



The Republic of The Union of Myanmar
Ministry of Home Affairs

THE WARD OR VILLAGE TRACT
ADMINISTRATION LAW

The Ward or Village Tract Administration Law

The Pyidaungsu Hluttaw Law No: / 2012)

**The 1373 M.E
(2012)**

Preamble

Since it is provided in section 289 of the Constitution of the Republic of the Union of Myanmar, in order to appoint and assign duty of Ward and Village Tract Administration in accord with law to any person who is respected by the society and has implement and carry out the works relating to the Ward or Village Tract Administration, the Pyidaungsu Hluttaw hereby enacts this law.

Chapter I

Title and Definition

1. This law shall be called the Ward and Village Tract Administration Law.
2. The following expressions contained in this law shall have the meanings given hereunder:
 - (a) Ward means the region where boundary is stipulated and formed under this Law as the ward in the relevant town boundary;
 - (b) Village means the region where the boundary is stipulated and formed under this Law which is not included in the estate within the relevant town boundary;
 - (c) Village Tract means the region where the boundary is stipulated and formed under this law of a village or collecting of villages as village tract;
 - (d) Town means the region where the boundary is stipulated and formed under this law by collecting the relevant wards as the town;
 - (e) Township means the region where the boundary is stipulated and formed under this law by collecting the relevant wards or the relevant village tracts and town as the township;
 - (f) Ward or Village tract Clerk means the clerk staff appointed by the General Administration Department as the public servant at the relevant ward or village tract;
 - (g) Ward or Village Tract Administrator means the person appointed and assigned duty under this law to carry out the works of relevant ward or village administration;
 - (h) Township Administrator means the administrator of the Township General Administration Department;
 - (i) District Administrator means the Administrator of the District General Administration Department;

- (j) Head of the family means the person mentioned as the Head of the family in the form of family member list stipulated under the relevant law.

Chapter II

Formation of Wards or village Tracts

3. With the approval of the Union President under the recommendation of the relevant Prime Minister of the Region or State Nay Pyi Taw Council, the Ministry of Home Affairs of the Union Government, by issuing the notification, may:
- (a) Make forming, amending or altering the name of wards within the town boundary;
 - (b) Make forming amending or altering the name of villages outside the town boundary;
 - (c) Make forming, amending or altering the name as the village tract of a village or by collecting the villages formed under sub-section (b);
 - (d) Make forming, amending or altering the name as town or township by collecting the wards formed under sub-section (a);
 - (e) Make forming, amending or altering the name as township by collecting the wards or village tracts and towns.
4. Towns, wards, village tracts and villages stipulated under the Towns Act (The Myanmar Act No.3/ 1907) and the village Act (The Myanmar Act No.6/ 1907) shall be deemed as the stipulated towns, ward, village tracts and villages as far as not amending and forming under this law.

Chapter III

Qualifications to be fulfilled in the Ward or Village Tract Administrator

5. Shall be fulfilled with the following qualifications:
- (a) Be a citizen borne of citizen parents;
 - (b) Be a person who has attained the age of 25 years;
 - (c) Be a person who has the qualification of fair education;
 - (d) Be a person who sufficient for living;
 - (e) Be a person consecutively residing in the relevant ward or village tract for at least ten years and will reside actually at the relevant ward or village tract at the time of performing the current duty;
- Exemption: if he was local retired governmental servant, the period living with relevant ward or village tract can be reduced;
- (f) Be a person who is respected by the society and has dignity;
 - (g) Be a person who is in good health and has the ability to perform the assigned duty;
 - (h) Be a person who is desirous to perform the duty with enthusiasm of the benefit of the Union and community;
 - (i) Family members are the persons in good morality, simple and honest;
 - (j) Person who is not the government servant still performing the duty;

- (k) Person who is not a member the armed organization and a person who is not participant or who do not communicate with the unlawful associations

Chapter IV

Appointing and Assigning the Ward or Village Tract Administrator

6. The Township Administrator shall select five elders with the ward or village tract and assign duty as a supervisory board who are desirous to perform such duty and is respected by the majority and powerful in order to supervise the election of the ward and village tract administrator.
7. The Supervisory Board shall:
- (a) Form the ten housed group according to the ward or village in accord with the stipulated manners by taking the list of houses within the ward or village tract;
 - (b) Explain the qualifications stipulated under section 5 for the ward or tract administrator to be elected by them by collecting each family unit representative who has attained the age of 18 years or head of the family unit living in each ten housed group;
 - (c) Cause to submit the name list and personal data of a person elected by casting secret vote to a person who is fulfilled with the stipulated qualifications among dwellers of their ten housed group by the relevant heads of the family and heads of the family units included in a ten housed group;
 - (d) Scrutinize whether or not each of the elected persons from each ten housed group are fulfilled with the stipulated qualifications. Compile the name list as representatives of ten housed group who are fulfilled with the stipulated qualification;
 - (e) Compile the name list after causing to submit the name of the person desirous to appoint and assign as the ward or village tract administrator among them by each of the person desirous to appoint and assign as the ward or village tract administrator among them by each of the ten housed group representative or more than one contained in the name list compiled under sub-section (d).
 - (f) Cause to elect a ward or village tract administrator among the persons contained in the name list compiled under sub-section (e) by casting secret vote of all the representatives of ten housed group. Shall count and announce the received ballot list;
 - (g) Shall submit the name list and personal data of the person who has the highest number of secret votes to the Township Administrator after compiling the priority arrangement elected under sub-section (f).
8. The Township Administrator, in scrutinizing the person contained in the name list submitted by the Supervisory board is fulfilled with the qualifications contained in section 5, shall appoint and assign as the Ward or Village Tract Administrator with the approval of the District Administrator.
9. The term of the ward or village tract administrator is the same as that of the Pyithu Huttaw. Such term shall not be more than three times.

10. If the ward or village tract administrator is member of any political party, he shall not participate and carry out the works of the party of such party organization within the term of performing his duty start from the day of appointing and assigning as the ward or village tract administrator.

Chapter V

Ethics to be obeyed and upheld

11. The ward or village tract administrator shall exercise and carry out in accord with the following ethics in carrying out the functions and duties:
- (a) Carrying out the functions and duties in accord with laws, rules, regulations, by laws, procedures, orders and directives;
 - (b) Refraining from abuse of power, using influence, doing malpractice and using undue influence;
 - (c) Performing the functions and duties efficiently assigned in accord with laws.

Chapter VI

Basic Principles of Function

12. The ward or village tract administrator shall carry out the functions and duties in accord with the following basic principles:
- (a) Obeying and upholding the non-disintegration of the Union, non-disintegration of National Solidarity and Perpetuation of sovereignty;
 - (b) Safeguarding the fundamental rights of the citizens contained in the Constitution of the Republic of the Union of Myanmar;
 - (c) Causing to enable to work and live the ward or village tract people peacefully and tranquilly;
 - (d) Respecting the custom and tradition of village and customs and tradition of race;
 - (e) When emergency situation arises due to the fall of calamities that currently injured the interests of the public and local people, every function carried out in cooperation with the local people shall be important and directly beneficial to them and in doing so shall not be a heavy burden on the local people;
 - (f) Taking responsibility and bearing responsibility in respect of his work performances;
 - (g) Taking advice of the relevant departments and organizations in respect of the functions and duties contained in this law and cooperation with them;

Chapter VII

Functions and Duties of the Ward or Village tract Administrator

13. The ward or village tract administrator shall carry out the following functions and duties in accord with the relevant laws, rules and procedures;
- (a) Security, prevalence of law and order, community peace and tranquility and carrying out the benefit of the public;
 - (b) Carrying out the functions and duties relating to the disciplinary matters of the persons who live in the ward or village tract;
 - (c) Safeguarding the right of persons who live in the ward or village tract;
 - (d) Helping and assisting in implementing the works relating to the rural development and poverty reduction;
 - (e) Informing and assisting the relevant Government departments and organizations in respect of revealing, informing and organizations in respect of revealing, informing and complaining, arresting and taking action of crimes and vices;
 - (f) Submitting the remark to the township administrator in respect of requesting the permit to hold ceremonies, festivals to entertain the public exhibitions, tournaments and traditional festivals except the ceremonies and festivals headed and hold by the Union Government, relevant Region or State Government, Nay Pyi Taw Council and Self-Administered Division or Self-Administered Zone leading body or by the Government departments and organizations under the assignment by them and submitting to take action if the festival including the matters of ceremonies is held without permission to hold or without following the prescribed term and conditions;
 - (g) Receiving and granting the information of guest list for overnight guests from other ward or village tract, inspecting the guest list and taking action if failed to inform the guest list;
 - (h) Reporting to the relevant if finds the suspected stranger who does not live in the ward or village and reporting the unusual processes at the same time;
 - (i) Granting the request of permit to switch on loudspeaker with stipulated discipline, taking action and informing to take action to the person who switches on loudspeaker without permission or the person who breaches the discipline;
 - (j) Submitting to the relevant with remark if requested to establish the businesses on billiard table and entertainment and recreation concerning the public like billiard table, taking action and informing take action if opened without permission or without obeying the discipline;
 - (k) Arresting and informing to take action of the gambling in public place;
 - (l) Searching the gambling house or issuing a warrant to search;
 - (m) Arresting and informing to take action the notorious lawless persons and thieves who have not been caught in the very act;
 - (n) Examining the places needed to examine for prevalence of law and order and upholding the discipline from time to time;
 - (o) Prohibiting the activity cause to disturb, danger and injure the public or quarrelling or holding the unpermitted weapon and ammunition on the roads and public places and arresting and informing to arrest if not following such prohibitions;

- (p) Informing to the relevant of the entering and leaving of foreigner;
- (q) Arresting or causing to arrest the offender in person in respect of the offence which happened before him and informing to take action to such caught person to the relevant;
- (r) Carrying out in accord with the directive in preventing the contagious disease, protecting fire hazard and extinguishing fire, obstruction from disturbance to the publics;
- (s) Compiling the register of birth and death, move for leaving and move for coming of the family and population list;
- (t) Informing to the relevant if the persons and animals cause contagious disease, prescribing the disciplines to rear animals systematically, prohibiting the killing of cattle without licence to kill or not in conformity with the disciplines and informing to the relevant to take action if not followed;
- (u) Trespassing on State-owned land, town land, village land, agriculture land, alluvial land, road land, forest land, village-owned firewood plantation land, pasture, village communal land and cemetery land without permission, prohibiting the constructing new collected house, forming new ward and village and constructing dwelling house and informing to take action if not obeyed;
- (v) Maintaining irrigation canal, embankments, rivers, canals, water-courses, drainage works, well and pools, mechanized wells, shallow wells dug by way of hand pressing and springs in the ward or village-tract and informing to take action to the relevant of the destructions;
- (w) Inspecting boundary post or stone-pillars connected to land surveying posts in the ward or village tract and submitting the unusual situations arise along the boundary to the Township Administrator;
- (x) Administering the land of cultivation under the power conferred by any existing law;
- (y) Submitting to the relevant and carrying out in accord with laws of Town and Village Lands if the plots are placed for the village lands and in the village lands;
- (z) Collecting land revenue and Government loan;
- (aa) Maintaining ponds and fish ponds, prohibiting the trespassers and fishermen in the ponds without permission and informing to the relevant to take action if not followed;
- (bb) Carrying out the prevention in advance of natural disasters such as fire, water, wind, and earthquake and the relief and resettlement works if struck by the natural disaster;
- (cc) Carrying out important and direct benefited work for local people with the approval of the township administrator if emergency situation arises due to the fall of calamities that currently injured the interests of the public;
- (dd) Coordinating and assisting the functions and duties of department organization at the level of ward or village tract;
- (ee) Carrying out functions and duties assigned by the relevant Township Administrator in accord with law;
- (ff) Carrying out functions and duties assigned by any existing law.

Chapter VIII

Permit to resign, temporary suspension from office or termination of office and appointment in substitution

14. The Ward or Village Tract Administrator is entitled to submit his resignation from duty to the Township Administrator on his own volition or due to his health.
15. If any of the following cases relating to any Ward or Village Tract Administrator arises, the township Administrator inquire if necessary and may permit the resignation, temporary suspension from office or termination of office with the approval of the District Administrator:
 - (a) Accepting submissions to permit resignation from duty;
 - (b) Breach any ethic to be complied with which contained in chapter V;
 - (c) Being taken action under any existing law;
 - (d) Moving constantly to any other region;
 - (e) Death;
 - (f) Disqualification of the Ward or Village Tract Administrator prescribed in chapter III of this law.
16. In respect of permission to resign, temporary suspension from office or termination of office to any Ward or Village Tract Administrator;
 - (a) The vacant place of the Ward or Village Tract Administrator due to permission to resign or termination from duty shall be substituted and appointed in accord with the provisions contained in sections 5,6 and 7 within thirty days
 - (b) The term of the newly substituted and appointed Ward or village Tract administrator shall be the same as the remaining term of the person who is permitted to resign from duty or termination from duty.
 - (c) The Township Administrator shall assign temporary duty to the person who is the second priority under sub-section (g) of section (7) and resides in the ward or village tract in order to serve the duty of the relevant ward or village tract administrator at the time of his temporary suspension from office or at the vacant time of his resignation or termination from office.

Chapter IX

Duties of the Person residing in the Ward or Village Tract

17. The person residing in the ward or village tract shall inform the relevant ward or village tract administrator in accord with the stipulations if any of the following cases arises;
 - (a) Coming and putting up as the overnight guest who resides in other ward or village tract and is not listed in his family unit;
 - (b) Departure of the guest who comes and puts up.

18. If the person residing in the ward or village tract desires to use the loudspeaker, he shall obey the prescribed terms and conditions in addition to obtain the permit of the relevant ward or village tract administrator.
19. The persons residing in the ward or village tract shall:
- Inform the relevant relating to crimes and vices;
 - Obey the directives prescribed to rear animals systematically
 - Inform birth, death and move for leaving and move for coming of the family.
20. If the person residing in the ward or village tract desires to establish business on billiard-table and entertainment and recreation concerning the public like billiard table, he shall obey the prescribed terms and conditions in addition to obtain the permit of the relevant responsible person.
21. If the person residing in the ward or village tract desires to hold ceremonies, public entertainments, exhibitions, tournaments and traditional festivals, he shall obey the prescribed terms and conditions in addition to obtain the permit of the relevant responsible person.
22. The person residing in the ward or village tract shall refrain from making to injure and suffer the interests of the local people directly or indirectly.
23. If the emergency situation arises after the fall of calamity, the person residing in the ward or village tract shall assist and carry out direct benefited works for public interests.

Chapter X

Rights of persons residing in the Ward or Village Tract

24. The ward or village tract administrator shall safeguard the following rights of persons residing in the relevant ward or village tract:
- (a) The right of safety of premises and property;
 - (b) The right to carry out matters relating to religion;
 - (c) The right to compile and nurture literature, culture, fine arts and customs;
 - (d) The right relating to education;
 - (e) The right relating to health;
 - (f) The right relating to socio-economic development.

Chapter XI

Offences and Penalties

25. Whoever fails to carry out the duty contained in section 20 shall be punished with imprisonment for a term not exceeding one month or with fine not exceeding thirty thousand kyats or with both by the relevant court.
26. Whoever fails to carry out duty contained in section 21 shall be punished with imprisonment for a term not exceeding six months or with fine not exceeding fifty thousand kyats or with both by the relevant court.
27. Whoever fails to carry out duty contained in sections 17, 18 and 19 shall be punished with fine not exceeding fifty thousand kyats. If default to pay the fine, he shall be punished with imprisonment not exceeding seven days by the relevant court.

Chapter XII

Subsidy

28. The Ministry of Home Affairs, the Union Government, with the approval of the union Government, shall prescribe the following subsidies for the ward or village tract administrator:
- (a) Monthly subsidy
 - (b) Lump sum subsidy if he serves the entire term of duty efficiently;

Chapter XIII

Expenditures of Office

29. The expenditures of office for the Office of the Ward or Village Tract Administrator shall be incurred by proportional receipts on cess obtained for revenue collected on cultivated land.

30. The Ward or Village Tract Administrator:

- (a) May, if receipts is insufficient to incur expenditures of office under section 29, submit and request to the Township Administrator;
- (b) Shall, in respect of receipts contained in section 29, submit to the Township Administrator in accord with the stipulations.

31. The Ward or Village Tract Administrator shall submit to the Township Administrator in respect of expenditures.

Chapter XIV

Ward or Village Tract Clerk

32. The main supporting office staff for carrying out the functions and duties of the Ward or Village Tract administrator is the ward or village tract clerk of the General Administrative Department.

33. The functions and duties of the said office staff are as follows:

- (a) Calling a meeting by the directive of the Ward or Village Tract Administrator; holding the meeting in accord with the prescribed date, time and agenda;
- (b) Performing as the master of ceremony at meetings;
- (c) Compiling minutes of the meeting; distributing the minutes with the approval of the Ward or Village Tract Administrator;
- (d) Implementing the functions contained in the decision of the meeting in accord with the directive of the Ward or Village Tract Administrator;
- (e) Collecting and compiling accounts and forms to be kept within the Ward or Village Tract by the directive of the Ward or Village Tract Administrator;
- (f) Submitting the gazettes of receipts and expenditures, maintaining and drawing the matters of currency relating to remuneration contained in chapter XIV and accounts in respect of expenditures of office contained in chapter XV to the Township Administrator with the approval of the Ward or Village Tract Administrator;
- (g) Performing duties assigned by the Ward or Village Tract Administrator.

Chapter XV

Miscellaneous

34. The Ward or Village Tract Administrator shall not collect any currency in respect of guest list information.

35. The relevant Police Force Station shall assist the Ward and Village Tract Administrator so as to carry out their functions and duties effectively as follows;

- (a) Security, prevalence of law and order, community peace and tranquility and carrying out the benefit of the public;
- (b) Maintaining discipline of persons who live within the ward and village tract;
- (c) Revealing, arresting, taking action and informing the crimes and vices;
- (d) Carrying out under ward or village tract security and defence arrangements.

36. The ward or village tract administrator may, to obtain the necessary aid for enabling to carry out his functions and duties effectively, submit to the Township Administrator and administer and carry out.

37. In implementing and carrying out the provisions of this law:

- (a) The Ministry of Home Affairs of the Union Government may issue necessary rules and regulations with the approval of the Union Government;
- (b) The Ministry of Home Affairs of the Union Government may issue necessary notifications, orders, directives and procedures.

38. The Towns Act (Myanmar Act No.3/1907) and the village Act (Myanmar Act No. 6/1907) are hereby repealed by this law.

I hereby signed under the Constitution of the Republic of the Union of Myanmar.

Union President

The Republic of the Union of Myanmar

Nay Pyi Taw 1373□□□.

(□/□/2012)