

The Union of Myanmar

The State Peace and Development Council

The Cantonment Development Law

(The State Peace and Development Council Law No. 32 / 2010)

The 12th Waning of Thidinkyut , 1372 M.E.

(4th November , 2010)

The State Peace and Development Council hereby enacts this Law:

Chapter I

Title and Definition

1. This Law shall be called **the Cantonment Development Law**.
2. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Commander-in-Chief of the Defence Services** means the Head who administers the Armed Forces of the Union of Myanmar;
 - (b) **Cantonment** means an area prescribed as cantonment under this Law of a place where the armed forces (army, navy and air forces) in the Union of Myanmar have settled and a place necessary to be used by the military units;
 - (c) **Cantonment Development Board** means a board constituted to administer the affairs of the cantonment under this Law;

- (d) **Officer of Commanding Station** means a military officer who is appointed by the commander of a military region or relevant military headquarter to supervise, from time to time, the battalion and military units in a cantonment area;
- (e) **Chairman** means a person who administers the Cantonment Development Board;
- (f) **Secretary** means a person who takes charge of the administrative matters of the cantonment with the supervision of the Chairman of the Board;
- (g) **Health Officer** means a medical officer of military unit or township medical officer who is assigned duty for the medical affairs of the cantonment;
- (h) **Road** means any road and delimitation of such road or highway and delimitation of such highway prescribed by the procedures under the Law relating to the Use of Road and Bridge;
- (i) **Market** means a place where meat, fish, fruit, vegetable, live animals or other foodstuffs and goods are sold for the people within the area owned by the Cantonment Development Board, with the approval of the Cantonment Development Board;
- (j) **Cantonment Market** means a market which is under the management of the Cantonment Development Board;
- (k) **Slaughter-house** means any place owned by the Township Development Board and used in slaughtering of animals for the purpose of selling the flesh thereof for human consumption, with the approval of the Cantonment Development Board;
- (l) **Cantonment Slaughter-house** means a slaughter-house which is under the management of the Cantonment Development Board;
- (m) **Building** means any house, brick building, hut, shed, other roofed structure or any part thereof which are built temporarily or permanently with any construction materials. This expression also includes wall, retaining wall, partition, gate, fence, pillar, stage or unfinished building;
- (n) **Party Wall** means the wall constructed to be used for living separately between two adjoining buildings belonging to different owners;
- (o) **Water-work** means all machinery, land, building, bridge and other things including stream, brook, lake, well, tank, pump, water-truck, pipe and conduit used for the purpose of supplying water within a cantonment;
- (p) **Dairy-work** means live-stock breeding, manufacturing, incubating, storage, research, sale and manufacturing of milk and milk products;

- (q) **Inhabitant** means any person who resides or carries out business or owns or possesses an immovable property within the area owned by the Cantonment Development Board, and in case of dispute, such person who is determined by the relevant court as inhabitant;
- (r) **Occupier** means a person who resides and uses the land and building including owner;
- (s) **Infectious Disease** means a disease communicable from a person to a person, from animal to man, through blood and blood products to man, through utensils to man, through food to man, and through vectors such as mosquito, fly, flea to man. This expression also includes infectious diseases prescribed by the notification of the Ministry of Health as infectious disease, from time to time;
- (t) **Nuisance** means any act or omission which may affect and injure the sense, life, property and health of a person;
- (u) **Wheeled Vehicle** means the wheeled vehicles of transportation including motorcar, train, motorcycle, bicycle, trishaw and hand cart;
- (v) **House** means a building suitable for occupation by a military personnel or a military guesthouse. This expression also includes land and buildings contiguous to the building;

- (w) **Military Officer** means a commissioned officer or warrant officer who is carrying out duty at a cantonment area on military duties (army, navy, air force). This expression includes a person who is carrying out duty of an officer at any station office and military unit for the purpose of the provisions contained in this Law, by the written order of the Commander-in-Chief of the Defence Services;
- (x) **Owner** means a person who owns the building or plot of land within the cantonment. This expression also includes any person who is receiving or entitled to receive the rent of the building or land on his own account, by a representative or as a trustee in case of renting of the building or land.

Chapter II

Defining and Cessation of Cantonment

3. The Government may, by notification, delimitate the place where armed forces (army, navy, air force) are quartered in the Union of Myanmar and define as cantonment the places required to be used by the armed forces. In addition, it may be ceased and separated from the Cantonment.
4. (a) The Government may, by notification, declare its intention to include any area, ward, village which are contiguous to the cantonment within the delimitation of cantonment or to separate it from such cantonment;

- (b) Any inhabitant of a cantonment or area, ward, village may, in respect of a notification issued under sub-section (a), submit an objection to the Government within six weeks from the date of the issue of the notification;
- (c) If there is no objection on the expiry of six weeks from the date of the issue of the notification under sub-section (a) or if there is any objection under sub-section (b), after making inquiry and decision on such objection, an area, ward, village relating to such notification issued or any part thereof may be included in the cantonment or separated from it.

5. The area, ward, village which are included within a cantonment by issuing notification under section 4 shall be subject to the existing laws, rules and procedures and shall also comply with the directives contained in this Law .

6. (a) It shall carry out as follows if the entire area prescribed as cantonment by notification under section 3 is required to be ceased from being a cantonment:

- (i) transferring to the relevant office and department by asking permission of the Ministry of Defence to enable transferring of the immovable property or moveable property, together with the list and accounts, belonging to the Cantonment Development Board;

- (ii) transferring the payable and receivable debts, together with the list and accounts, to the relevant office and department by asking permission of the Ministry of Defence;

- (iii) preparing the accounts of money owned by the Cantonment Development Board until the date of prescribed dissolution order and depositing to the under the relevant Budget Head.

(b) If an area, ward or village contained in cantonment under section 3 or any part thereof ceases from cantonment, matters relevant to it shall be carried out in accord with sub-section (a).

Chapter III

Formation of the Cantonment Development Board

7. In every cantonment, each Cantonment Development Board shall be formed. In respect of the right of formation, re-formation and termination of such Board, it shall be carried out by obtaining the approval of the Commander-in-Chief of the Defence Services through the Quarter Master General.

8. The name of the relevant area shall be mentioned before the name of the Cantonment Development Board. Such Board shall have an office seal and have the right to possess, to own and to conclude the contract for moveable property and immovable property. In addition, it has the right to sue and be sued in its name.

9. The Cantonment Development Board shall be formed with the following persons:

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|-----|---|-----------|
| (a) | Station Commander | Chairman |
| (b) | an officer from the Defence Services
(Army, Navy, Air Force) within the cantonment | Member |
| (c) | an officer (medical officer) from
Military Medical Unit | Member |
| (d) | an engineer from
Military Engineering Unit | Member |
| (e) | a person who is selected by the commander of
a military region | Secretary |

10. The list of the members contained in section 9 shall be prepared by the relevant commander of a military region, submitted to the Commander-in-Chief of the Defence Services through the Quarter Master General and appointed.

Chapter IV

Functions and Duties of the Cantonment Development Board

11. The Cantonment Development Board shall carry out the following functions and duties:

- (a) managing the lands of the cantonment in accord with the existing laws;

- (b) coordinating, deciding and implementing the works to be carried out under this Law;
- (c) approving annual Budgets;
- (d) coordinating to enable levy of taxes within the cantonment and prescribing the tax rates;
- (e) reviewing the increase of revenues from time to time;
- (f) carrying out the matters of mutual interests by cooperating with other local organizations;
- (g) managing and maintaining the property trusted to the Cantonment Development Board in accord with the rules issued under this Law;
- (h) taking necessary measures to acquire the land to construct the new roads within the cantonment and for enabling to make buildings and environ relating thereto;
- (i) carrying out projects for establishing, constructing and maintaining the parks, play-grounds, offices, live-stock breeding, drinking water, well, lakes and other works to be useful for the public;
- (j) taking measures to rectify the wards that are not in conformity with health;
- (k) carrying out other functions and duties contained in this Law for the cantonment development.

12. The Chairman shall arrange and carry out the following works:

- (a) studying the law, rules and procedures to be implemented by the Cantonment Development Board personally and by the members ;
- (b) carrying out to obtain electricity in the public assembly places and public streets;
- (c) determining disciplines to be obeyed in carrying out commercial businesses that cause harm to the health and danger to the public;
- (d) making secure and removing the undesirable obstacles on the road and in public places, dangerous buildings and places so as not to endanger the public;
- (e) acquisition of land for cemetery, alteration of such land and determining discipline;
- (f) construction and maintenance of roads, overhead bridges, markets, slaughter- houses, toilets, drains, refuse pipes, etc;
- (g) growing and maintenance of plants on left and right side of road and in public places;
- (h) carrying out in order to obtain safe drinking water for the people, protecting and preventing so as not to pollute the drinking water and preventing the use of unsafe water;
- (i) registration of births and deaths;

- (j) extinguishing if fire breaks out and protecting the life, shelter and property;
- (k) maintaining and keeping systematically property entrusted to the Cantonment Development Board;
- (l) land surveying and inspecting for the cantonment;
- (m) giving necessary assistance if an epidemic disease occurs;
- (n) carrying out with more effective means for the health, safety and welfare of the public who are living in the cantonment;
- (o) causing to determine suitable places to dispose of the garbage and causing the garbage to be brought and disposed of at such prescribed place;
- (p) carrying out the special works relating to cantonment development permitted by the Ministry of Defence;
- (q) submitting report on the situation of fund owned by Cantonment Development Board to the relevant Divisional Military Headquarters once in every four months and annual budget once a year, submitting to inspection of the accounts and lists of property by the relevant superior officers;
- (r) performing duties assigned under this Law or other existing law.

13. The Secretary shall carry out the following functions and duties:
- (a) studying the law, rules and procedures to be implemented by the Cantonment Development Board personally and by the members;
 - (b) carrying out the duties conferred on him under this Law;
 - (c) carrying out the works decided by the Cantonment Development Board and functions and duties assigned by the Chairman;
 - (d) although permission has to be obtained from the Chairman generally in carrying out the functions, being able to carry out any work immediately if it is necessary to carry out urgently for the sake of public interest or security, expending the cost from the Cantonment budget in doing so and submitting the case of taking action promptly to the chairman with reason;
 - (e) carrying out the sanitation of the buildings and lands, which are exempted from levying of tax, free of charge;
 - (f) preparing and submitting the accounts and inventories monthly to the Chairman and audit team and submitting to inspection.

Chapter V

Receipt, Expenditure and Property of the Cantonment

14. The Cantonment Development Board shall subsist on its own finance and carry out the works with its financial arrangement.

15. (a) The Chairman shall manage, supervise and collect the receipt and manage the expenditure as prescribed in the annual State Budget Law for the receipt and expenditure of the Cantonment Development Board. In addition, according to the requirement of work of the Cantonment Development Boards, it shall also carry out management, supervision and collection of receipts and management of expenditures stipulated by the Government.
- (b) The Chairman may delegate the powers conferred on him to the respective persons relating to the work and subordinate to him ;
- (c) In managing, supervising and collecting of receipts or managing of expenditures, it shall carry out in accord with the provisions of the annual State Budget Law, relevant laws, rules, regulations, bye-laws, orders, directives and procedures.
16. The Cantonment Development Board may obtain the necessary money as grant or loan to perform the work or to invest and carry out with the permission of the Government.
17. The Cantonment Development Board may collect only the categories of tax and revenue permitted under the existing laws, rules, regulations, bye-laws, orders and directives relating to it.
18. (a) The receipts of the Cantonment Development Board are as follows:

- (i) incomes received under this Law or rules or regulations issued thereunder;
- (ii) fines received under any existing law or order of the Government for the offence committed within the cantonment;
- (iii) money received under any directive which is inserted and in which it is mentioned that it shall be paid to the cantonment fund;
- (iv) money received under the directive of the Government that fines collected under any provision of the existing law shall be paid to the cantonment fund.

(b) The receipts of the Cantonment Development Board shall be deposited and withdrawn at the nearest Myanmar Economic Bank.

19. The following property which are confiscated or managed or maintained by the Cantonment Development Board shall be the property owned by the Cantonment. They shall be kept under the direction, management and control of the Cantonment Development Board:

- (a) markets, slaughter-houses, manure depots, sewage and buildings;
- (b) Water storage or supply works for the public;
- (c) bridges, buildings, machineries and instruments relating to them;

- (d) sewers pipes, drains, culverts, water-courses, works, materials and instruments relating to them;
- (e) dust, dirt, ashes, dung, refuse from animals etc. collected by the Cantonment Development Board;
- (f) streets, buildings and plants grown within the cantonment;
- (g) land and other property transferred to the Cantonment Development Board by the Government.

20. The Chairman shall expend the cantonment fund in accord with the powers conferred on him according to the following priority:

- (a) debts paid;
- (b) salaries and emoluments for the staff and officials;
- (c) costs prescribed to be paid under this Law and rules or any existing law.

Chapter VI

Imposition of Tax

21. The Ministry of Defence is entitled to impose tax also in the cantonment under the Development Committee Law or the existing laws, by notification.

22. The Ministry of Defence:

- (a) may issue by notification or other suitable manner if it is intended to impose any tax under section 21;

(b) in every notifications issued under sub-section (a), the following particulars shall be included:

- (i) the tax intended to be imposed;
- (ii) the category of the property on which tax shall be imposed;
- (iii) tax rate of tax to be imposed.

23. Any inhabitant of the cantonment may, within thirty days from the date of issue of the notification under sub-section (a) of section 22, submit to the Minister for the Ministry of Defence an objection in writing if he desires to object to all or any part of such notification.

24. The Ministry of Defence may, after scrutinizing the objection submitted under section 23, allow to impose and collect the tax as notified originally or as amended.

25. The following categories of tax are determined to be imposed and collected in the Cantonment Development Board:

- (a) property tax;
- (b) water tax;
- (c) lighting tax;
- (d) sanitation tax;
- (e) market stall tax and rents of shop;
- (f) slaughter licence fees;

(g) commercial licence fees;

(h) wheel taxes;

(i) sanitation tax carried out under a special plan;

(j) the licence fees of exhibition , opera , film, video, karaoke, internet cafe etc.

26. The Cantonment Development Board shall issue the appropriate bye-laws for the imposition system, collecting system, relief of tax rate, exemption and appeal against the imposition of tax and revenue including licence fee, allowed to be imposed under section 25.

Special Provisions relating to the Tax Imposition

27. The Cantonment Development Board is entitled to carry out according to the manners relating to the imposing and collection of tax contained in the Development Committees Law.

28. The Cantonment Development Board may arrange to carry out, by fixing a special rate the sanitation work of any factory, workshop, lodging house, guest house, building or lands used for any purpose in the cantonment. The Chairman may conclude an agreement with the person liable for the payment of the service fee for such arrangement, after appropriating the estimate cost in advance for the services to be rendered.

29. (a) If the Chairman arranges and carries out under section 28, after fixing a special rate for the sanitation work of the factory,

workshop, lodging house, guest house or lands, such building and land shall be exempted from the imposition of conservancy or scavenging tax in the cantonment;

(b) The Cantonment Development Board shall carry out, free of charge, for the sanitation work of garbage, plastic, sewage and refuse in the following buildings and lands. However, it shall be exempted from imposition of property tax, water tax, lighting tax and sanitation tax:

- (i) buildings used for educational purposes, public libraries, playgrounds and zayats which may be used by the public free of charge;
- (ii) specific places for public worship;
- (iii) hospitals and dispensaries opened and maintained by donations;
- (iv) burial grounds;
- (v) buildings and lands belonging to the Cantonment Development Board;
- (vi) buildings and lands belonging to the Government and used for the public interest.

30. (a) If the Chairman considers that an assessee of any tax under this law is unable to pay all or any part of the tax, he may exempt from

payment of the tax for a period not exceeding one year, at a time. However, such exemption shall come into effect only if it has obtained the approval of the commander of a military region;

(b) If the arrears of tax of an assessee are not recoverable by all possible means under this Law, the right of write-off on such taxes may be allowed as follows:

- (i) the commander of a military region, at a time for a case not exceeding fifty thousand kyats;
- (ii) the Quarter Master General, at a time for a case not exceeding one lakh kyats.

31. The Ministry of Defence may, by notification, exempt the whole or any part of any tax imposed under this Law. Or any part or entire property may be exempted from imposition of tax.

32. (a) The Chairman may negotiate mutually with such assessee on the tax to be paid by the assessee, after obtaining the prior permission of the Quarter Master General;

(b) If the assessee does not pay the money negotiated mutually under sub-section (a), it shall be recovered as if they were arrears of land revenue.

33. In imposing and collecting tax and revenue in compliance with the directives, regulations and bye-laws issued under this Law, if any mistake arises

in the name of the assessee or subject matter or tax rate, the assessee shall not refuse to pay the tax by reason of such mistake. However, if such mistake is submitted to the Chairman, the Chairman may amend it in accord with law, with the approval of the Board. Of the money paid under such amendment, over payment amount shall be reimbursed to the relevant person.

34. No notice of demand, warrant of distress or other proceeding relating thereto under this Law shall be deemed invalid because of its informality. The person who carries out in accord with such warrant shall not be deemed to be a trespasser. If there is any injury for carrying out mistakenly under such warrant, the injured person may file a suit for compensation at the Court.

Chapter VII

Contracts

35. Under the provisions contained in this Law, the Chairman is entitled to conclude the necessary contract and perform thereunder .

36. In concluding the contract, it shall be carried out as follows:

- (a) contracts the value of each does not exceed five lakh kyats, may be concluded with the approval of the Chairman;
- (b) contracts the value of each is more than five lakh kyats, may be concluded with the permission of the Cantonment Development Board;

- (c) contracts shall be concluded only when there is the relevant financial sanctioned amount.

37. In concluding contracts, it shall be carried out as follows:

- (a) contracts the value of each does not exceed five lakh kyats may be signed and executed by the Secretary on behalf of the Chairman. It shall be endorsed by the Chairman;
- (b) contracts the value of each is more than five lakh kyats shall be signed and executed personally by the Chairman. The Secretary shall sign as a witness;
- (c) on every page of the contract, the office seal of the Cantonment Development Board shall be affixed.

Chapter VIII

Markets, Slaughter-houses, Right of Doing Business

38. The Chairman:

- (a) may manage, establish and maintain an appropriate number of markets and slaughter-houses of the cantonment . Special management and maintenance for the stalls, shops, sheds and animal farms etc. may be carried out for the use of persons carrying on trade or business. In such market, machines, weights, scales and measuring baskets may be managed and provided for the weighing or measuring of goods. The prohibition and taking

action against the lowering the quality of the meat, fish and vegetables may be carried out;

- (b) may take action under this Law if animals are slaughtered in other slaughter-houses and carried into the cantonment;
- (c) may close the whole or any part of the market or slaughter-house of the cantonment by issuing notification if it is necessary.

39. In the Cantonment:

- (a) the sale or displaying for sale of animal or article shall not be carried out without the permission of the Cantonment Development Board;
- (b) the person violating the provision contained in sub-section (a) and the animals or articles displayed for sale may be removed from such place by the officer or staff assigned duty by the Chairman.

40. The list of stallages and other rents and fees, leviable in a market or slaughter-house of the cantonment and the terms and conditions relating to the use of the market or slaughter-house of the cantonment shall be affixed in a conspicuous place.

41. Places other than the market and slaughter-house of the cantonment shall not be used as market and slaughter-house. However this provision shall not apply to the following slaughtering of animals:

- (a) slaughtering of animals in accord with conditions stipulated by the Secretary for the festivals or ceremonies held after obtaining the prior sanction of the relevant civil administration;
- (b) slaughtering of animals in the specific places stipulated by the Secretary, by notification, with the approval of the Chairman to be carried out in accord with religious custom or for the consumption of troops.

42. Whoever violates the prohibition contained in section 41, establishes and uses a market or slaughtering house may be punished with fine not exceeding fifty thousand kyats. In the case of a continuing offence, he may further be punished with fine from a minimum of 1000 kyats to a maximum of fifty thousand kyats for each day on which the offence is continued.

43. The Chairman may, with the approval of the Cantonment Development Board, issue bye-laws for the following matters:

- (a) the day on and the hour at which the market or slaughter-house may be opened;
- (b) determining the design, ventilation and drainage of such markets and slaughter-houses, and the materials to be used in the construction thereof;
- (c) managing the markets and slaughter-houses and lands and buildings connected thereto to be in a clean and sanitary condition, causing

the removal of garbage and refuse therefrom, causing the storage of pure water, managing to have sufficient number of public latrines, urinals and keeping them always clean;

- (d) the manner in which animals shall be stalled at a slaughter-house;
- (e) the manner in which animals shall be slaughtered;
- (f) refusing to slaughter the animals, managing by other manner or destruction if it is found on inspection that it is unfit for human consumption due to disease or for other cause; and
- (g) the destruction of carcasses which from disease or any other cause are found after slaughter to be unfit for human consumption.

44. The Cantonment Development Board:

- (a) may manage and determine the suitable places for the persons who carry out laundry business. Suitable fees may be imposed for using such places;
- (b) may prohibit the laundering of clothes by launderers at places other than the place prescribed by issue of notification. Provided that it shall not apply to any one who launders his clothes at the place of current residence;
- (c) may punish a person who violates any prohibition contained in a notification issued under sub-section (b) with fine not exceeding 2000 kyats.

45. (a) The following works shall not be carried out in the cantonment without a licence:

- (i) breeding animals such as cattle, goat, pig, chicken, bird and duck on a commercial scale;
- (ii) selling aforesaid animal products on a commercial scale;
- (iii) selling other marketable greens and dry goods on a commercial scale;
- (iv) selling snacks on a commercial scale;
- (v) selling inflammable construction materials such as wood, bamboo, ripe palm, thatch etc;
- (vi) opening dispensary for providing private medical treatment;
- (vii) selling inflammable oil or spirit such as kerosene oil, petroleum, gasoline, diesel etc .;
- (viii) establishing video hall, karaoke shop, internet cafe and shops;

(b) A licence granted under sub-section (a) shall be valid for only one year;

(c) If the works contained in sub-section (a) are not offensive or dangerous to the public, the Chairman may allow and grant licence in accord with the stipulations.

46. A licence granted under section 45 shall specify the place and ward where business is allowed to be carried out by the licence holder, type of the goods intended for human consumption, hour and manner of transport.

47. If it is known that, due to the work granted under a licence, it is likely to cause public nuisance or danger to life and health or property in the relevant ward, the Chairman may direct the licence holder to discontinue the work in such place or ward or to remedy such work until it is no longer dangerous.

48. Whoever carries on any work for which a permission licence is required without obtaining a permission licence therefor or while the permission licence is suspended or after the permission licence has been cancelled or without complying with the directive under section 47, the Cantonment Development Board may punish him with fine not exceeding fifty thousand kyats. In the case of a continuing offence, he may further be punished with fine not exceeding 1000 kyats for each day which the offence is continued.

49. Whoever feeds deleterious substances to the animals which are bred for the purpose of supplying milk or meat for the people in the cantonment or grazes in any place in which grazing has been prohibited, shall be punishable with fine not exceeding ten thousand kyats.

50. The Chairman, the Secretary, the Health Officer or the staff assigned duty in writing by the Chairman for this purpose may, at any time, enter any market building, shop, stall and other places in the cantonment for the purpose

of inspection. He may inspect the animals and foodstuffs sold for human consumption or articles intended to make medicine, instruments such as measuring baskets, scales, platform scales, pots and bowls used for such purposes. In addition, the animals and things in the slaughter-house may also be inspected.

Chapter IX

Matters on Public Safety and Suppression of Nuisances

51. Whoever commits any of the following offence may be punishable with fine not exceeding ten thousand kyats:

- (a) in any street or other public places within a cantonment:
 - (i) exposing or exhibiting with the object of asking for alms or begging, any disease or deformity or any offensive sore or wound;
 - (ii) carrying meat and fish without covering and exposed to public view;
 - (iii) parking motor-car, cycle, trishaw, bicycles at the place not allowed, picketing animals or collecting carts;
 - (iv) spilling the night-soil or other offensive matter or garbage, in collecting them due to lack of discipline or failing to remove and clean the spill;
 - (v) affixing any bill, notice or other document upon any building, monument, post, wall, fence, tree or other thing without permission;

- (vi) defacing any building, monument, post, wall, fence, tree or other thing without permission;
 - (vii) removing, destroying, obliterating, without order, the notices that are kept with the permission of the Chairman under this Law;
 - (viii) displacing, causing damage, making alteration in the pavement, gutter, stormwater-drain, roadside flags or other materials relating to the street or damaging any lamp, direction-posts to entrance of military unit, hydrant or water-tanks or extinguishing or causing to damage the public light;
 - (ix) carrying any corpse to be annoyance to passers- by or to persons dwelling in the neighbourhood;
 - (x) carrying any corpse not decently covered or without taking due precautions to prevent risk of infection or injury to the public health;
 - (xi) failing to bury, burn or otherwise lawfully dispose of the corpse at the prescribed time and place;
 - (xii) failing to carry night-soil or other offensive matter or rubbish at the prescribed hours or carrying in any vehicle not consistent with prescribed pattern or not decently covered at the time of carrying;
- (b) carrying night-soil or offensive matters along any prohibited roads;
 - (c) disposing or piling up rubbish, plastic, offensive matters and things undisciplined within the cantonment;
 - (d) being the occupier of any building or land in or upon which the cattle, elephant, donkey, mule, lamb, goat or pig die, within three hours of the death of the animals or if the death occurs at night, within three hours after sunrise, either:
 - (i) neglects to report the occurrence to the Secretary or an officer appointed for this purpose with a view to securing the removal and disposal of the carcass;
 - (ii) fails to remove and dispose of the carcass under the directions of the Chairman or the Secretary after submitting report as such; or
 - (e) storing night-soil, manure, rubbish or any other substance emitting an offensive smell without permission of the Chairman or not consistent with the terms and conditions to be obeyed contained in the permission;
 - (f) disposing of faeces and urine at any place not prescribed for that purpose;
 - (g) parking the vehicle in blockage of the road and driving in opposite direction;

- (h) letting loose or tying with stake any animal on the road and in the public places within a cantonment area.

Retaining Dogs

52. (a) The Chairman, in stipulating the bye-laws relating to the registration of dogs existing within the cantonment, shall include the following facts:
- (i) causing the dogs raised by each military unit to register in the relevant military units;
 - (ii) causing every registered dog to wear a collar by owner;
 - (iii) causing the dogs which have not been registered or which are not wearing collar to be eliminated by the Cantonment Development Board;
 - (iv) causing every dog registered with the office of the Cantonment Development Board to be injected with necessary vaccine annually by the owner for the prevention of rabies;
 - (v) causing the dog which is reasonably suspected to be suffering from rabies or other dog and animals which have been bitten by such dog to be eliminated or kept within the stipulated period;
 - (vi) causing dogs without owner to be eliminated by the Cantonment Development Board;

- (b) No compensation shall be claimed in eliminating dog or animal under sub-section (a).

53. Any owner of dog or person who looks after the dog who commits any of the following acts may be punishable with fine not exceeding 5000 kyats:

- (a) annoying, threatening or biting by such dog to any person when he neglects to restrain his dog without being muzzled and without being secured by a chain;
- (b) violating the prohibition by notice directing that dogs shall not be at large without muzzles and chain during the prevalence of rabies.

Traffic Rules

54. In driving the various vehicles, travelling by vehicle or travelling in convoy on the street within the cantonment, the Motor Vehicles Rules and the stipulations of the Motor Vehicle Discipline Control and Supervisory Committee shall be followed.

Matters of Fire Prevention

55. The Chairman:

- (a) may, by notification, direct that in building, repairing the roofs and external walls of huts or other buildings, at the stipulated place within the cantonment, shall not be constructed or of thatches, mats, leaves or other inflammable materials. The person who fails to comply with such direction may be directed in writing to make necessary repairing;

- (b) may direct the owner of any building which has a roof or external wall made of thatch, mat, leaves or other inflammable materials in the cantonment to remove such roof or wall within the stipulated period before the issue of such notification under sub-section (a).

56. The Chairman may issue public notice to prohibit the stacking or collecting of the various fuel, undisciplined collecting and stacking of wood, dry grass, straw or other inflammable materials and moreover, setting fire without protection in any place in the cantonment without permission for the prevention of danger to life and loss of property.

57. No person shall set a naked light on or near any building in any street or any other public place within a cantonment so as to cause danger of fire other than on the occasion of a festival or entertainment permitted in writing by the Chairman.

58. No person shall exhibit the pictures, photos or show film, perform drama or pantomime or play karaoke, television or video within the cantonment development area without permission of the Chairman.

59. Whoever commits any prohibition contained in sections 57 and 58, shall be punishable with fine not exceeding twenty thousand kyats. In the case of a continuing offence, he may further be punished, with fine which may extend to 1000 kyats for each day on which the offence is continued.

60. The prohibition under section 58 shall not apply to any exhibition of film, drama, pantomime or show for the entertainment of military units carried out with the permission of the Station Commander as Chairman under section 9. Whenever the festival is ended the garbage and the plastics shall be removed immediately and sanitation carried out.

61. Whoever carries out any of the following acts within the cantonment without the permission of the Chairman may be punished with fine not exceeding 5000 kyats:

- (a) making, storing, buying and selling fire-arm, fire-works and fire cracker;
- (b) discharging and letting off the fire-arm, fire-works and fire cracker;
- (c) discharging fire balloons.

62. If the Chairman considers that the building, well, tank, lake, pool, bank and tree etc. in a ruinous state which may cause annoyance or danger to the life of the people within the cantonment, he may direct the owner in writing to repair or remove it immediately. In addition, if it is considered that imminent danger may arise for being so, it shall take immediate measure for the protection of people from such danger.

63. The Chairman shall, in order not to carry out gambling and evil deeds on the vacant plot in the cantonment that is not used by the owner, direct in writing to enclose such plot within the stipulated time.

Chapter X

Supervision relating to Buildings, Roads, Fences and Trees

64. Whoever desirous of constructing any new building, constructing the extension, carrying out material or minor repair, alteration of type, fencing, demolition, land clearing to erect a building, digging for the foundation and other preparation required for the construction of building in the cantonment shall apply in writing to the Chairman.

65. In applying under section 64 the following facts shall be included:

- (a) the cause of application;
- (b) the requirements in accord with the discipline issued;
- (c) the type of the building if it is to erect a new building.

66. (a) The Chairperson may allow or refuse in respect of the application to construct a building. He may allow to construct in accord with all or any of the following suitable matters:

- (i) reserving the space or the road in front of the building;
- (ii) reserving the space around the building to facilitate ventilation, to carry out sanitation and to prevent fire hazard;
- (iii) determining the plan for ventilation of the building, the minimum cubic feet, area of the rooms, the number of the storey of the building and the height of each storey;

(iv) determining the place for drain, latrine, urinal, keeping the receptacles for filth and cesspool;

(v) determining the height and width of the foundation of the building, the height and stability of the floor of the lowest storey;

(vi) determining the eaves of the building so as not to encroach on the boundary of the road;

(vii) determining to provide exit to enable to easily leave the building in case of fire;

(viii) determining the materials and disciplines for construction of external wall of the building and party wall, floor, kitchen and chimney of the room;

(ix) determining the roof, the height and slope of the uppermost storey upon which people are to live or to cook;

(x) determining the matters relating to the sanitation of the building.

(b) The Chairman may refuse the right for construction if there is a cause to affect the other building or so as to prevent over crowding of buildings in the interest of the persons residing. In so refusing, it shall communicate to the person who desires to construct a building expressing the reasons of refusal.

67. (a) No compensation shall be claimed for the loss or damage caused by the refusal to construct the building or for any directive issued under sub-section (a) of section 66 of this Law.
- (b) There is the right to claim compensation from the Board of Cantonment Development Committee for actual loss or injury caused by other prohibition not under sub-section (a) of section 66 or by adding the land belonging to him to the land of the road.
68. (a) The permission to construct the building permitted by the Chairman shall be valid for only one year from the date contained in such permission.
- (b) The person who has obtained the permission to construct the building or the person who is entitled to claim legally shall complete the building so permitted within one year as of the type permitted.
- (c) If the construction is not carried out or cannot be completed until the expiry of the period permitted, the construction shall be continued only after obtaining the new permission again.
69. Whoever violates any of the following may be punished with fine not exceeding fifty thousand kyats:
- (a) constructing the building without permission;
- (b) failing to comply with any of the facts contained in section 66;
- (c) starting to construct the building or continuing to construct after the expiry of the term of permission.

70. The Chairman may, in respect of the building constructed without complying with the facts contained in section 66, direct the land owner or occupier to repair and construct as may be necessary or totally demolish the building under construction or any part thereof.

71. The Chairman may determine the following matters:

- (a) manner of sending application forms for permission to construct the building in the Cantonment to the Chairman together with the statement on the information and plans of the building to be constructed;
- (b) category and form of the building permitted to construct in the stipulated area;
- (c) stipulations of minimum cubic feet, area of the rooms of the building which are to be constructed;
- (d) stipulations on fees to be paid to the Board of Cantonment Development Committee for the plans or the specifications of building which is to be constructed in the cantonment.

72. In respect of the matters of lean-to, portico of the buildings:

- (a) in the cantonment the owner or occupier of the building shall not make over-hanging or projection of portico on other building, roof, road, drain, sewer, water-pipe or canal, or projection of eaves

that will encroach on the road, without the permission of the Chairman;

- (b) the Chairman may direct the owner or occupier in writing to repair and remove such projection or encroachment;
- (c) the Chairman may inspect and allow the owner or occupier of the building to construct open verandahs or balconies projecting from the upper storey of the building at the stipulated distance from the wall of lowest storey and stipulated height above the surface of the road in some stipulated roads as of exception.

73. The Chairman may direct to demolish or repair the building as may be suitable if the building was built on the public sewer, drain, culvert, water-course or water-pipe in the cantonment, without the permission of the Chairman.

74. In respect of the matters to construct sewers, drains:

- (a) the Chairman may direct the owner or occupier of the building in the road to put up troughs and water-pipes at their own expense to enable the rain water to flow from the building;
- (b) may cause to maintain for the prevention of swamp and pool of water on byroad which is between the compound, alley or buildings.

75. (a) The Chairman may give permission for temporary use for the following matters upon terms and conditions and fees in order

not to affect the safety and convenience of the public on the roads and land in the cantonment:

- (i) piling the building materials;
- (ii) constructing temporary road;
- (iii) constructing temporary building.

(b) The Chairman may revoke the permission if any of the stipulated terms and conditions under sub-section (a) is violated.

76. The Chairman has the following powers in respect of the right of opening and closing the road:

- (a) closing or opening any road permanently with the approval of the relevant commander of the region;
- (b) temporarily closing the road or any part of the road in the cantonment, by public notice, to repair or to carry out the work of drainage, water-supply and the duties which are to be carried out under this Law.
- (c) if it is likely to cause danger to life and property of the public, due to the carrying out of the work under sub-section (b), causing protections and barriers to be made for the safety and lighting at such protections and barriers sufficiently from sunset to sunrise;
- (d) protecting the buildings and land in the surrounding and providing suitable means of access thereto.

77. The Chairman:

- (a) may give a name to each street in the cantonment;
- (b) shall cause a number to be affixed at the buildings in the cantonment;
- (c) whoever destroys, pulls down, defaces, transfers or puts up any name or number differing from the name or number originally written shall be punished with fine not exceeding ten thousand kyats.

78. The Chairman may direct the owner or occupier of the land in writing as follows:

- (a) causing to remove the boundary wall, fence if it is considered unsuitable;
- (b) determining the dimension of the boundary wall, fence and materials which shall be used in constructing them;
- (c) causing to maintain the constructed boundaries, walls, fences and hedges.

79. The Chairman may direct to completely clear any tree from the private enclosure in the cantonment, which may cause danger to the public or which may cause injury to the pleasantness of the cantonment within the stipulated day.

80. Whoever, without the permission of the Chairman excavates any space in the cantonment which is not a private property, shall be punished with fine not exceeding twenty thousand kyats. In the case of continuing offence, he may be punished with fine not exceeding kyats 5000 for each day on which the offence is continued.

81. If the Chairman considers that the digging and transportation of stone, soil or other materials in the cantonment causes disturbance or danger to the public, the Chairman may prohibit in writing to the owner, lessee or occupier of such place from continuing such digging, transportation or direct so as to make protection from danger as may be necessary.

82. Whoever violates the prohibition under section 81 or fails to comply with the directive may be punished with fine not exceeding twenty thousand kyats.

Chapter 11

Health and Sanitation of Cantonment

83. The following officers shall submit a report to the Chairman together with the advice for the health and sanitation of the specified area within the cantonment,:

- (a) relevant officer commanding the station or officer of the cantonment area for the buildings and lands used by the Defence Services;

- (b) civil services departmental-in-charge for the lands transferred to the Government civil services department from the Cantonment Development Board and lands and buildings built on such land;
- (c) officer from the Defence Service Medical Unit or Township Medical Officers assigned duty for the health and sanitation of the cantonment.

84. The specific rooms shall be established for male and female in public latrines and urinals constructed and maintained by the Cantonment Development Board and the necessary cleaners shall be appointed for cleaning them regularly and keeping them systematically.

85. If the owner of the building or the land applies to gather night soil, it may be carried out after prescribing the rates of fee for the necessary period. The Chairman may carry out the sanitation after informing by written notice and prescribing the rate of fee if it is necessary though it is not applied for that matter.

86. (a) The Cantonment Development Board shall determine the suitable places to enable temporary storage and disposal of wastes, foul-smelling substances, carcasses of animals and foul waters.
- (b) The Chairman may issue directives to carry out transport on the road, piling or destroying etc. based on when and how transport shall be made relating to refuse contained in sub-section (a).

- (c) The receptacle for waste and waste stores or wastes piled at such places shall be the property of the Cantonment Development Board.

87. The Cantonment Development Board may send written notice and direct the owner of the building or occupier within the cantonment to carry out the following matters:

- (a) causing to shut or rebuild if it considers that cesspool connected with the land or building caused nuisance to the public;
- (b) keeping receptacles clean for filth piled on the ground or in the building;
- (c) causing to prevent the foul-smelling fluids from latrine and urinal from flowing and infiltrating into a public drain;
- (d) causing to dispose waste and foul-smelling substances in the stipulated receptacle or place for filth for enabling the cleansing worker to carry within the prescribed period;
- (e) directing not to divert the drain owned by the Cantonment Development Board and not to construct new drain;
- (f) causing to divert and repair the drain within their boundary to be clean after determining the period.

88. If the health officer submits that the well, reservoir, water tank etc. in the private compound within the cantonment are the places where mosquitoes breed or it may affect public health, the Chairman may direct the relevant person to fill up, cover and drain off water from such well, reservoir etc. within the prescribed period.

89. The Chairman may direct the owner and occupier of the building or land within the Cantonment in writing to keep the latrine, urinal, dust-bin, cesspool, receptacle for filth in accord with the prescribed form and required number.

90. The Chairman may direct the employers who have more than five employees or administrators of the market, school, cinema or public place within the cantonment to keep necessary latrine, urinal and to appoint workers in accord with the prescribed number for their cleanliness.

91. (a) The Chairman may, if he considers that the buildings within the cantonment are not in conformity with health due to the following facts form a body and inspect:

- (i) constructing in congestion;
- (ii) failing to construct the drains systematically;
- (iii) not getting fresh air;
- (iv) the roads between the building being narrow.

(b) The body formed under sub-section (a) shall include the following persons :

- (i) a representative officer from cantonment area;
- (ii) health officer of cantonment area;
- (iii) an officer of military engineering unit;
- (iv) a representative officer from the relevant township level.

(c) the body formed under sub-sections (a) and (b) shall report the condition of the buildings and the health and sanitation condition of the inhabitants to the Chairman. In such report, if it is considered that it is likely to affect the health of the habitants and the environment, the buildings, roads, drains recommended by the officer of military engineering unit that all or part is appropriate to be removed shall be mentioned clearly on a plan and submitted together with the report.

(d) The Chairman may, on obtaining the submitted report, inform the owner in writing, with the approval of the Cantonment Development Board, to remove buildings, roads and drains that are considered suitable to do so. The Chairman shall carry out to pay the compensation or expenses to transfer and construct due to such removal in accord with the existing laws and regulations.

92. (a) If it is considered that the number of inhabitants in a building or a part of a building within the cantonment is congested, the Chairman may make necessary inspection and inform by written notice to the owner or occupier to decrease the lessee, lodger, dependants for the purpose of decreasing the number of inhabitants within the period not less than one month.

(b) If the owner or the occupier fails, without reason, to comply with the notice under sub-section (a), he shall be punished with fine not exceeding 5000 kyats. In continuing failure to comply, he shall be punished with a fine of 500 kyats for each day during which the failure continues.

93. If the Chairman considers that any building within cantonment is not sanitary because of damage, he may give notice in writing to the owner to repair within the stipulated period. It shall be permitted to board only after carrying out the appropriate measures for boarding. In so informing in writing, if the owner of the building mentioned, demolished the building totally without repairing, it shall be deemed that such notice is complied with.

94. If the Chairman considers that in respect of a building or land within the cantonment, it is in an insanitary state so as to affect the health he may inform the owner or occupier in writing to carry out sanitation within 24 hours. In such notice, it may also be mentioned to clear the bushes.

95. In respect of cemetery land:

(a) the Cantonment Development Board may determine and use the appropriate land within the Cantonment as cemetery land;

(b) the Cantonment Development Board shall appoint required security workers in cemetery land;

(c) the Chairman shall determine and announce necessary terms and conditions for the cemetery land;

(d) the provision contained in sub-section (a) shall not apply to military cemetery and cemeteries supervised by the relevant Development Committees and bodies.

96. The Chairman may announce and prescribe the route within the cantonment by which corpses are to be carried to bury or to cremate.

97. No person shall keep the corpses without burial or cremation for more than 72 hours after death, without any order of the health officer or the person assigned duty by the Cantonment Development Board. If the disease causing death is a contagious disease, it shall be buried or cremated within 12 hours after death. The Cantonment Development Board shall bear the expense and cremate if it is a poor family.

98. The following persons shall inform immediately to the health officer or the person assigned duty by the Cantonment Development Board if any person, except an in-patient taking medical treatment in the hospital within cantonment, is suffering from contagious disease:

- (a) registered doctors who practise medical treatment as a profession;
- (b) head of household where the patient who is suffering from disease lives or any person who has attained majority in the household if the head of household himself is suffering from a disease;
- (c) a person who is tending a person who is suffering from a disease.

99. A health officer or a person who is assigned duty by the Cantonment Development Board may enter and inspect, at any time, the building which is considered having a person infected with a contagious disease .

100. The health officer or a person assigned duty by the Cantonment Development Board shall, if he knows that any person who is staying unsettled within the cantonment is suffering from a contagious disease, undertake to send such person to the relevant hospital. Such patient shall be discharged from hospital only after obtaining the permission of the health officer.

101. (a) A person suffering from a contagious disease shall not move around the public places without taking treatment and prevention thoroughly.
- (b) The guardian of a person suffering from a contagious disease shall not exhibit him to the public.
- (c) The articles of a person suffering from a contagious disease shall not be used again without prior prevention of the of disease.

102. In respect of vehicles carrying patients suffering from contagious disease within the cantonment, the owner of the vehicle or the driver shall undertake to clean the said vehicle by spraying with insecticide until the health officer or the person assigned duty by the Cantonment Development Board is satisfied.

103. The health officer or the person assigned duty by the Cantonment Development Board may cause to spray and clean with insecticide the whole or part of the building where the contagious disease occurs so as not to spread the contagious disease.

104. If the danger of epidemic disease arises or is likely to arise within the cantonment, the Chairman may:

- (a) carry out prevention of disease by adopting special projects;
- (b) issue and declare the regional directives to prevent causing or spread of epidemic disease.

105. The Cantonment Development Committee may:

- (a) issue order to destroy the buildings after informing in advance if it is considered that it is necessary to destroy them for the prevention of the spread of epidemic disease;
- (b) carry out seizure and destroying of the clothes, personal articles which are considered likely to spread the infectious disease or disinfection;

- (c) compensate for the loss due to seizure or destroying of buildings and personal articles as appropriate.

106. The Chairman may, if it is considered that it is not sufficient to protect the lives and belongings by carrying out normal measures at the time of the occurrence of or at the time considered that the danger of disease will occur which may cause grave damage or loss to the lives of human and animal or personal belongings carry out emergency measures in accordance with this Law and existing laws.

107. In carrying out the matters contained in sections 104, 105 and 106, if it is necessary, it may cause to carry out in accordance with the provisions of the Prevention and Control of Communicable Disease Law.

108. The Secretary may, if any person dies due to epidemic disease in the cantonment, direct the following in writing:

- (a) to send the corpse to the mortuary by the person who is responsible for the corpse;
- (b) not to transfer and move the corpse from the place of death to another place except to take it to bury or burn or to the mortuary.

109. (a) The health officer shall direct in writing the person who lives in the cantonment and is believed to be suffering from epidemic disease to go to the hospital or government clinic and submit to medical examination on the stipulated day and not to depart without the permission of the relevant doctor. The doctor of the

hospital or government clinic shall examine him till he is satisfied as to whether he has epidemic disease or not. However, the health officer or doctor may, after considering the symptom of disease, condition of the patient and his surrounding circumstances and if it is considered that he is not yet required to go to the hospital or clinic, the examination may be made at home.

- (b) In examining under sub-section (a), if the epidemic disease is found, the health officer or the doctor may direct him to be hospitalized and take medical treatment till he is completely cured. Provided that, after considering the symptom of disease, the condition of the patient and surrounding circumstances, the medical officer or the doctor may, if it is considered that he is not required to be in hospital or clinic, discharge him from the hospital after giving the facts or direction which shall be carried out relating to the disease.

110. (a) If the Commanding Officer of a military region receives a complaint of the said doctor that any person who is suffering from epidemic disease does not obey the direction issued under section 109 and refuses to take medical treatment in hospital or government clinic, or has been discharged from the hospital, the government clinic while undergoing treatment without the permission of the doctor, the Commanding Officer of a military

region may direct, in writing, such person who is suffering from epidemic disease to leave the cantonment within 24 hours and not to return without permission. Moreover, the condition of the disease of such person shall be informed in writing to the health officer of his destination area.

- (b) Any person who is prohibited under sub-section (a) shall have no right to enter any other cantonment without written permission of the Commanding Officer of the military region.

111. The Chairman may, if it is considered that it is necessary to prevent the danger to the lives of the public at the time of the occurrence of the epidemic disease in the cantonment, determine the streets that shall be accessed. It shall be announced to the public.

112. The Chairman is entitled to examine and carry out in accord with the existing labour laws if the sanitary worker who is appointed by the Chairman to clean the filth and garbage, resigns from the job without sufficient reason or without informing one-month in advance or omits or refuses to perform his duty or any part of his duty.

Chapter XII

Powers, Procedures, Penalty and Appeals

113. The Chairman or the Secretary or the person who is assigned duty by the Chairman has the right to enter any building or land with or without supporting

staff to inspection of work, measuring, evaluation or executing of any work that is necessary to be carried out in accord with this Law, bye-laws and regulations.

114. The accounts of the Cantonment Development Board shall be audited by the relevant Township Accounts Office.

115. (a) The Chairman may assign duty to any person by ordinary or special order to carry out the following matters:

- (i) inspecting wells, drains, latrines, cess-pool, water pipe lines, water courses in any building and land plot within the cantonment and, if it is necessary, excavating the land to prevent or remove the disturbances caused from them;
- (ii) causing to inspect the works being constructed in the cantonment, measuring elevation of land or movement, testing, examining and renewing of the measuring instruments.

(b) In inspecting under sub-section (a), if it is necessary to excavate the land, the owner or the occupier shall incur the expense in doing so.

116. The Secretary may inspect any work being constructed within the cantonment with or without the supporting staff.

117. If any person who is assigned duty under this Law considers that it is necessary to enter a private place in the cantonment area at the time of absence of the owner or occupier or if he refuse to open the gate or other obstructions although he is present, it may be entered by removing the obstruction with two responsible elder persons of the relevant ward.

118. Any person who interferes or obstructs the performance of the work of any person assigned duty by the Chairman may be punished with fine not exceeding ten thousand kyats.

119. In respect of notice:

- (a) if time is not limited to do something under this Law, appropriate time shall be determined in such notice or order;
- (b) the Chairman or Secretary shall sign and issue the notices and orders;
- (c) such notice or order shall be sent to the relevant person. If such person cannot be found, it shall be delivered to any member of the family living together in the presence of a witness. If there is no person living at the house of relevant person, such notice or order shall be affixed at the front the house and the approval of the relevant ward or village authority shall be taken. The notice or

order so carried out shall be presumed as if it has been delivered directly to the relevant person.

120. If it is a notice that is not to be sent to a person by name but to be distributed for public information, such notice shall be presumed that it has been carried out sufficiently by affixing such notice on the notice board of the office of the Cantonment Development Board or advertising in newspaper or carrying out under the directive of the Chairman.

121. Although the person who fails to comply with the notice or order issued under this Law has served the sentence, the Chairman shall, by informing him in writing, cause to continue to carry out the matters to be complied and carried out under the directive.

122. In addition to the terms and condition relating to the collection of taxes and revenues, the Chairman shall recover the tax, revenue and debt as if they were arrears of land revenue for the purpose of this Law.

123. If any person fails to comply with the notice or order in the matter for which punishment is not prescribed in this Law, or violates the provisions contained in this Law, he may be punished with fine not exceeding 5000 kyats. In case of a continuing offence, he may further be punished with fine of 500 kyats for each day of commission.

124. If the licence holder under this Law or his legal representative violates the terms and conditions of the permitted licence, the Chairman may cancel the licence or suspend it for a limited period.

125. In respect of the damage of the property of the Cantonment Development Board, the person convicted shall compensate the value of the damage. If a dispute arises relating to the value the court that passed the judgement shall determine and decide the damages. If there is failure to pay such damages, the Court shall recover it by seizure and sale of the property owned by such person, by issuing warrant according to the Code of Civil Procedure.

126. If no prosecution is made for any offence committed under this Law at the relevant court within a year, no court shall take cognizance of such offence.

127. No prosecution or suit shall lie against the Chairman, Secretary, members or staff appointed at the Cantonment Development Board formed under section 9 for their performance of works in good faith according to this Law.

128. A person who is not satisfied with the order of the Chairman may file an appeal to the relevant Commander of the Military Region Headquarter, within 90 days, and with the judgment order of the Township Judge to the relevant higher court within 30 days.

129. The application for appeal under section 128 shall be written and submitted together with the copy of the order passed by the Chairman or the Township Judge.

130. (a) If any court cancels any order issued by the Chairman, the Chairman may apply to a higher Court to amend the judgment within 60 days from the day of such cancellation.

(b) The provisions for the appeal contained in this chapter also apply to the applications for revision under this section.

131. Other than the performance under section 130, the judgment of the appellate authority is final and conclusive in other matters contained in this Law.

Chapter XIII

Rules and Regulations

132. (a) The Ministry of Defence may issue such rules with the approval of the Government, and procedures, orders and directives as may be necessary for carrying out the provisions contained in this Law.

(b) Subject to the generality of the powers conferred by sub-section (a), rules may be issued for the following matters, in particular;

(i) The matter of to whom and in what manner shall the application for permit be made, for using the land owned by the Ministry of Defence in the Cantonment.

(ii) The matter of by whom such permit may be issued and terms and conditions to be contained in such permit.

133. The Chairman may, with the approval of Cantonment Development Board issue rules and directives for all or any part of the following matters;

- (a) registration of birth and death;
- (b) injection of preventive vaccine;
- (c) levying and collection of tax and fees;
- (d) determining how to light the vehicles parked, driven or towed on the roads within sunset and sunrise;
- (e) seizure and detaining the animals set free without owner in the cantonment;
- (f) prevention and extinction of fire;
- (g) stipulating terms and conditions for the safety of the worker involved in the construction of the building and the public;
- (h) stipulating terms and conditions for the construction, repairing, maintenance of the building, cleansing and repairs of drains, ventilation-shafts, pipes, latrines, urinals, cesspools and other drainage works not provided in this Law;
- (i) prohibiting the discharge of polluted water, foul-smelling water and other obstructive materials into drains;
- (j) stipulating terms and conditions for keeping of animals which are likely to endanger the public health;

- (k) stipulating the terms and conditions for systematic burial or cremation of corpse, determination of the places of cemeteries, and obtaining the fee for the use of such places;
- (l) stipulating terms and conditions in respect of the goods for sale in the streets or buildings;
- (m) controlling and stipulating terms and conditions for the encamping grounds, pounds, laundry places, guest house and lodging-houses, buildings owned by the association, restaurants, beverage shops and public recreation grounds, entertainment and public places;
- (n) stipulating terms and conditions for the ventilation, lighting, cleansing, constructing drainage and water-supply of the building used for the manufacture and sale of beverages and foods;
- (o) stipulating terms and conditions which shall be complied with in the licences granted under this Law;
- (p) supervising the places where dangerous or offensive odoured goods are traded, so as to secure sanitation therein or to minimize any offensive or dangerous effects arising or likely to arise therefrom;
- (q) stipulating terms and conditions for the construction of any enclosure, fence, tent, awning or other temporary building on any land situated within the cantonment;

- (r) stipulating terms and conditions and prohibiting to reserve land area for laying out and building streets in constructing the building;
- (s) stipulating terms and conditions relating to the parks and gardens and land area stipulated for public use;
- (t) maintenance of trees, flowering plants and grasses grown contiguous to the streets and land area for public use;
- (u) stipulating terms and conditions for pastures ;
- (v) stipulating terms and conditions relating to the public bathing places, laundering place and the use thereof;
- (w) determining the place for the advertisements, bill-boards and bus-stop and stipulating terms and conditions for the position, size, or shape thereof;
- (x) stipulating manners for the sale of goods by measurement or weight;
- (y) causing to obtain licences for the following within the cantonment:
 - (i) porters for transport of goods;
 - (ii) persons who hire out animals;
 - (iii) owners or drivers of vehicles, boats or other conveyances or persons who keep and hire animals;
- (z) prescribing the fee payable for a licence granted under sub-section (y), granting, revising, suspending or revoking of the licences;

- (aa) prescribing the charges to be paid for the services of porters; animals, vehicles which carry goods and other conveyances;
- (bb) stipulating terms and conditions for the activities of public health, the prevention of diseases, public safety and welfare;
- (cc) stipulating terms and conditions for the owners of land or building in the cantonment, when they do not reside in the cantonment or travel temporarily outside the cantonment;
- (dd) preventing the spread of infectious or contagious diseases within the cantonment and segregating in, or removing from the cantonment of animals suffering from any infectious or contagious diseases;
- (ee) stipulating terms and conditions for the stables or cowsheds or structures used for keeping sheep, goats or fowls within the cantonment;
- (ff) stipulating terms and conditions for the use of trumpet and sirens, loudspeaker, television, video, karaoke hall in the cantonment;
- (gg) stipulating terms and conditions relating to the administration of the cantonment under this Law.

134. The Chairman may provide in the conditions that a person who fails to comply with the orders and directives issued under section 133 may be punished with fine, as the administrative punishment as follows:

- (a) fine not exceeding ten thousand kyats;

(b) fine not exceeding ten thousand kyats, and fine not exceeding one thousand kyats for each day of continuous commission of such offence.

135. The rules made under this Law shall be published in the Gazette. A copy of such orders and directives shall be kept at the office of the Cantonment Development Board and shall be open to inspection by any inhabitant of the cantonment.

Chapter XIV
Miscellaneous

136. The powers and duties conferred under this Law are to be performed, when the Chairman is on leave, by the Secretary or any member under the arrangement of the Commanding Officer of the military region for the duties of the Chairman; and when the Secretary is on leave, by any member under the temporary arrangement of the Chairman for the duties of the Secretary.

137. The orders, directives, notices, licences and other documents issued under this Law shall be deemed valid, notwithstanding any defect in form.

138. A copy of any receipt, application form, notice, order or of any entry in a register of Cantonment Development Board shall, if duly certified by the legal keeper thereof or any person authorized by the Chairman in this behalf, be deemed admissible in evidence. In producing as evidence relating to such document or entry to the Court the certified copy shall be admitted as if the original document or entry is produced.

139. The officer or staff of a Cantonment Development Board shall not, in any civil proceeding in which the Chairman has no concern and in the matter which may be completed by issuing the certified copy on particulars contained in a register or document, the original register or document shall not be produced. Moreover, he shall not appear as a witness to testify the truthfulness of a particular or entry therein except by order of the Court.

140. The Cantonment Development Boards and the Chairmen thereof shall be deemed to be the authorized persons of City Development and City Development Board respectively.

141. The Cantonments Act and the Cantonments (House Accommodation) Act are hereby repealed.

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

The State Peace and Development Council

The Law Amending the Petroleum Act, 1934

(The State Peace and Development Council Law No. 33 /2010)

The 10th Waning Day of Nadaw , 1372, M.E.

(31st December , 2010)

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

1. This Law shall be called **the Law Amending the Petroleum Act, 1934**.
2. Sub-section (a) of section 2 of the Petroleum Act ,1934 shall be substituted as follows :
 "(a) "petroleum" means any liquid hydrocarbon or mixture of hydrocarbons, and any inflammable mixture (liquid, viscous or solid) containing any liquid hydrocarbons including but not limited to Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG), Liquefied Petroleum Gas (LPG), and so forth ;"
3. Sub-section (b) of section 2 of the Petroleum Act, 1934 shall be substituted as follows :
 "(b) "dangerous petroleum" means petroleum having its flashing-point below seventy-six degrees fahrenheit and other hazardous petroleum such as benzene;"
4. Sub-section (d) of section 2 of the Petroleum Act, 1934 shall be substituted as follows :
 "(d) " to transport" petroleum means to move petroleum from one place to another in the Union of Myanmar, and includes moving from

one place to another in the Union of Myanmar or across territory in the Union of Myanmar by land, water or pipelines, or any other means."

5. The expression "shall be punishable with fine which may extend to five hundred rupees" contained in sub-section (1) of section 23 of the Petroleum Act, 1934 shall be substituted by the expression "shall be punishable with fine which may extend from a minimum of five hundred thousand kyats to a maximum of five million kyats."
6. Sub-section (2) of section 23 of the Petroleum Act, 1934 shall be substituted as follows :
 "(2) If any person, having been convicted of an offence punishable under sub-section (1), is again guilty of any offence punishable under that sub-section, he shall be punishable for every such subsequent offence with fine which may extend from a minimum of one million kyats to a maximum of ten million kyats."
7. Sub-section (3) of section 28 of the Petroleum Act, 1934 shall be deleted.

(Sd.) Than Shwe

Senior General

Chairman

The State Peace and Development Council