UNION OF MYANMAR

MYANMAR LAWS

(2009)

PUBLISHED BY

OFFICE OF THE ATTORNEY GENERAL

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FOREWORD

The Office of the Attorney Générai (OAG) has duties to cany out compiling and publishing of law books, law manuals and periodicals in conformity with the stipulations under the provisions of the Attorney General Law, 2001. In implementing these functions and duties, OAG has published the Myanmar Laws series in English since 1988 up to date and issues of Law Journal have been published twice a year. .

The Publication ofMyanmar Laws series is made with the purpose to understand Myanmar laws in English and to be helpful to legal practitioners, scholars, law students and readers in Myanmar and abroad.

Nowadays, the Union of Myanmar has been enhancing its participation in international and regional activities. As such, OAG believes that Myanmar Laws Series will help for the better understanding of Myanmar laws.

During the year 2009, four laws were promulgated in Myanmar. Among them, the Nay Pyi Taw Development Law is noteworthy. It provides formation of the Nay Pyi Taw Development Committee, its functions and duties, its power and finance and so on.

English translation ofMyanmar Law is made by OAG. There may be divergences and ambiguities between Myanmar and English versions, in such case, Myanmar text shall prevail .

OAG firmly believes that the Myanmar Laws series will bring better knowledge ofMyanmar Laws to all readers.

OFFICE OF THE ATTORNEY GENERAL

APRIL 2010 '

NAY PYI TAW, THE UNION OF MYANMAR

MYANMAR LAWS (2009)

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LAWS

The Union of Myanmar

The Stale Peace and Development Council

The Law Amending the Protection and Preservation of Cultural Heritage Regions Law

(The State peace and Development Council Law No. 1 /2009)

The 10th Waning of Pyatho, 1370 M.E.

(20<h January, 2009)

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

1. This Law shall be called the Law Amending the Protection and Preservation of Cultural Heritage Regions Law.

2. In section 2 of the Protection and Preservation of Cultural Heritage Regions Law:

(a) the expression " that have existed before 1886" contained in subsection (b) shall be substituted by the expression" that have existed since 100 years before the date on which the Department made inquiries as an ancient monument;"

2

3. The fines contained in sections 24 and 25 of the Protection and Preservation of Cultural Heritage Regions Law shall be substituted respectively by the expression " with fine or "

4. Sectioa 28 of the Protection and Preservation of Cultural Heritage Regions Law shall be substituted as follows:

" 28. Whoever fails to abide by the order passed under section 27. shall be liable to a fine which may extend from kyats ten thousand to kyats one hundred thousand for each day of fai lure to abide by such order." .

(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, 2009

(The State Peace and Development Council Law No. 2/2009)

The 14th Waning of Tabaung, 1370 M.E.

(24th March, 2009)

■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 Supplemental^ Appropriation Law, 2009.

(b) This Law shall have effect for the 2008-2009 financial year.

Chapter II
Sanctioned Allotment and Administration of Supplementary Expenditures

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.

Appropriation sanctioned under sub-section (a) shall be deemed to be supplementary expenditure in addition to the appropriation sanctioned under the State Budget Law, 2008.

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.

In administering the expenditures, it shall be in conformity with the provisions of this Law, provisions of the State Budget Law, 2008, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.

Chapter HI

Taking of Loans

4. Kyats two hundred thousand million is further appropriated in addition to the amount of loans actually received after the execution of loan agreements mentioned in section 13 of the State Budget Law, 2008,

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

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

Serial Number	Serial N umber contained in the State Budget Law, 2008	Subject	Responsible Person
1	2	3 .	4
1	3	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 General Election Commission	Chairman of the Multi-Party Democracy General Election Commission or a person delegated by the Chairman
3	3	Government	Prime Minister or a person delegated by the Prime Minister
4	4 .	Chief Justice	Chief Justice or a person delegated by the Chief Justice
5	5	Attorney General	Attorney General or a person delegated by the Attorney General
6	6	Auditor General	Auditor General or a person delegated by the Auditor General
		Total	

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

Schedule (1)

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	Savings
				Disbursement of Loan'	Repayment of Loans		
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
3,140,6 i 7,000			73,961,000				
28,264,000			2,300;000				
300,000,000,			281,800,000,000				
57,500,000							
84,750,000			68,040,000				
]40,943,000							
3,752,074,000			281,944,301,000				

Serial Nfumber	Serial Number contained in the State Budget Law, 2008	Subject	Responsible Person
1	2	3 ■	4
I	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	14	.Labour	- 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 ^oans	Repay-ment of Loans		
5	6	7	8	9	10	U	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
‘267,222,500		616,000	9.500.000				
			9,674,859,000				
			529.412.000				
						'	
2.214,770,200			8,275,680				
423J44,000			205,998,000				
145,236,950		78,265,600	'140,000,000				
42,650,629,460			1,250,906,000				*
380,617,150			2,090,007,000				
79,989,360			60,000,000				
564,234,490			8,801,711,400				
914,763,000			¡,467,129,000				
359,279,000			120,697,000				
113,697,300			34,437,300				

Seria) Murnber	Serial Number contained in the State Budget Law. 2008	- Subject	Responsible Person
I	2.	3	*4*
14	15	Forestry	Prime Minister or a person delegated by the Prime Minister
15	16	Agriculture & Irrigation	- ditto ~
16	19	Industry No (I)	- ditto -
M	21	Science and Technology	- ditto -
IS	23	Electric Power No. (1)	- ditto -
19	25	Construction	- ditto -
23	26	Transport	- ditto -
21	27	Rail Transportation	- ditto -
22	28	Communications, Posts and Telegraphs	- ditto -
23	29	Commerce	- ditto -

Departments

Schedule (2)

Supplementary Expenditure Sanctioned							
Current Expenditure	Payment of ' Interest	Contribution	Capital Expenditure	Debts		invest-ment in Organi-zations	Saving^
				Disb-urse-ment of Loaih	Repay-ment of Loans		
	6	7	8	9	10	1!	12
Kyats	Kyats	Kyats	Kyats	Kyat.	Kyats	Kyats	Kyats
			1,836,426,640				
9,779,580,300			6 £206*226,000				
			9,500,000				
73,961,550			1,490,023,660				
31,000,000			39,905,019,000				
2,153,236,000			22,166,932,300				
81,368,000			416,594,900				
66,793,000			14,000,600				
47,300,000							
328,533,000							
	.....						

Ministries and

Serial dumber	Serial Number contained in the State Budget Law, 2008	Subject	Responsible Person
1	2	j	4
24	31	Co - operatives	Prime Minister or a person delegated by the Prime Minister
25	32	National Planning and Economic Development	- ditto -
26	33	Finance and Revenue	- ditto-
		Total	

Departments

Schedule (2) End

Supplementary Expenditure Sanctioned							
Cuijent Expenditure	Payment of Interest	Contribution	Capital Expenditure	Debts		Invest-ment in Organi-zations	Savings
				Disb' urse-ment of Loan;	Repay-ment of Loans		
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
1S4,872^00						-	
551,244,000		302,930	134,902,000				
14,071360,000	10,000,000,000	28,975,400,(KX					
75,482,837,460	10,000,000,000	29,05434^30	158,572,557,480				

State Economic

Serial Miimber	Serial Number contained in the State Budget Law, 2008	Subject	Responsible Person
1	2	3	4
î	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		Invest-ment in Organi-zations	Saving
				Disb-urse-ment of Loan:	Repay-ment of Loans		
5	6	7	8	9	10	11	12
Kyats ■ 120,768,126,000	Kyats	Kyais	Kyats 64,370,226,000	Kyats	Kyats	Kyats	Kyats
120,768,126,000			64,370,226,000				

The Union of Myanmar

The State Peace and Development Council

The State Budget Law, 2009

(The State Peace and Development Council Law No. 3/2009)

The 5th Waning of Tabaung, 1370 M.E.

(30th March, 2009)

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

PART I

Title and Date of Effectiveness

i. (a) This Law shall be called the State Budget Law, 2009.

(b) The provisions of this law shall take effect commencing from 1st April, 2009 for the financial year 2009-2010.

PARTII

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

Chanter I

Receipts and Expenditures

2. The State Peace and Development Council Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments shall carry out their functions in accordance with the State Budget Programme. In carrying out such functions, all receipts shall be credited to the State Budget and all expenditures payable shall be debited from the State Budget.

3. (a) The respective persons who have been assigned responsibility for the receipts and expenditures of-the State Peace and Development Council, Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments shall supervise and collect those receipts and administer those expenditures as are shown against them in Schedules (1),(2),(3) and (4).

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

4. (a) Gut of the estimated receipts shown in Schedules (I) and (3), if foreign aids and loans received under Chapter III exceed the estimated amount, and if expenditures of those works which are to be incurred out of such excess amount received as foreign aids and loans are in excess of the sanctioned expenditures shown in Schedules (2) and (4), the Government may approve after scrutiny. Provided that, if expenditures to be incurred out of the State Budget in Kyats converted from the aforesaid foreign aids and loans are not covered by the sum shown in Schedules (2) and (4), then it may be incurred out of the reserve fund in accordance with the provisions of section 6.

(b) The Government shall submit matters relating to expenditures in excess permitted under sub-section (a) to the State Peace and Development Council, together, with objects and reasons case-■ wise.

5. in respect of any alterations of sums shown in Schedules (1), (2), (3) and (4) under requirement of work, it shall be shown in the revised estimate budget for the 2009-2010 financial year submitted to the State Peace and Development Council.

Chapter H

Reserve Feed

Expenditures incurred by the State Peace and Development Council, Multi-Party Democracy General Election Commission, Government, Chief Justice, Attorney General, Auditor General, Ministries and Departments out of the reserve fund shown in Schedule (4), column 12 shall be effected only in accordance with the following conditions

(i). being expenditure which cannot be anticipated ;

(ii) being a case in which expenditure must be incurred within, the financial year; .

(iii) where transfer of budget heads cannot be effected or where there is no allotment for transfer of budget heads under the existing laws, rules, regulations and bye-laws.

Any expenditure from the reserve fund shall be made-only by the decision of the Government. *

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-

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

Chapter III

Taking of Loans

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

9. Regarding loans obtained by issuing security bonds for covering.the deficit in the budget of the previous financial year, new security bonds maybe 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 111.

13. During the financial year commencing from Ist April, 2009 and ending on 31st March, 2010 the total amount of loans actually received by execution of loan agreements under this Chapter III shall not exceed Kyats six hundred thousand miliion.

PART III

State Economic Organizations

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

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

(c) Supervision and collection of the receipts and administration of the expenditures shall be in accordance with the provisions of this Law. relevant laws, rules, regulations, bye-laws, orders, directives and procedures.

16. (a) The Government may alter the amounts shown in Schedules (5) ' and (6), if it becomes necessary for the functions of the State Economic Organizations. Such alterations shall be shown in the revised estimate budget for the 2009-2010 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-iaws, 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 2009-2010 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 Connell

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

Serial Number	Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
i	2	J	4	
			Kyats	Kyats
Ï	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 ofthe 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 Générai	Attorney General or a person deletated by the Attorney General		
6	Auditor General	Auditor General or a person delegated by the Auditor General		
	Total			

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

Receipts							
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts fro Foreign Aids	Debts		Receipts froni investment in Organizations	Savings
				Recoverj of Loans	Drawa! of Loans		
6	7	8	9	10	11	12 ,	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
23,100,000							
16,000,000		150,000					
1,030,000,000							
¡5,000,000							
50^51,000		1,000					
1,134,451,000		151,000					

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

Serial Number	Subject	Responsible Person	Current Expenditure
I	2	3	4
			Kyats
\	The Stale Peace , and Development Council	Chairman of the State Peace and Development Council or a person delegated by the Chairman	3,990,8" 'XX)
2	Multi-Party Democracy Genera! Election Commission	Chairman of the Multi-Party Democracy General Election Commission or a person delegated by the Chairman	75,000,000
3	Government	Prime Minister or a person delegated by the Prime Minister	635,400,000
4	Chief Justice	Chief Justice or a person delegated by the Chief Justice	3,355,316,000
5	Attorney General	Attorney General or a person deletated by the Attorney General	! ,907,000,000
6	Auditor General	Auditor General or a person delegated by the Auditor General	3,725,000,000
	Total		13,688,591,000

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

Expenditures						
Payment of Interest	Contribution	Capital Expenditure	Debts		investment in OrepiEffitions	Savings
			Disbursemenl of Loans	Payments of Loans		
5	6	7	8	9	10	*11*
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
	5,000,000	2,737,580,500				
		6,740,000				
		360,062,916,000				
		595,063*200				
		158, i03,ï00				
		181,000,000				
-$	5,000,000	363,741,402,800				

Serial Number		Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
1		2 .	3	4	5
				Kyats	Kyats
1		Tax levied on inland productions and pubic consumption	Prime Minister or a person delegated by the Prime Minister	448,702,378,000	
	1	Excise duty		5,49&; ¡24,000	
	2	Commercial tax		411,333,254,000	
	3	Licence fees on imported goods		635,000,000	
	4	State Lottery		15,500,000,000	
	5	Taxes on Transport		2,235,000,000	
	6	Sales proceeds of stamps		13,500,000,000	
2		Taxes levied on income and ownership*	- ditto -	434.660,746,000	
	1	income - Tax		336,326,000.000	
	2	Profit - tax		98,340,746,000	
3		Customs duties	- ditto -	40,000,000,000	
	1	Customs duties		40,000,000,000	
* 4		Taxes levied on utility of State owned properties	- ditto -	12,296,486.000	
	1	Taxes or) land (Land Revenue)		[1] 102,915,000	
	2	Water Tax and Embankment Tax		4,371,054,000	

Departments

Schedule(3)

Receipts							
Other Current Receipts	**Interest Receipts**	**Capital Receipts**	**Receipts from Foreign Aids**	**Debts**		**Keceiptsiron investment in Organization.**	**pavings**
				Recovery of Loans	**Drawal of Loans**		
6	**7**	**8**	*9*	**10**	**11**	*12*	**13**
Kyats	**Kyats**	**Kyats**	**Kyats**	**Kyats**	**Kyats**	**Kyats**	**Kyats**

Serial Nsimher	Subject	Responsible Person	Taxes	Receipts from the State Economie Organizations
1	2	3	4	5
			Kyats	Kyats
3	Tax on extraction of forest products	Prime Minister or a person delegated by the Prime Minister	3,896,700,000	
4	Tax on extraction of mineral		25,517,000	
s-	Tax on Fisheries		3,900,000,000	
6	Tax levied on rubber		300,000	
5	Receipts from the State Economic organizations	- ditto -		938,123,7%,000
6	Foreign Affairs	- ditto -		
7	Defence	- ditto -		
S	Progress of Border Areas and National Races and Development Affairs	ditto - - ditto -		
9	Home Affairs	- ditto -		
10	immigration and Population	- ditto -		
11	Religious Affairs	- ditto -		
12	Social Welfare, Relief and Resettle;!! cnt	- ditto - - ditto -		
13	Information	- ditto -		
14	Culture	-ditto[1]		
15	Education	-ditto-		
16	Health			
17	Sports			
18	Labour			
19	Forestry			
20	Agiculture & irrigation			

Departments

Continuation of Schedule(3)

Receipts							
Other Current Receipts	interest Receipts	Capital Receipts s	Receipts from Foreign " Aids	Debts		Receiptsfron 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
32,200,000							
41,146,277,000							
156,831,200							
1.401.730.000							
1.033.018.000							
31.520.000							
95.570.000							
1,585,009,000							
155.600.000							
10.034.893.000			37,350,000				
7,638,919,000		1,200,000	104,618,710				
235.015.000		200,000	13200,0<30				
60,081,000							
1,200,000,000			5,579,000			22,000,000	
11.975.600.000		101,500,000			38,290,020		

Serial Number	Subject	Responsible Person	Taxes	Receipts from the State Economic Organizations
3	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 -		
26	Energy	- ditto -		
27	Electric Power No (1)	- ditto -		
28	Electric Power No (2)	- ditto -		
29	Construction	- ditto -		
30	Transport	- ditto -		
31	Rail Transportation	- ditto -		
32	Communications, Posts and Telegraphs	- ditto -		
33	Commerce	- ditto -		
34	Hotels and Tourism Services	- ditto -		
35	Co - operative	- ditto -		
36	National Planning and Economic Development	- ditto -		
37	Finance and Revence	- ditto -		
38	Pensions and Gratuities	- ditto -		
			*	
	Total		935,665,610,000	938,123,706,000

Departments

Scheduie(3) end

Receipts							
Oiher Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receiptsfron investment in Organization	Savings
				Recovery of Loans	Drawal of Loans		
6	7	8	9	10	11	Ì2	13
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
1,290,000,000							
190,100,000		150,000					
536,869.500							
700,000							
1,272299,050			1,000,000				
50,000							
50,070.000					556,588,000		
5,155,000,000		10,000,000					
1.330.977.000							
2300.450.000							
350,000,000							
3,809,000,000							
194.255.000							
549.764.000							
2,520,652,750		250,400,000					
25,040,341,400	11262,000			44,360,000			
10,020,000							
’21^82,811,900	11,262,000	363,450,000	161,747,710	44^60,000	644,878,020	22,000,000	

Ministries and

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	*"i	4
			Kyats
1	Foreign Affairs	Prime Minister or a person delegated by the Prime Minister	974,100,000
2	Defence	- ditto -	278,115,286,000'
3	Tatmadaw Affairs	- ditto -	-
4	Progress of Border Areas and National Races and Development Affairs	- ditto -	5,190,700,000
5	Home Affairs	- ditto -	50,220.500,000
6	Immigration and Population	- ditto -	4,870.700(000
7	Religious Affairs	- ditto - .	2,420,102,000
8	Social Welfare, Relief and Resettlement	. - ditto -	2,981,426,000
9	Information	- ditto -	4,255,522,800
10	Culture	- ditto -	2,039,475,000
11	Education	- ditto -	159,568,516,000
12	Health	- ditto -	39,564,879,000
13	Sports	- ditto -	2,741,473,000
14	Labour	- ditto -	975,653,000
15	Forestry	- ditto -	11,099,000,000
16	Agiculture *&* Irrigation	- ditto -	57,508,569,100
17	Livestock Breeding and Fisheries	- ditto -	4,264,000,000 i

Departments

Schedule(4)

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organization	Savings	Reserve Fund
			Disbursement of Loans	Payments of Loans			
5	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyais
	29.080.000	467,065,620					
		282,972,682,000					
	5,673,491,000	16,664,007,230					
	254,660,530	7,979,144,870					
		363,152,150					
	373.298.000	425,647,000					
	154.574.000	6,617.796,700					
		7,640,221,960					
	25,000	2..034.505.910					
	307,500	27,506,383,500					
	3.321.000	11.185.752.000					
	25.140.000	2.270.000.000					
	187.000	197,334,230					
	720,300	7,447,061,200					
	413.000	74.423.021.000					
	600.000	2,921,783,440					

Serial Number	Subject	Responsible Person	Current Expenditure
1	2	3	4
			Kyats
18	Mines	Prime Minister or a person delegated by the Prime Minister	1,647,000,000
19	Industry No(l)	- ditto -	***92***1,000,000
20	Industry No (2)	- ditto -	460,000,000
21	Science and Technology	- ditto -	10,613,635,900
22	Energy	- ditto -	167,000,000
23	Electsre Power No (1)	- ditto -	4,725,000,000
24	Electric Power No (2)	- ditto -	134,000,000
25	Construction	- ditto -	28,181,800,000 ‘
26	Transport	- ditto -	5,389,749,000
27	Rail Transportation	- ditto -	1,882,000,000
28	Communications, Posts and Telegraphs •	- ditto -	150,450,000
29	Commerce ~	- ditto -	1,550,500,000
30	Hotels and Tourism Services	- ditto -	224,732,000
31	Co - operatives	- ditto«	4325,660,000

Departments

Schedule(4)

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investment in Organizations	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
		119,741,700					
		98.882.000					
		19,056,300					
	264,100	12,801,280,730					
		7,900,000					
20,000,000		101.561.072.000					
		24,000,000					
		91.475.188.000					
443,630	707.000	36.557.421.000		48,750,000			
		1,540,426,000					
	1,300,000	17,269,00c					
	320.000	118.145.000					
	370.000	15,656,50C					
		277,847,480					

Serial Number	Subject ‘	Responsible Person	Current Expenditure
1	2		4 '
			Kyats
32	National Planning and Economic Development	Prime Minister or a person delegated by the Prime Minister	4,495,974,000
33	Finance and Revence	- ditto -	7,789,600,000
34	Pensions and Gratuities	- ditto -	3 9,515,135.000
35	Gratuitis and Commuted Pensions	- ditto - /	35,484,865,000
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	
	Totai		754,448,002,800

Departments

Scheduie(4) end

Expenditures							
Payment of Interest	Contribution	Capital Expenditure	Debts		Investmen in Qgaiibtei	Savings	Reserve Fund
			Disbur-sement of Loans	Payments of Loans			
5:	6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kvats	Kyats	Kyats	Kyats
	2,241.000	4,385,000,430					
185,971,590,000	40,000,180,000	1,809,856,550		270,670,000	17,500,000	30,000	
							100,000,000
185,812,033,630	46^21,199,430	701^944301,500		319,420,000	17,500,000	30,000	LOO,000,000

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

Organizations

Schedu!e(5)

Receipts						
Other Current Receipts	Interest Receipts	Capital Receipts	Receipts from Foreign Aids	Debts		Receipts from investment in Organizations
				Recovery of Loans	Drawal of Loans	
6	7	8	9	10	11	12
Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
2,911,752,794,000		6,400,000			838,243,000	
2,911,752,794,000		6,400,000			838,243,000	

State Economic

Serial Number	Subject	Responsible Person	Current Expenditure
' I	2	■3	4
			Kyats
1	State Economic Organizations	Prime Minister or a person delegated by the Prime Minister	3,076,343,327,000
	Total		3,076,343327,000

Organizations

Schedule(6)

Expenditures						
Payment.of Interest	Contribution	Capital Expenditure	Debts		in vestai cn in Organization:	Savings
			Disbursement of Loans	Payments of Loans		
5	6	7	8	9	10	11
Kyats ■	Kyats	Kyats 390,868,779,280	Kyats	Kyats 699,141,000	Kyats	Kyats
		390,868,779,280		699,141,000		

Cantonment

Seriaì Number	Subject	Responsible Person		
			Taxes	Receipts from the State Economic Organizations
1	2	3	4	5
1	Cantonment Municipalities under the Ministry of Defence	Prime Minister or a person delegated by the Prime Minister	Kyats	ICyats [1]
	Total			

Municipalities

Schedu1e(7)

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	S	9	10	1Ï	Î2	13
Kyais 292,100,000	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats	Kyats
292,100,000							

46

Cantonment

Sériai Number	Subject	Responsible Person	..... Current Expenditure
1	2	»1	4
ï	Cantonment Municipalities under the Ministry of Defence	Prime Minister or a person delegated by the Prime Minister	Kyats 24(1272,000
	Totai		240,272,000

Municipalities

Schedule(S)

Expenditures						
Payment of Interest	Contribution	Capital Expenditure	Debts		Investmen in Orgsnization	Savings
			Disbmsemeni of Loans	Payments of Loans		
5	6	7	S	9	10	11
Kyats	Kyats	Kyats 43,800,000	Kyats	Kyats	Kyats	Kyats
		43,800,000				

The Union of Myanmar
The State Peace and Development Council

The Nay Pyi Taw Development Law

(The State Peace and Development Council Law No. 4 / 2009)
The 14lh Waxing of Pyatho, 137LM.E.
(29ih December, 2009)

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

Chapter I

Title and Definition

1. This Law shall be called the Nay Pyi Taw Development Law.

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

(a) Committee means the Nay Pyi Taw Development Committee formed under this Law;

(b) Head of Office means the head of the service personnel of the Nay Pyi Taw Development Committee Office;

(c) Reserved Land means the land determined in order to carry out the future plans by the Government within the limit of Nay Pyi Taw development area.

Chapter II

Formation

3. In order to cany out the development works effectively within the Nay Pyi Taw development area, the Chairman of the State Peace and Development Council shall:

(a) form the Committee comprising a minimum of 5 members to a maximum of 9 members;

(b) in forming the Committee, it shall do so with suitable citizens and determine the Chairman. Vice-Chairman and Secretary of the Committee simultaneously.

4. The Chairman of the Committee is the Mayor of Nay Pyi law.

5. The Vice-Chairman of the Committee is the Vice- Mayor of Nay Pyi Taw.

6. The Head of Office is the Joint Secretary of the Committee.

- - XL/Oiill.¿.ili'C-3 shall rjtffiril iv in I nc ^ *a* trot?*n* ts siate- Feace and D'svsiopment Council. •

Chapter III

iiiii Billies of the Committee

o. j. .Oc- ommiiies slioiL within the limits of N ov Pv* Tsw ds^-ei o "inei'i

s do vn policy ,r give guidance, supervise or implement in respect

administering lands in accordance with the existing laws;

constructing, repairing, and maintaining, demoliting and inspecting ofbuildings;

demoliting and resettlement of squatter houses, buildings and wards;

constructing roads, bridges, and maintenance thereof;

causing to remove and the removal of the buildings which are not be free from public road, bridge, drainage, water pipeline and sewage pipe etcetera; .

prescribing conditions for traffic and for the use of road, naming of the wards and roads and prescribing building number;

stipulating conditions for the traffic and parking of vehicles and hackney carriages, and for construction of vehicle terminals;

carrying out works for sanitation, tidiness, pleasantness, beautifying, greening and liveliness;

carrying out environmental conservation works;

constructing, maintaining, and supervising of gardens, parks, playgrounds, swimming pools and recreation centres;

carrying out works for lighting of roads;

carrying out works for water supply;

carrying out works for construction and maintenance of reserviors, water storage reservoirs and pipelines;

carrying out works for sanitation and sewage treatment;

carrying out prevention of disease and works for public health;

constructing, maintaining, and administering the markets owned by the Committee;

(r) granting permission for the construction and administration of private-owned markets;

(s) prescribing conditions relating to foodstuff business, restaurants and road- side stalls;

(t) prescribing rules relating to works which may be dangerous;

(u) carrying out precautionary measures against the danger of fire, flood, storm and natural disaster;

(v) granting permission to open guest houses to accommodate local ■customers only;

(w) inspecting hotels, motelsand guest houses rel ating to development matters; . '

(x) granting permission the operation of and administering ferry services, brokerage businesses and private pawn shops businesses;

(y) granting permission for the establishment of slaughter houses, the slaughter of animals for consumption and prescribing conditions for sale of meat;

(z) holding and managing of cattle fair;

(aa) granting permission for keeping and breeding animals and catching and impounding strayed animals;

(bb) carrying out tasks to look after the stray insane persons, lepers and beggars; .

(cc) determining and demolishing cemeteries, cremating, b lilding and administering crematoriums;

(dd) carrying out development works for public interest;

(ee) carrying out the works of repairing, maintenance and extension of prescribed government offices and state-owned housing estates with allotment fond of Government;

(ff) issuing conditions for the residents of the state-owned housing estates, supervising and taking action against the persons who violate the conditions;

(gg) maintaining, placing and managing the state-owned housing estates and apartments;

(hh) prescribing and collecting for state-owned housing estates and apartments rent;

(ii) carrying out the functions and duties assigned from time to time by the Chairman of the State Peace and Development Council

9. The Committee may, in carrying out its functions and duties, and co-ordinate with the relevant government departments and organizations if necessary.

Chapter IV
Powers of the Committee

10. The powers of the Committee are as follows:

(a) demarcating and re-demarcating the territorial limit of the Nay Pyi Taw development area;

(b) carrying out the development works in accordance with the existing laws, rules, regulations and bye-laws with funds owned by the Committee;

(c) determining taxes and duties and rates in respect of development works and revising, assessing and collecting thereof; .

(d) leasing the buildings and lands owned by the Committee and evicting the tenants who violate any of the terms and conditions;

(e) using money obtained by lease of buildings or lands or by other means, for the development works in accordance with the existing regulations and bye-Iaws;

(f) canying out works contributing to development by communicating with local and foreign organizations or persons;

(g) taking loans or grants from the Government or from local and foreign organizations;

(h) canying out development works by forming necessary sub-committees according to the type of development works;

(I) carrying out by applying advanced modem technologies and systems to enable to carry out the development works more effectively;

(j) safeguarding to prevent trespass in the reserved lands by any person, organization and department and managing systematically the project works carried out only with the permission of the Government on such reserved land;

(k) safeguarding and managing to prevent trespass in the committee-owned land by any person, organization or department;

(1) coordinating with the Ministry of Forestry in order to determine the forest land limit within the limit of the Nay Pyi Taw development area;

(m) coordinating with the Ministry ofDefence in order to determine the cantonment area within the limit of the Nay Pyi Taw development area;

(n) prohibiting and inspecting to prevent breaking, clearing, removing or felling the trees grown naturally within the limit of the Nay Pyi Taw development area, perennial trees, edible plants, shady trees grown in state-owned estates, trees and flower plants grown on left and right sides of the road, road islands and roundabouts without the permission of the committee;

(o) prohibiting and inspecting to prevent trespass and construction by any person, organization and department within the road area determined within the limit of the Nay Pyi Taw development area;

(p) exercising powers conferred from time to time by the Chairman of the State Peace and Development Council.

Chapter V
Finance

11. The Committee shall subsist on its own funds. If it is necessaiy, assistance from the Government may be taken for the fund desiring to fulifil. In addition, it shall also take responsibility of its financial matters.

12. The Committee shall open a separate bank account for it funds and has the right to expend for development works.

13. The Committee may manage in a suitable manner to increase the fund.

14. The Committee shall open a separate bank account for foreign currency accurred by it and may expend for the development works in accordance with procedures and regulations.

15. . The Committee shall:

(a) after scrutinizing the annual budget estimate drawn up and submitted by the Head of Office, submit it to the Chairman of the State Peace and Development Council and obtain approval.

Moreover, it shall be reported to the Government for the funds necessary to obtain assistance from the Government.

(b) submit the annual financial condition and audit-report within 90 days after expiry of the financial year to the Chairman of the State Peace and Development Council.

Chapter VI
Organizational Set-Up "

16. The Committee shall, based on the functions and duties, draw up the necessary organizational set-up with the approval of the Chairman of the State Peace and Development Council.

17. The Committee may, in drawing up the organizational set-up under section 16, include in the set-up the following service personnel contributing to the development works after consultation with the'relevant government departments and organizations:

(a) service personnel carrying out the function relating to precautionary measures against disease and public health;

(b) service personnel carrying out the function of precautionary measures against fire hazards;

(c) members of the Development Police Force and other service personnel of the Committee who carrying out the duty of security and maintenance of discipline.

18. The Committee:

(a) has the right to appoint service personnels within the organizational set-up in accordance with the existing regulations and bye-laws;

(b) may appoint by transfer, service personnels who can carry' out the development works effectively in coordination with the relevant government departments and organizations;

19. The Committee may, for enabling supervision of service personnel, delegate powers relating to personnel affairs to the Head of Office as may be necessary.

Chapter ¥11

Maintaining the Fond and Auditing of Accounts

20. The Committee shall, for enabling the Head of Office to maintain the accounts systematically and to conduct auditing thereof prescribe procedures on accounts in coordination with the Auditor General.

21. The Head of Office shall:

(a) compile and maintain accounts in accordance with the procedures on accounts as prescribed by the Committee;

(b) accept the audit of the person assigned duty by the Auditor General, in respect of the accounts compiled and maintained under sub-section ' (a)-

' Chapter VIH

Actions taken by Administrative Means

22. The Committee may if the holder of the license, registration certificate or permit issued under this Law contravenes any of the stipulated conditions or if he is convicted by the prescribed Court under this Law, pass upon the license holder, permits holder, or registration certificate holder any of the following administrative order:

(a) warning;

(b) imposing stipulated fine;

(c) suspending the license, registration certificate or permit, for a limited time;

(d) cancelling the license, registration certificate or permit.

23. If there is failure to pay the imposed fine under the administrative order, it shall be recovered as if it were an arrears of land revenue.

Chapter IX

Offences and Penalties

24. *Whoever* violates or fails to comply with any rule made by the Committee under this Law shall, on conviction, be punished with imprisonment for a term not exceeding one year or with fine not exceeding kyats two hundered thousand, or with both.

25. If a person convicted under section 24, continues to violate or fails to comply with such rule, he shall be punished with fine which may extend from a minimum of kyats ten thousand to a maximum of kyats fifty thousand for each day during which the violation or failure continues.

26. Whoever violates or fails to comply with any condition or any order issued by the Committee under this Law shall, on conviction, be punished with imprisonment for a term not exceeding three months or with fine exceeding kyats one hundred thousand or with both.

27. If a person, convicted under section 26 , continues to violate or fails to comply with such condition or order, he shall be punished with fine which may extend from a minimum of Kyats ten thousand to a maximum of kyats fifty thousand for each day during which the violation or failure continues.

Chapter X

Miscell so eons .

28. The public and the public service personnel shall abide by the orders, bye-laws and directives issued by the Committee since being duty bound to protect and preserve the works for cleanliness, tidiness, pleasantness, beauty, greenery and luxuriance within the limit of the Nay Pyi Taw development area;

29. The Committee shall, in performing its func tions and duties in exercising its powers, carry' out works involving the nature of policy, or special plans to be implemented within the development area of Nay Pyi Taw only after obtaining the permission of the Chairman of the State Peace and Development Council.

30. The Committee shall operate under its own name and common seai and shall have perpetual succession and power to sue and be sued in its corporate name.

31. The Committee is entitled to sue the responsible department and organization if it does not receive the reasonable value for its own immoveable property that are transferred to the state.

32. In order to have speedy trial and disposal of development cases in which proceedings have been instituted for the violation of any rules, bye-Iaws or orders issued under this Law, the Committee shall carry out in co- ordination with the Supreme Court and Office of the Attorney General for the opening of Courts and Law Offices at appropriate places vvithin the Nay Pyi Taw development area.

33. The administrative order or decision passed by the Committee under section 22 shall be final and conclusive.

3 4. The Committee may in carrying out development works apply the existing Development Committees Law, rules, regulations, bye-laws, procedures, notifications, orders and directives made thereunder, in so far as they are not contrary to the objectives and concepts of this Law.

3 5. The funds and moveable and immoveable property owned by the previous Township Development Committees and Nay Fyi Taw Development Committee s within the Nay Pyi Taw development area works in the process of execution, works which have been completed, assets and liabilities shall devolve respectively on the Committee.

36. (a) In executing instruments regarding transfer of immoveable property situated within the Nay Pyi Taw development area, the person chargeable with stamp duty shall pay the excess percentage of stamp duty as prescribed , in addition to the value of stamp duty to be paid under the Myanmar Stamp Act.

(b) The Committee shall cany out in consultation with the Ministry of Finance and Revenue to transfer and obtain the excess value of the stamp duty under sub-section (a).

37. The Committee may, in carrying out its functions and exercising its powers,, assign duties to any relevant subordinate Department or by forming a body or to any person, if necessary.

38. In implementing the provisions of this Law, the Committee may:

(a) issue necessary rules with the approval of the Chairman of the. State Peace and Development Council; *

(b) issue necessary procedures, bye-laws, notifications, orders and directives.

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

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