them as votes-in favour, votes against and cancelled votes and prepare the list in Form (10-B).

(iii) The Commission shall prepare a list in Form (Î0-B) combining data contained in Forms (4-B), (9-A), (9-B) and (10-A). ,

Chapter IV

Procedures to vote by members of the Army, Navy and AirForce of Tatmadaw Who Are out of Relevent Referendum Area on Duty and Members Of Household Living Together with Them.

25. (a) The Commmanding Officer and team:

(i) shall prepare and. declare the voting roll of the members of the army, navy and airforce of Tatmadaw who are out of the relevant referendum area on duty arid the members of household living with them, who have the right to vote as prescribed in Chapter II of these Rules.

(ii) may add to the voting roll as additional roll under sub-rule (b) or rule 11 for persons who have the right to vote and who arrive after declaration of the voting roll under clause(l).

(iii) request for necessary advance ballot papers and envelopes from the relevant Township Sub-commission of the region for the members of army, navy, airforce of Tatmadaw who are out of the referendum area on duty and members of their household living together . with them.] ..

(iv) sent advance ballot papers and envelopes in advance for the persons who have the right ot vote and who ' are at the region far from the base referendum area to enable sending them back at the stipulated date.

(b) The person who has the right to vote shall, within the stipulated period mark Right (y) if the vote is in favor, mark Cross (*x*) if the vote is against, in the advance ballot paper as directed secretly, insert it in the envelope, close it securely and return it to the Commanding Officer and the team.

(c) The Commanding Officer and team shall securely pack the voting roll, list of voters, envelopes with advance ballot paper, cancelled vote, list of received advance ballot paper and balance of advance ballot papers, prepare the list in Form (8-B) and hand over to the relevant Township Sub-commmission.

Chapter (V)

Procedures to Vote for Persons Abroad Who Have the Right to Vote and Members of Their Household Living Together with Them

26. ' (a) The Head of embassy and team or the Head of consulate and team:

(i) shall prepare and declare the voting roll of the persons who have the right to vote as prescribed in Chapter II of these Rules.

(ii) may add persons who arrive after the declaration of the voting roll under clause(l), in the voting roll in accordance with rule 11, sub-rule (b) as additional voting roll. The Commission shall be informed for the cancellation of such names from the original voting roll.

(iii) Advance ballot papers and envelopes required for the persons who have the right to vote shall be-requested from the Commission through the Ministry x>f Foreign Affairs. ■

(iv) The Embassy or consulate shall, at stipulated date and place, assemble the persons who have the right to vote and issue the advance ballot papers and envelopes.

Within the stipulated time the person who has right to vote shall mark in the advance ballot paper, Right (□) sign if in favour, Cross (x) sign if against secretly as directed, insert in the envelope and deliver it to the head of the embassy and team or head of the consulate and team. -

The Head of the embassy and team or head of consulate and team shall securely pack the voting roll, list of voters, envelopes with advance ballot papers, cancelled vote list, list

of received ballot papers and balance of ballot papers, prepare the list in Form (9C) and send through the Ministry of Foreign Affairs to the Commission together with a report as soon as possible.

(d). (1) On Arriving back to the Union of Myanmar From abroad before the day of referendum, the Myanmar embassy or consulate members and their house hold, State Scholars and members of their household, persons who are appointed by the government to carry out duties outside the Union of Myanmar and members of their household, other persons who are abroad with the permission of the Government may report to the relevant Ward or Village-tract Sub-commission of their residential area to insert their names in the voting roll as additional voting roll. .

(2) On Presenting such report, the relevant Ward or Village-tract Sub-commission shall, after scrutiny under sub-rule (a) of rule 11, insert as additional voting roll and allow to vote at the said Ward' or Village-tract Polling Booth.

Chapthe (VI)

Procedures to Vote For Students Studying at Universities, Degree Colleges, Colleges, Institutes and Schools eccefera and Persons Staying at Homes.

27. (a) The Rector and team if it is a Univesity, the principal and team if it is a Degree College,College, Institute or School,

- head of such school and team if it is a Social Welfare School, head and team if it is a Home:

(i) shall prepare and declare the voting roll of persons who have the right to vote as provided in Chapter II of these Rules;

(ii) may add in the voting roll as additional voting roll under sub-rule (b) of rule 11 for the persons who. have the right to vote and who arrive after the declaration, of the voting roll under clause (1). The relevant Sub-commission shall be in-formed order to cancel their names from the original voting roll;

(iii) shall assemble the persons who have the right to vote on the stipulated day and at stipulated place and issue advance ballot papers and envelopes.

The persons who have the right to vote shall, within the stipulated time, secretly mark as directed a right (□) sign if in favour and a cross (x) sign if against, then insert in the enhvelope securely and deliver such envelope to the teams contained in sub-rule (a).

The teams contained in sub-rule (a) shall pack the securely list at voters, voting roll, envelopes containing advance ballot papers* cancelled votes list, advance ballot papers list and balance of advance ballot papers and deliver to the Township Sub-commission in Form (8-B).

The persons who return to their home place due to any cause after the declaration of the voting roll under clause (1) of sub-rule (a) may submit to the relevant Ward or Village-tract Sub-commssion at the place when they arrive in order to add their names as the additional voting roll.

On such submission, the relevant Ward or Village-tract Sub-commission shall after scrutiny under sub-rule (a) of rule 11, insert as additional voting roll and allow to vote at the polling booth of siich Ward or Village-tract.

Chapter (VII)

Procedures to Vote for Persons Taking Medical Treatment As Inpatient and Service Personnel on Duty at the Hospital.

28. (a) The Medical Superintendant and team shall:

(i) prepare and declare- the voting roll of persons taking . medical treatment as in-patient and service personnel on duty on the day of referendum at the hospital and who have the right to vote as provided in Chapter H of these Rules;

(ii) add their names as additional voting roll and allow to vote with advance ballot paper if the persons who have the right to vote taking medical treatment as in-patient at the hospital are not in a condition enabling discharge on the day of referendum have not yet cast the vote after the voting roll under clause (1) is prepared.

(iii) assemble the persons who have the right to vote from his hospital on the stipulated date and at the stipulated place and issue the advance ballot-papers and envelopes.

(b) ' The persons who have as directed the right to bote shall, within the stipulated period, secretly marl a right (□) sign

if in favour and a cross (x) sign if against, insert in the envelope securely and deliver it to the Medical Suprintendent and team.

(c) The Medical Superintendant and team shall pack securely the voting roll, list of voters, envelopes containing advance ballot-papers, list of cancelled votes, list of advance ballots papers and blance of advance ballot-papers, list of cancelled votes, list of advance ballots papers and blance of advance ballot-papers and deliver to the Township Sub-commission in Form (8-B). ’

Chapter (VIII)

Procedure to Vote for Persons who Arrive at the Workisite in Other Rigion after Having Left their Own Base Camp under Assignment of Any Government Department or Organization.

29. (a) The Head of Worksite and team: .

(i) shall prepare and declare the roll of persons who have the right to vote as provided in Chapter II of these Rules;

(ii) may add in the voting roll as additional voting roll under sub-rule (b) of rule 11 for the persons who have the right to vote and arrive after the declaration of the voting roll under clause (1). In order to cancel their names from the original voting roll, the relevant Sub-commission, shall be informed;

(iii) shall assemble the persons who have the right to vote on the stipulated date and at the stipulated place and issue the advance ballot papers and envelopes.

The persons who have the right to vote shall, within the stipulated period,, secretly marie as directed the right (□) sign if in favour and the cross (x) sign if against, then insert in the envelope securely and deliver it to the head of worksite and team.

The Head of worksite and team shall pack securely the voting roll, list of voters, envelopes containing advance ballot papers, list of concelled votes, list of advance ballot papers and balance of advance ballot papers and deliver to the Township Sub-commissions in Form (8-B). .

(d). The person who arrives at another area due to any cause after declaration of the voting roll under clause(l) of sub-rule (a), may submit to the relevant Ward or Village tract Sub-commission of the place where he arrives to add their names as the additional voting roll in the voting roll in the voting roll..

- (e) On such submission, the relevant Ward or Villatge-tract Sub-commission shall, after scrutiny under-rule (a) of rule (11), insert as additional voting roll and allow to vote at the polling both of such ward or village-tract.

Chapter IX ,

Procedures to Vote for Detainees in Custody of Police Stations or Prisons Police

30. (a) The Officer- in-charge of pokice station of Myanmar Police Force and team or Warden of a prision and team:

(i) shall prepare and declare, as provided in Chapter II of these rules, the voting roll of persons who are in custody of relefant police station or prison and have the right to vote

(ii) may add as additional voting roll in the voting roll under sub-rule (b) of rule (11), the names of persons who reach the custody of police station or prison after declaration of the voting roll under clause (1) and who have the right to vote. The relevant Sub-commission shall be informed in order to cancel the names of such persons from the original voting roll;

(iii) shall assemble the persons who have right to vote on the stipulated day and at the stipulated place and issue the advanced ballot papers and envelopes.

Within the stipulated period, the person who has ritht to vote shall mark secretly as directed the right sign (□) if in favour and the cross sign (x) if against on the advance ballot paper and isert in the envelope securely, and deliver to officer-in-charge of police station of Myanmar Police Force and team or warden of the prison and team;

The officer-in-charge of police station of Myanmar Police Force and team or warden of the prison and. team shall pack

•securely the voting roll, the list of voters, the envelopes

containing advance ballot paper, list of cancelled votes, list or received advance ballot papers and balance of ballot papers, and deliver to the Township Sub-commission in Form (8.B);

(d) The person who arrives back at his home place after declaration of the voting roll under clause (1) of sub-rule (a), may submit to add his name as the additional voting roll in the voting roll to the rlevant Ward or Village-tract Sub-commission of the place where he arrives;

(e) On such submission, the relevant Ward or Village-tract Sub-commission shall, after scrutiny under sub-rule (a) of rule (11), insert as the additional voting roll, and allow to vote at the polling booth of such Ward or village-tract.

By order,

(Sd.) Thiiha Thura Tin Aung Myint Oo
Lieutenant General
Secretary-1
The State Peace and Development Council

Voting rolls of

Referendum Area---------- Polling **Booth ----------**

Serial Number	Name of Person Who Has Right to Vote	Male . .	Female	Age
CD	(2)	(3)	(4)	(5)
		%		

Form (1)

Referendum

Township---------- ---------- District —---------- —------ — State/Division

Registration Card Number Held	Name of Father	Name of Mother	■ Address	Remark
(6)	(7)	(8)	(9)	(10)

Chairman

Township Sub-Commission

—---------_ Township

Subject: Submitting the voting roll according to the referendum area

It is reported in advahce that the number of persons who have the right to

—-------- - State or Division----------— Distict---------- Townships is

Form (2)

vote according to the voting roll contained in attached Form (1) prepared for ---------- person (in words ---- ----------) **f** Fom **(1)** attached!

Chairman
Ward or Village-tract Sub-commission
--------- ------- Ward or Village - tract

132

To . .

[5] Chairman

State or Divisional Sub-Commission

---------- State or Division

Subject: Submitting the voting roil according to township, in which

Village-tracts in--------- ——-------— Township is submitted as

Serial Number	Ward or Village-tract
(1)	(2)

Copy to

- The Commission for Holding Referendum

Form (3)

referendum is to be held. The votin roll from----------Wards and follows:

Number of Persons who Have Right to Vote		Remark
in figures	In words	
(3)	(4)	(5)

Chairman

Township Sub-commission

---------- Township

134

To

■ Chairman
The Commission for Holding Referendum

Subject: Submitting the voting roll in the state Division in which

It the voting roll according to township from ----------

Serial Number	Name of Township '	Number of Persons who
		In Figures

Fonn(4 A)

referendum is to be held.

townships in---------- State or Division is submitted as follows;

Have Right to Vote	Remark
In words	
* - '	

Chairman

Stat or Divisional Sub-commission

—---------- State or Division

136.

The Commission for
Combined List of Persons Who Have Right to Vite in
(Rule 6)

Serial Number	Name of State or Division	Number of Persons who
		In Figures
1	2	3
	total .	

Form (4 B)

Holding Referendum

Referendum According to State and Division

Have Right to Vote	Remark
In words	
4	5

Chairman

The‘Commission for Holding Referendum

Fom (5)

Referendum ■ ■

The List to be used by Ward or Village-tract Sub-commissions for advance ballot papers issued to travellers

. | Rule 20 (e)] . ■

™~— State or' Division----------—*—- District------ ---- — Township

------- -------Ward or Village tract Sub-Commission

Serial Number	Advance Ballot Paper received from Township Sub-Commission	Advance Ballot Paper Issued	Returned . Advance Ballot Paper	Balance of Advance Ballot-Paper	Remark
1	' 2	3	4	5	6
	.				

Name and Signaure of Ward or VHlage-*tract.

Sub- Commission members

1. Chairman ___ _____
2. ■ Member _____ ■_
3. Member _____ '
4. Member_____ _____

' 5. Secretary _____ _

Foni (6)

Referendum

The List to be used in counting at polling booth

[Rule 24(b)J *A*

—— State or Division — District — Township

Ward or Village-tract referendum area —— polling booth number

Number of Voters	Vote of Favour	Vote-against	Cancelled Vote	Ballot paper , Received	Balance of Ballot Paper	Remark
1	*2*	' 3	4	■ 5	6	\ 7

Name and Signaure of Witnesses

2.———————

3 . -------

4 . ----------

5.'- - -——

Name and Signaure of members of polling booth team

1. Polling booth officer----------
2. Member---------- —
3. Member---------- -—
4. Member-------*------
5. Member---------—

Fora (7)

Referendum

The List to be prepared by Ward or Village - tract |

Sub - commission

[Rule 24 (e)]

— State or Division---------- District------ -—Township —

Ward or Village-tract Sub - commission

1*4 <D £ 13 CO	d Z ■B o o pq feO .e— o	5m Oj £ 0 1 13 %	Vote-Favour	Vote-Againsi	Cancelled Vo'	Ballot Papei Received	o Balance of Ba! Paper	Remark
1	2	3	4.	5'	6	7	8	9
Total					•			

^ Name and Signaure of the members of
Ward or Village-tract Sub-commission
L Chairman —————-------
2, Member —----------
. 3. Member;----------
4. Member —----------
5. Member'----- —------

Fom (8 A)

Referendum

The List to be used by Township Sub-commission for Collection of Voting Roils sent in From (7) from Ward or Village-Tract

. Sub - commission

[Rule 24 (d) (1)]

--------- State or Division-------- ------- — District

Township Sub-commission

Serial Number	Ward of Village-tract Sub-commission	Number, of voters	. Vote-Favour	Vote-Against	Cancelled Vote	Ballot Paper Received	Balance of Ballot ; Paper	Remark
1	2	3	4	5	6	7	8	9
Total						•	1	

Name and Signaure of the Members of Township Sub-commission

1. Chairman--------- -—
2. Member — ----------
3. Member------- --------
4. Member----------
5. Member----------

Fom (8 B)

Referendum

The List to be used by the relevant teams, relating to military-pesonnel out of referendun area on duty, University, Degree College, College, Institute and School, Hospital, Prison, Home Etcetera

[Rule 25 (c), 27 (c), 28 (c), 30 (c) }

—--- State or Division —---------- District —;-------— Township

. u <u ¿Q S If • *<3 GO	Advance Ballot Paper Received	Issued Advance Ballot Paper	Returned Advance Ballot Paper	Advance Ballot Paper Not Retuned or Concelled Vote	Balance of Advance Ballot Paper	Remark
1	2	3	4.	E 5	6	7
Total						

Name and Signaure of the leader and members of team

1. Leader of team ----------
2. Member -
3. Member -
4. Member-
5. Member -

Fom (8 C)

Referendum

The List to used by Township Sub-commission in counting advance ballot papers received from teams, relating to military-personnel, out of referendum area on duty. University, Degree College, College, Institute and School, Hospital, Prison, Home Etcetera

[Rule 24 (d) (ii))

State or Division---------- -—- District

Township Sub-commission

Serial Number	Team	Number of voters	Vote-Favour	Vote-Against	Cancelled Vote	Advance Ballot Paper Received	Balance of Advance Ballot Paper	Remark
I	2	3	4	5	6	7	8	9
Total								

Name and signature of witnesses

1 . ----------

2. — —------ ----------

3.—-— — ----------

4----------. — ■

5 . ------ ------

Name and Signaure of the Members of Township Sub-commission

1. Chairman------- ---------

2. Member---------- .

3. Member----------—-

4. Member — ---------—

■ 5. Member---------—------ '

Font (8 D)

Referendum

The List to used by Township Sub-commission in Counting

Advance Ballot Papers of Travellers

[Rule 24 (d) (Hi)]

--------— State or Division -—---------- —- District

---------- Township Sub-commission

Serial Number	Ward of Village-tract Sub-commission	Accepted Advance Ballot Paper	Advance Ballot Paper Issued	Returned Advance Ballot Paper	Vote in Favour	s	Concelled Vote	Balance Advance Ballott Paper	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Name and signature of witnesses

1.——-————-

2.—---------- ■ —---- -------- -------

3-------. -------- —■-—-

4 . ----------

5.—— — ----------

Name and Signaure of the Members of Township Sub-commission

1. Chairman--------- ——

2. Member------—

3. Member ——-------- — ■

4. Member -—-------- —

5. Member----------

Fom (8 E)

Referendum

The List to be used by Township Sub-commission In Combining the Facts

Contained in Form (8-A), (8-C)* and (8-D)

[Rule 24 (d) (Iv) J

---------- State or Division ——----------District

———_ Township Sub-commission

Serial Number.	Total Number of Voters	Total Votes-in-favour	Total Votes-against	Total Cancelled Votes	Ballot-Paper Received	Total Balance of Ballot-Papers	Remark
1	2	3	4	5'	6	7 '	OO
(a) (b)							
(c)							

. Name and Signaure of the Members of

Remak Township Sub-commission

- To mention the number of votes voted by ballot paper in serial number (a)
- To mention the number of votes voted by advance ballot paper in serial number(b)
- To mention the total of (a) and .(b) in serial number (c)

1. Chairman —-—----------
2. Member------ ---------
3. Member----------
4. Member -—----------
5. Member----------—

Pom (9A)'

Referendum

The List to be used by State or Divisional Sub-commission in Collecting the Voting Rolls Sent by Township Sub-commissions •

. { Rule 24 ;{c) (i)]

— State or Division Sub-commission

Serial Number	Township Sub-commission	Number of voters	s ■' J tw ■* ■M . ai .i	Vote-Against	j Cancelled Vote	Ballot Paper. Issued	Balance of Ballot-Paper	Remark
(1)	(2)	(3)	(4)	(5) '	(6)	. (7)	(8)	(9)
Total								

Name a$d Signaure of the Members of

. Township Sub-commission

1. Chairman---------- ---------
2. Member —--------- -—
3. Member ————— -----
4. Member ——----------
5. Secretary------ ————

Fom (9 B)

Referendum .

Tie List to be used by State -or Divisional Sub-commission In collect the lists of advence ballot-paper sent by Township Sub-commission

[Rule 24 (e) (1)]

State or Division Sub-commission

Sérial Number	Township Sub- . commission j	Number of Voted by Advance Ballot Paper	Vote-in-favour	Vote-Against	Cancelled Vote	Advance Ballot Paper Issued .	Balance of Advance Ballot- Paper	Remark
(1)	(2)	(3)	(4)	(5)	(6)	***m***	(8)	***m***
Total								

Name and Signature of the Members of State or Divisional Sub-commission

1. Chairman ————---•
2. Member ----------
3. Member ---------- -—
4. Member --------- -------
5. Secretary ---------—

Fom (9 C)

Referendum

The List to fee used by the Relevant Team, Relating to Persons Who Have Right to Vote in foreign

[Rule 26(e)]

----- — State —---------- ------ Town —---------- -- Team

Serial Number	Advance Ballot Paper Received	Advance Ballot Paper Issued	Returned Advance Ballot Paper	Concelled Vote	Balance of Advance Ballot Paper	1 I
(1)	*m*	(3)-	(4)	(5)	(6)	(7)
		'				
Total						

Name and Signaure of the leader and members

1. Team Leader -—-------- -----—
2. Member
3. Member
4. Member
5. Member

Font (10-A)

Referendum

Tbe List to be used by Commission in in Counting Advance Ballot Papers Received from Relevant Teams Relating to Persons Who Have Rihgt to Vote In Foreign

[Role 24 (e) (2))

Serial Number	' Team	Number of Vbters -who Voted by Advance Ballot Paper	Vote-in-favour	Vote-Against	Cancelled Vote	Advance Ballot Paper Issued	Balance of Advance Ballot- Paper	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Total								

Name and Signaure of the Members of the Commission

1. Chairman —-------—■-
2. Member --------- —
3. Member -------- -------
4. Member ----------
5. Secretary —-------*—

Fom (10 B)

Referendum

The List to Used by Commission in Combining the FactsContained in Forms

(4-B), (9-A) (9-B) and (10-A)

[Rule 24 (e) (iii)]

Serial Number	-or-Tij Ä s ‘s-i? I f g c g <2 -=a ~ 0 B 9 T3 Fh ¡1 Ü	Total Number of Votes	’ I 0 m ö l 0 £ c3 ß	Total Votes-against	Total Cancelled Votes	Total Ballot Papers . Issued	Total Balance of Ballot Paper	Percentage of the Persons Who Cast Vote-in-favoru	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
(a)									
(b)									
(c)									
(d)									

Name and Signaure of the Members of Commission

Remak

(a) = Figures relating to Form (9-A) 1. Chairman —7---------- ------

(b) = Figures relating to Form (9-B) 2. Member ---------- ------

(c) = Figures relating to Form (10-A) 3. Member ---------- —-—

(d) = Total figures 4. Member --------- -—■——

' 5. Secretary —---------- —-

ORDERS

Union of Myanmar

The State Peace and Development Council

Order No. 2/2008

The 2nd Waning of Nay on, 1370 M.E.

(20 Jane 2008)

Reasignment of Duty of Minister

The State Peace and Development has reassigned duties to Minister for Industry-2 Maj-Gen Saw Lwin as Minister for Immigration and Populatin with effect from today.

By Order,

Sd/ Thiha Thura Tin Aung Myi at Oo

Lieutenant-General

Secretary -1

The State Peace and Development Council

Union of Myanma r .

The State Peace and.Development Council

Order No. 3/2008

The 2nd Waning of Nayon, 1370 M.E.

. (20 Jane 2008)

Appointment of Minister

The State Peace and Development Council has appointed and assigned duties to Vice-Admiral So Thein ^Minister for Industry-2 with effect from today.

By Order, .

Sd/ Thiha Thura Tin Aung Myint Oo

Lieutenant-General

Secretary -1

The State Peace and Development Council

ANN O UNCEMENTS

Union of Myanmar .

The State Peace and Development Council

(Announcement No 1/2008)

The 3 rd Wxing ofTabodwe, 1369 M.E.

(9th February. 2008)

1. As a new Constitution is required to bring about multi-party democracy aspired by the people in the nation, the National Convention was convened in 1993. Due to various reasons, it was temporarily adjourned in 1996. Then, it was reconvened in 2004 and successfully completed in 2007. ■ ■

2. The National Convention wa^ participated by over 1,000 delegates of eight delegate groups such as Delegate Group O'f Political Parties, Delegate ' Group of Representatives-elect, Delegate Group of Peas ants,Delegate Group of Workers, Delegate Group of State Service Personnel, Delegate Group of National Races, Delegate Group of Intellectuals and Intelligentsia, and Delegate Group of Other Invited Persons.

3. The delegates included those from every township representing over 100 national races residing in the nation. Likewise, representatives of national race armed groups which had returned to the legal fold were permitted to take part in the Delegate Group of Other Invited Persons.

4. The National Convention has unanimously adopted fundamental principles and detailed basic principles for drafting a new Constitution. Now, the Commission for Drafting the State Constitution which was assigned duties under Announcement' No 2/2007 by the State Peace and Development Council has been drafting the new Constitution in accordance with the fundamental principles and detailed basic principies laid down by the National Convention and it is to be completed soon.

5. Hence, in accordance with the fourth step of the seven-step Road Map, the approval of the Constitution draft will be sought in a National Referendum to be held in May 2008.

By order,

Sd/Thiha Thura Tin Aung Myin Oo

Lieutenant-General

, Secretary -1 ' .

The State Peace and Development Council

Union of Myanmar
Til« State Peace and Development Council
(Announcement No 2/2008)
The 3rd Wxing ofTabodwe, 1369 M.E.
(9th February 2008)

1. TheTatmadaw Government had to unavoidably take over State responsibilities due to the unrest and disturbances in 1988.

2. Since then, it restored community peace and tranquillity as well as the rule of law while enabling the people to earn livelihood freely and peacefully.

3. ■ For development of agricultural sector in view of bringing about economic development of the nation and the people, clusters of dams and reservoirs were built; river water pumping projects and underground water tapping projects were implemented; all-round efforts were made to ensure fo.od sufficiency for the entire people; and conventional fanning is being transformed into mechanized farming.

4. . Moreover, the State has established heavy industries and encouraged private-owned industries by setting up industrial zones in order to transform the agricultural country into an industrialized one.

.5. To bring about marked-oriented economic system as aspired by the people, efforts have been made hand in hand with the people for development of internal and external trade.

6. Border areas and national races development projects were implemented for ensuring region-wise development in the country while infrastructures were buiit for better transportation to overcome natural barriers in order that national people will make closer contacts in amity.

7. To narrow down the gap in human resource development as much as possible in the nation 24 special development regions were designated and universities, institutions and schools were opened. Similarly, to uplift health and fitrless of the entire people, speqalsit hospital, hospitals and rural hospitals were constrcted and upgraded.

8. Although such endeavours to build up good foundations for the nation and the national people have not completed yet, required basic foundations have already been constructed.

9. As such necessary good foundations have been established, it is most appropriate to transform the administration of Tatmadaw into democratic ^administration of the people.-Thus, in accordance with the forthcoming State Constitution, the multi-part democracy general elections will be held in 2010.

By order,

Sd/Thiha Thura Tin Aung Myin Oo
Lieutenant-General
Secretary -1
The State Peace and Development Council

ThrState Peace and Development Council

Declaration No 3/2008

The 5th Waning of Tabodwe, *1369* **ME**

(26th, February, 2008)

Formation of Commission for Holding the Referendum

The "State Peace and Development Council hereby formed the Commission for Holding the Referendum comprising the following persons in accordance with section 5(a) of Chapter 3 of the Referendum Law fortheAproval of the Draft Cnstitution of the Republic of the Union of Myanmar 2008 enacted as the Law No -1/2008 by the the State Peace and Development Council.

1.	U Aung Toe	Chairman
2.	f§ N Zaw Naw	member
3.	U Sai Yi Kyan	member
4.	U Myo Tint	member
5.	U Saw Win Aung	member
6.	U Khet Htein Nan	member
7.	U Lan Zone	member
8.	UHtamai Yon	member
9.	U Kyaw Din (a) U Htay Yei	member
10.	U Kyaw Tun	member
11.	USaw Hlaing	member
12.	Dr Hmu Hi an	member
13.	U Shi Thee	member

14.	Dr Maung Htoo	member
15.	U Maung Hla (a) U Hla Myint	member
16.	U Chit Maung	member
17.	U Chit Hla	member
18.	Dr Aung Hsan Win	member
19.	UAye Maung	member
20.	Dr Tun Shin	member
21.	U Tun Tun Oo	member
22.	UTm Maung	member
23.	UAungMyo	member
24.	U Khun Aung Nyein	member
25.	U Thein Shwe Maung	member
26.	UKyarTun	..member
21,	UThaung Nyunt	member
28.	DrTinAungAye -	member
29.	U Tin Aye	member
30.	U Myat Thu	member
31.	U San Lwin	member
32.	USai Tun Myat	member
33.	U Maung Lay	member
34.	U Hsaing Paung Nai"	member
35.	USai San Tin	member
36.	U Tun Yin	member
37.	UT Khun Myat	member

38. UAhial	member
39. U SaiYiHt	member
40. UDaYay Hla	member
41. UTmHsan	membi r
42. U Myat Ko	member
43 . U Maung Maung Than	member
44. U Win Ko	Secretary
45. U Than Aung	Joint Secretary

Sd/ Than Shwe
Senior General
Chairman
The State Peace and Development Council

' Union of Myanmar

The State Peace and Development Council

(Announcement No 4/2008)

The 13nd Waning of Uiagu, 1370 M.E.

(3rd May 2008)

1. The Cyclone Nargis which occured in Myanmar commencing from (2.5.2008) has entered and is passing through Ayeyawady Division, Bago Division, Yangon Divion, Mon State and Kayin Stste. .

2. For enabling to cany out speedily and effectively the protection, relief and rehabilitation measures at national level due to the said violent effects of Cyclone Nargis, the following regions are hereby announced as disaster-hit regions:

(a) Ayeyawady Division

(b) Yangon Division

(c) Bago Division

(d) Mon State '

(e) Kayin State

By order, ■

Sd/ Thiha Thura Tin Aung Myint Oo

Lieutenant-General

Secretary-1

The State Peace and Development Council

Union of Myanmar

The State-Peace and Development Council

(Announcement No 5/2008)

The 2nd Waxing of Kason, 1370 M.E.

(6 May 2008) .

\. The State Peace and Development Council announced the following •regions as disasterhit regions that were struck by the cyclonic storm Nargis under Announcement No 4/2008 dated on 3 May 2008.

(a) Ayeyawady Division

(b) Yangon Division

(c) Bago Division

(d) Mon State

(e) Kayin State •

2, As the government has been taking relief and resettlement measures in a speedy and effective way, the following affected regions returned to normal and they have now been dropped from the list of disasterhit regions.

(a) Bago Division

. (b) Mon State

(c) Kayin State ' ■

(d) Htantabin, Hlegu, Hmawby, Taikkyi and Cocokyun Townships in Yangon Division totalling 5 -townships.

(e) Pathein, Kangyidaunk, Thabaung, Kyonpyaw, Yekyi, Kyaunggkon, Hinthada, Zalun, Laymyetna, Myanaung, Kyangin, Ingapu,

Myaungmya, Einme, Wakema, Maubin, Pantanaw, Nyaungdon and Danubyu Townships in Ayeyawady Division totalling 19 townships.

3. The following townships in Yangon and Ayeyawady Divisions continue to be designated as disasterhit regions, and relief and resettlement measures are being taken in those regions.

(a) Tamway, South Okkalapa, I^agon (Seikkan), Dagon Myothit (South), Dagon Myothit (Moth), Dagon Myothit (East), Dawbon, Pazundaung, Botahtaung, Mingala Taungnyunt, North Okkalapa, Yankin, Thakayta,' Thingangyun, Kamayut, Kyimyindine, Kyauktada, Sangyoung, Seikkan, Dagon, Pabedan, Bah an, Mayangon, Latha. Hline, Lanmadaw, Ahlon, Thanlyin, Kyauktan, Thongwa, Kayan, Twantay, Kungyangon, Kawhmu, Dalia, Seikkyi Khanaungto, Insein, Mingaladon, Shwepyitlia and Hlinethaya Townships in Yangon, Division totalling 40 townships.

(b) Ngaputaw, Labutta. Mawlamyinegyun, Pyapon, Bogale, Kyaiklat and ■ Dedaye Townships in Ayeyawady Division totalling 7 townships.

By order
Sd/ Thiha Thura Tin Aung Myint Oo
Lieutenant-General
Secretary-1
The State Peace and Development Council

Union of Myanmar
The State Peace and Development Council
Announcement No (6/2008)
The FuIImoon Day of Kason, 1370 M.E.
(19lh May, 2008)

Days of mourning designated

1. Cyclone Nargis started to enter the Union of Myanmar through Hainggyigyun at 9:00 am on 2 May, 2008, and left only at 12:30 pm on 4 May, 2008. -

2. The Cyclone hit Ayeyawady, Yangon and Bago Divisions and Mon and Kayin States in the Union of Myanmar claiming many lives and causing enormous destruction to houses, schools, hospitals, religious buildings, water-craft, plantations and forests including food supplies.

3. It is hereby announced that the three days from20 May 2008 to 22 May 2008 inclusive have been designated as the days of mourning for the loss of lives of the people and the flags shall be flown at half mast starting from 9 am on those days.

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
Announcement No. 7/2008
The 10"[1] Waning Day of Kason, 1370 M.E.
(29[1]" May, 2008)

Announcement of Promulgation of State Constitution of the Republic of the Union of Myanmar

1, The Commission for Holding the Referendum of the Union of Myanmar, regarding the ratification of draft Constitution of the Republic of the Union of Myanmar, reported that the National Référendums to seek approval of the people were held on 10th and 24th May 200'S successfully, 98.12 per cent of 27,288,827 eligible voters all over the country -cast votes and of them 9248 percent supported the draft Constitution of the Republic of the Unnion of Myanmar in accordance with law. .

2. Hence, it is hereby announced that the State Constitution of the Republic of the Union of Myanmar has been ratified and promulgated by the National Referendum.

Sd/Than Shwe
Senior General
Chairman
The State Peace and Development Council

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