

The Myanmar Port Authority Law

(The Pyidaungsu Hluttaw Law No. 21 /2015)
The 6th Waning Day of Tagu, 1376 M.E. (9th April, 2015)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title, Application and Definitions

1. This law shall be called the **Myanmar Port Authority Law**.
2. This Law:
 - (a) shall apply to the ports within a port limit determined, by notification, under sub-section (a) of section 5;
 - (b) shall not apply to non-commercial vessels owned or managed by any local or foreign Government department and organization, warships contained in sub-section (f) of section 7, and vessels exempted under this Law from time to time.
3. The following expressions contained in this Law shall have the meanings given here under:
 - (a) **State** means the Republic of the Union of Myanmar;
 - (b) **Port** means the ports within a port limit determined, by notification, under sub-section (a) of section 5. In this expression, waterway, riverway and shore area are also included ;
 - (c) **Port limit** means the boundary determined, by notification, under sub-section (a) of section 5;
 - (d) **Main Port** means any port determined by the Ministry, by notification, as the pivotal port in international maritime transport among the ports defined in sub-section (b);

- (e) **Deep sea port** means the ports where sea-going vessels with draught of at least 13.72 meters and above may harbour within a port limit determined by notification;
- (f) **Out-ports** mean all other ports except the Yangon Port;
- (g) **Shore area** means a shore limit up to 50 yards shoreward from its high-water mark and is related to foreshore if it is not specifically determined as a port limit to harbour the vessels for embarking and disembarking of passengers and loading and unloading of cargo. In this expression, lands situated under the private property right are not included;
- (h) **Foreshore** means the deep bank or sliding land area between the high-water mark and low-water mark at any port;
- (i) **Berth area** means a place where the vessels load or unload cargo, wharfs, warehouse and shipyards. In this expression, other buildings relating to the berth area are also included;
- (j) **Wharf** means any foreshore or shore area or any adjacent wall fencing forehead of the river bank or shore area made for the facilitation of embarking and disembarking of passengers and loading and unloading of cargo. In this expression, any landing stage, sampan landing, fixed jetty, pontoon jetty and step landing pathway are also included;
- (k) **High-water mark** means the mark where water reaches the maximum height at the mean high water springs tide at any season of a year;
- (l) **Low-water mark** means the mark where water reaches the minimum height at the mean low water springs tide at any season of a year;
- (m) **Cargo** means various kinds of merchandised goods and containers or receptacles where they are put in, materials fastened, fuels, live animals and moveable properties;

- (n) **Vessel** means any ship, boat, sampan, timber raft, bamboo raft, and any other motored or non-motored vessel used to transport passengers or cargoes by waterway;
- (o) **Owner** means an owner of a vessel or a person who has chartered it from such owner by taking responsibility for maritime transport and agreed to accept by transfer the duties and obligations that shall fall on the owner of the vessel. In this expression, when it is used relating to cargoes, a consignor, a consignee, a shipper or an assignee, by power of attorney, for the sale, maintenance, loading and unloading it at a port or transshipment of such cargoes are also included;
- (p) **Port Charges** means service fees of the port determined, by notification, by the Myanmar Port Authority with the approval of the Ministry;
- (q) **Service** means a work carried out by a fee, consideration or agreement. In this expression, a work carried out for entering into a port, berthing, use, departure or regular voyage of the vessels, trading, entertainment, hotel, guest house and restaurant business, tourism industry and the businesses determined, from time to time, by the Union Government as a service are also included;
- (r) **Ministry** means the Ministry of Transport of the Union Government;
- (s) **Chief Executive Officer** means the head of the Myanmar Port Authority;
- (t) **Myanmar Port Authority** means the Myanmar Port Authority formed under this Law;
- (u) **Administration Body** means the Administration Body of the Myanmar Port Authority formed under this Law;
- (v) **Pilot** means a person to whom a marine pilot licence was issued by the Myanmar Port Authority to pilot the vessels within the port limit;

- (w) **Master of the vessel** means a person who controls and sails a vessel by taking responsibility. In this expression, a pilot is not included;
- (x) **Port conservator** means a person appointed by the Myanmar Port Authority under this Law or under the existing laws to exercise duties and powers on behalf of the Myanmar Port Authority.

Chapter II

Objective

4. The objectives of this Law are as follows:
 - (a) to develop the ports and economy of the State;
 - (b) to be free from danger and safe the port industries;
 - (c) to enable to reform port related businesses as of an autonomous institution of Myanmar Port Authority;
 - (d) to enable to allow the local and foreign investors to operate by prescribing the conditions systematically in accord with the market economy system of the State;
 - (e) to enable to cooperate with foreign countries, regional organizations or international organizations for the development of the port industries.

Chapter III

Determining the Ports, wharfs and Berth Area

5. The Ministry, with the approval of the Union Government:
 - (a) may determine the port limit, , by notification, by demarcating the ports, out-ports, main port and deep sea ports at the suitable places within the State for the berthing of sea-going vessels, coastal and inland-going vessels;

- (b) in determining the port limit under sub-section (a), may determine the shore area in the land area adjacent to a port limit;
- (c) in determining the ports under sub-section (a), may determine the wharf, fixed jetty, pontoon jetty, landing stage, sampan landing, shipyards, warehouses, and other worksites for the facilitation of the navigation of vessels, safety of the vessels, development and conservation of the port industries in the shore area;
- (d) may extend, reduce, alter, cancel and revise, by notification, the port limit, port and shore area determined under the sub-sections (a), (b) and (c);
- (e) in carrying out the determination, extension, alteration and modification of the ports; if there are private lands and properties, shall carry out in accord with the existing laws by negotiating with the persons who are entitled to own such lands and properties .

6. The ports, the Yangon Port and the out-ports determined under any of the Ports Act, the Yangon Port Act and the Out-ports Act, shall be deemed as ports determined under sub-section (a) of section 5, so long as they are otherwise extended, reduced, altered, canceled or modified in accord with this Law.

7. The Myanmar Port Authority, within the port limit:

- (a) shall notify, by notification, that any berth area or wharf is ready to use when the construction of it is completed,;
- (b) may determine berthing places and wharfs for sea-going vessels whenever there is vacant place in the berth area and wharfs;
- (c) may determine the wharfs according to the kinds of vessel to berth inland vessels;
- (d) shall prescribe the regulations for anchoring places for private vessel and the placing of buoys;

- (e) shall determine the terms and conditions, specify the place to anchor for the vessels carrying dangerous cargoes;
- (f) may, by the order of the Ministry, restrict entering into berthing, mooring and their activities of warships from local or any foreign country.

Chapter IV

Permission to Operate for the Development of the Port Industries

- 8. The Ministry, with the approval of the Union Government:
 - (a) may permit the local and foreign investors to operate the works of exploration of new places for port and building, upgrade, extension and maintenance by any means for the development of ports by concluding the contract with the Myanmar Port Authority and by stipulating the terms and conditions;
 - (b) shall assign duty to the Myanmar Port Authority to take main responsibility and control the works permitted to operate under subsection (a) and to inspect and supervise the detailed performance of work;
 - (c) may instruct the **Myanmar Port Authority** to carry out the services related to port by issuing the regulations and by-laws relating to the port industries;
- 9. The **Myanmar Port Authority** shall, in accord with the guidance of the Ministry, carry out by communicating with the foreign governments and organizations, and by participating in the international organizations as a member on behalf of the State.

Chapter V

Determining the Port Charges

10. The Myanmar Port Authority, with the approval of the Ministry;
 - (a) shall determine port charges to be paid, by notification, in Myanmar kyat or in foreign currency, by classifying according to vessel, number of cargo or passengers relating to the navigation, berthing at the ports and using by sea-going vessels and inland vessels;
 - (b) may revise, alter, or cancel the port charges determined under subsection (a) from time to time;
 - (c) may exempt from or reduce port charges for any special matter for the public interest.

Chapter VI

Formation of the Myanmar Port Authority

11.
 - (a) The Myanmar Port Authority shall be formed according to the constitution approved by the Union Government.
 - (b) The Myanmar Port Authority shall abide by the functions and duties, constitution and procedures stipulated under this Law.
12. The Myanmar Port Authority:
 - (a) is an organization which has the right of perpetual succession with its own name, its own seal, the right to sue and be sued;
 - (b) shall, in concluding business contracts and other contracts between itself and Government organizations or external private organizations, instruct to sign the Chief Executive Officer or an officer authorized by him;

- (c) shall succeed the capital issued by the State, fund, moveable property, and immoveable property owned by the Department, and rights and liabilities;
- (d) shall have the right to acquire, possess and use its owned or succeeded fund, moveable property and immoveable property and moveable property, and immoveable property trusted or allowed concession by the State.

13. (a) The employees who have served in the Myanmar Port Authority formed before entering into force of this Law, when they transfer to serve the duty in the Myanmar Port Authority formed under this Law, it shall negotiate not to lower than the rank, duty and right they has obtained when they served their duty.

- (b) The employees who are not desirous to transfer and serve the duty under sub-section (a), may be transferred to any suitable department under the Ministry;

14. The Ministry shall incur and allow the gratuity, emoluments, pension, matters relating to retirement for the employees who transfer to and serve the duty in the Myanmar Port Authority formed under this Law, from heading of its expenditure, by calculating according to the period they served.

15. The Chief Executive Officer shall perform and exercise the following functions, duties and powers:

- (a) taking responsibility and carrying out to fulfill the functional and financial objectives stipulated by the Administration Body;
- (b) carrying out selection, appointment, removal, and promotion, in accord with the stipulations, of the officers and staff below the rank of head of department of the Myanmar Port Authority;
- (c) allowing to enjoy superannuation pension when the officials and staff contained in sub-section (b) have attained the age of 60. However, if

those persons are desirous to continue to serve the duty because of the requirement of work or their health condition allowing to extend their service, once a year until they have attained the age of 65.

16. To enable to perform the functions and duties conferred under this Law, the necessary staff may be appointed and supervised, from time to time, in accord with the regulations and by-laws. If it is necessary, the agents may be appointed and assigned duty on his behalf, after prescribing the terms and conditions.

Chapter VII

Functions, Duties and Powers of the Myanmar Port Authority

17. The Myanmar Port Authority:

- (a) shall implement the project to achieve the objectives of the Ministry;
- (b) shall implement the projects of a port industries with the approval of the Ministry;
- (c) shall adopt the work programmes and carry out for the development of the port industries and facilitation of services and for the development of ports and foreshore and shore area within the port limit;
- (d) shall carry out to increase its income, with the manners that may reduce the production and service costs, and with the manners that may increase the production and service force;
- (e) shall prevent and protect not to waste, lose and damage the State owned properties and funds;
- (f) has the right for scrutinizing and allowing the receipts and expenditures, keeping and managing of fund relating to the fund of Myanmar Port Authority raised under this Law;

- (g) may manage to provide fuel and other requirements for the vessels within the port limit. It may carry out issuing operation licence to the entrepreneurs for such businesses and taking administrative action against the violators of discipline;
- (h) may carry out issuing operation licence to private tow vessels, tug vessels, dredging vessels and salvage vessels, and taking administrative action against the violators of discipline;
- (i) shall exercise other powers conferred, from time to time, by the Ministry for the facilitation of the port industries and the operations within a port;
- (j) shall carry out to be aware of the navigational information within a port limit by the public;
- (k) shall upgrade, in accord with the international standards and norms, for reducing the cost of the persons who has obtained the permission to do port industries and for the effective implementation;
- (l) shall carry out, in accord with the international standards, for upgrading the capacity of the staff at port and safety of the port workers in the port related operations;
- (m) shall carry out doing research and cooperate with technical institutions for the development of the port services and technical advancement ;
- (n) has the right to make inquiry on and necessary management for any danger of vessels and any destructions or losses caused by vessels within a port limit;
- (o) shall perform the functions and duties conferred under any existing law.

18. The Myanmar Port Authority has the right to:
- (a) produce, repair, purchase, sell and trade necessary machineries and other equipment and provide services with them;
 - (b) purchase or lease land plots and structures which are necessary to use;
 - (c) liquidate or sell and exchange its own vessels, vehicles, machineries and other materials which are no longer necessary to use.
19. The Myanmar Port Authority:
- (a) may claim damages from the relevant organization and person if the water pollutions, destructions and losses to environmental resources occur within a port limit, because of leakage of petroleum, oil or chemical from the tanker of petroleum, oil or chemical navigated within a port limit or from oil test wells ,oil wells and oil pipelines; or from collision or grounding of vessels, or for any other causes; because of discharge and disposal of pollutants and wastes from vessels and natural resource exploration rigs and structures from above and under water;
 - (b) has the right, relating to the destructions and losses contained in sub-section (a), to retain the relevant vessels, from above and under water natural resource exploration rigs and structures before obtaining the compensations.
20. The Myanmar Port Authority:
- (a) may direct a vessel which is required to leave from the port for any cause, to leave from any wharf within the stipulated time, by intimating to the relevant master or owner of the vessel;
 - (b) if such vessel does not leave within the stipulated time at the first time of tide or ebb after being directed under sub-section (a), may impose the stipulated fine so long as it berths at a wharf;

- (c) shall not require to collect port charges again on the vessel that re-berthed after leaving under the direction of sub-section (a);

21. The Myanmar Port Authority, for enabling to carry out in accord with the conventions relating to safety of maritime transport within a port limit, safety of life at sea law and regional agreements relating to the safety of equipment managed to use for the facilitation of international vessels and ports, in coordination with the relevant Government departments and Government organizations.

- (a) shall cooperate for enabling to take necessary action against the following terrorists;
 - (i) seizure of a vessel or control of navigation of a vessel by use of force or threatening or causing to be frightened by any other means;
 - (ii) committing violence against the persons on-board a vessel, destruction of a vessel, damaging the persons and goods on-board a vessel to endanger the navigation of a vessel;
 - (iii) destruction of supporting materials and equipment managed within the port limit for the safety of maritime navigation of a vessel or facilitation of maritime transport and serious interruption or destruction of services;
 - (iv) Communication with incorrect information so as to endanger the navigation;
 - (v) serious damaging and destruction to the wharf for berthing international sea-going vessels, the supporting materials, equipment and services for facilitation;
 - (vi) destruction to a vessel with explosives, radioactive materials; biological, chemical and nuclear weapons which caused to death, grievous hurt to any person and severe damage to infrastructures, using such materials on-board a vessel and at ports or disposal and discharge of them from a vessel, or disposal

and discharge of oil, natural gas, dangerous materials and toxic materials from a vessel;

- (b) may retain the vessels used in committing the terrorist acts contained in sub-section (a), and take necessary actions.

22. The Myanmar Port Authority shall:

- (a) adopt and take necessary measures, in accord with the specified security level, for the protection against, prevention of, combating and asking for help against threatening and fighting to jeopardy of vessels, ports, supporting materials and equipment managed to facilitate for berthing of vessels within a port limit;
- (b) direct the relevant owner of a vessel and vessel companies, masters of vessels and responsible persons of ports for the exchange of information in cooperation and coordinating with international organizations, regional organizations and relevant countries relating to the suppression of terrorism.

23. The Myanmar Port Authority, relating to the environmental conservation,

- (a) shall carry out, after adopting the plans, the protection and prevention for non-existence of wastes flowed from foreshore and land, seabed wastes and wastes disposed by any means, of air pollution and water pollution, of discharge and disposal of dangerous materials, toxic materials, garbage, dirty things and wastes into water from vessels, wharf and above-water and sub-water natural resource exploration rigs and structures within a port limit, distribution of information and technology;
- (b) shall carry out the distribution of information and technology, taking precautionary measures not to cause oil spills from vessels which carry petroleum, oil and chemical navigating within a port limit, or from oil test wells, oil wells and oil pipelines, or from collision and grounding of vessels;

- (c) if oil and chemical spill occurs, mentioned in sub-section (b) shall arrange in coordination with the experts, not for causing water pollution, clearing and sanitation. In doing so, the cost may be claimed from the responsible person in accord with the stipulations.

24. The Myanma Port Authority:

- (a) shall transfer the cargo to the consignee or manage by any means as directed by the temporary consignor;
- (b) has responsibility to keep the consigned cargo with due care as much as possible as its own cargo of the same weight, amount and value;
- (c) shall not be responsible for the loss, decay, or impairment of consigned cargo though it is kept in accord with the responsibility contained in sub-section (b), unless otherwise there is specific agreement with the consignor for this purpose;
- (d) if there is specific agreement with the consignor, shall be responsible if the loss, decay, or impairment of consigned cargo is due to its default;
- (e) may sell such consigned cargos by auction, after two months from the date of consignment.

25. The Myanma Port Authority shall not be responsible, relating to the loss, destruction, reduction of cargo, wrong delivery of cargo, detain the cargo or damage of the cargo if any of the following causes arises:

- (a) the occurrence of natural disaster such as fire, flood, storm, earthquake;
- (b) the occurrence of war, riot, civil commotion, strikes or blockade or any other *force majeure*.
- (c) the occurrence of act or fault of the shipper, consignee, consignor or his agent or servants;

- (d) the occurrence of deficiency of weight or cargo and wastage because of defect that is not apparent, natural decay etc.;
- (e) the occurrence of a defect of goods in the cargo which is not decayed in view ;
- (f) non-disclosure of the consignor that the cargo may be decayed or impaired;
- (g) being the cargo or parcels which is insufficiency of packing or defective, or defect or leakage of container.

26. The Myanmar Port Authority may, with the approval of the Union Government through the Ministry, carry out the following businesses in accord with the existing laws:

- (a) allowing to lease and do port related operations under its administration by concluding agreement with local or foreign investors;
- (b) doing port related operations with local or foreign investors by concluding specific agreement on any mutually agreed system;
- (c) allowing local or foreign investors to do operations, by prescribing the terms and conditions, after changing as the government-owned port related operations under its administration to privatization and doing business as a public-private partnership;
- (d) establishing a joint venture company by concluding a specific joint venture agreement on port related operations with local or foreign investors;
- (e) doing port related operations after establishing a non-public port business company or port business corporation with the capital of the Myanmar Port Authority and share contributions of local or foreign investors;

- (f) doing port related business after establishing a public port company or port business corporation with the capital of the Myanmar Port Authority and public share contributions after inviting them.

27. The Myanmar Port Authority shall carry out the following functions and duties:

- (a) allocation of the functions and duties of the officials and staff appointed and assigned duty, according to the category of functions and individual skills and qualifications; determining the rate of wages, operation standards, working hours and discipline of working environment;
- (b) supervision and promotion on the appointed officials and staff according to the laws, rules, regulations and by-laws relating to service personnel, taking departmental action against the persons who violate the disciplines of service personnel, removal, granting leave, granting retirement, enabling to enjoy the rights, honouring and awarding emolument to the dutiful persons;
- (c) managing and keeping the navigational aids and supporting equipment for vessels incoming to and outgoing from the ports and vessels moving from one place to another;
- (d) determining the date and time for entering into, going out, and moving of vessels at the navigation channel within a port limit, speed of a vessel and other necessary terms and conditions ;
- (e) arranging and keeping necessary machineries, vehicles, trains, warehouses and other appliances to use in a accepting, loading, unloading, re-locating and storing of cargoes;
- (f) arranging and keeping the necessary water supply vehicles, vessels and equipment for water supply to the vessels within the port limit in accord with the stipulations;
- (g) arranging and keeping fire-engine and firemen for the fire safety within a port;

- (h) arranging for the electricity supply to the vessels berthing at a port;
- (i) arranging and keeping necessary lighthouses, light vessels, signal lights, buoys, pilot vessels within the navigation channel and a port limit and necessary communication materials and other appliances and equipment for maritime safety;
- (j) constructing break water and river training walls to protect destruction to a port and arranging other necessary work;
- (k) arranging the maintenance work for the sustainable development of navigational channels;
- (l) determining and issuing necessary disciplines for the matter of use of signal lights and minimum number of crew to be kept on board a vessel while berthing at the port;
- (m) arranging the places to perform duty for custom officers, immigration officers and health quarantine officers.

Chapter VIII

Formation of Administration Body

28. (a) The Ministry shall, with the approval of the Union Government, form the Administration Body comprising not more than nine members including the chairman as follows:
- (i) A person appointed and assigned duty by the Ministry Chairman
 - (ii) Chief Executive Officer Member
 - (iii) An expert in port industry Member
 - (iv) An expert in vessel related functions Member

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| (v) | A legal professional who is expert in subject | Member |
| (vi) | An expert in economics | Member |
| (vii) | An expert in management | Member |
| (viii) | Two representatives appointed and assigned duty by the Ministry | Members |
- (b) (i) Any person appointed by the Chairman of the Administration Body shall be assigned duty as the Secretary;
- (ii) The Chairman of the Administration Body shall hold the meetings of the Administration Body in accord with the stipulated procedures.
29. (a) The term of office of the Chairman or members is five years.
- (b) When such term of office expires, the Chairman and members shall continue to perform their functions and duties until the Ministry has formed and assigned duty to the new Chairman and members;
- (c) The Chairman and members shall not serve not more than two terms of office.
- (d) If the Chairman or a member is appointed in substitution as such office is vacant for any cause, the term of office of the Chairman or member shall be only for the expiry of the original term of office.
- (e) The interim period in which duty is served as the Chairman or member shall not be determined as a term of office.
30. The Chairman and members of the Administration Body are entitled to enjoy the salaries, allowances and emoluments in accord with the stipulations of the Ministry.

31. (a) A person who is appointed as the Chairman or a member shall be free from pecuniary interests or other interests that may affect the performance of functions and duties of the Chairman or a member, at the time before he was appointed as such.
- (b) If the Chairman or a member is interested by any means, directly or indirectly, in a contract or any sale, purchase, lease made or intended to be made by the Administration Body, he shall disclose how he is interested at the meeting of the Administration Body.
- (c) The statement disclosed under sub-section (b) shall be recorded in the meeting minutes of the Administration Body, and the relevant member shall not participate in the discussion, decision of the Administration Body relating to such contract or sale, purchase or lease.
- (d) If a matter arises to decide whether or not the Chairman or a member has pecuniary interest or other interest, the decision of the Administration Body shall be final and conclusive.

32. The Chairman or a member of the Administration Body shall be terminated from the office if any of the following causes arise:

- (a) issuing order to terminate the office by the Ministry;
- (b) failing to attend the meeting of the Administration Body for three consecutive months without sufficient cause;
- (c) on the occurrence of the acceptance and carrying out of any other functions and duties which can affect the interest of the Ministry and the Myanmar Port Authority, being decided to terminate the office by the Administration Body after submitting to the Ministry;
- (d) being scrutinized and found by the Ministry that a person has any pecuniary interest or other interest that may affect the discharging of his duty and obligations as a member, before appointing as a member.

33. If the office of the Chairman or a member is vacant because of the termination from office under section 32, the Ministry shall appoint and assign duty to the new Chairman or the new member within 30 days in accord with the stipulations.

Chapter IX

Functions, Duties and Powers of the Administration Body

34. The functions, duties and powers of the Administration Body are as follows:
- (a) supervising and guiding closely for enabling to implement the powers, functions and duties of the Myanmar Port Authority or port related operations.
 - (b) carrying out the selection and appointment, removal from position and promotion in accord with the stipulations, of the head of department and higher level officials after submitting to the Ministry;
 - (c) if the official appointed under sub-section (b) has attained the age of 60 years, allowing to enjoy superannuation pension or allowing the said official who is desirous to continue to serve duty because of the requirement of work or of his health condition to extend his service once a year, until he has attained the age of 65 with the approval of the Ministry;
 - (d) determining the functions and duties after adopting policies, processes and programmes for a port security, safety, health and environmental conservation of a port and forming necessary security bodies and inspection teams;
 - (e) managing to be in conformity with the standards practically applied by the international and ASEAN countries for the speediness and smoothness, safety and health in carrying out loading and unloading of cargo from vessels, for the development of the cargo transport vessels and environmental conservation of a port area;

- (f) communicating and coordinating with the international and regional organizations in accord with the conventions and decisions prescribed by the International Maritime Organization for the port security, supervision and implementation;
- (g) carrying out other functions and duties assigned by the Ministry, from time to time;
- (h) managing to increase or reduce salaries and allowances of officials and staff.

Chapter X

Collection of Port Charges, Retaining for the Debts and Recovery of Such Debts

35. (a) The owner and the master of a vessel shall pay the port charges stipulated under this Law to the Myanmar Port Authority relating to navigation, berthing , mooring, departing and using in any other means etc. of the sea-going vessels and inland-going vessels at a port.
- (b) If it is intentionally failed to pay the port charges stipulated under this Law without sufficient cause, five times of such port charges shall be paid to the Myanmar Port Authority as a fine. If it is failed to pay such fine, the vessel and equipment on board the vessel may be retained until all fine to be paid has been recovered
- (c) If the master of a vessels or any person serving duty on a vessels cause to destroy a wharf owned or possessed by the Myanmar Port Authority or any materials or equipment for facilitation of a port for his act or negligence, it is responsible to pay compensation for such damage as prescribed by the Myanmar Port Authority.

36. The Myanmar Port Authority:

- (a) has the right to collect the port charges, costs, fine and damages prescribed to pay under this Law from the defaulter in accord with the existing tax laws;
- (b) may assign duty to a suitable officer as a collector to carry out under sub-section (a);
- (c) shall direct the relevant officer not to issue the certificate of departure from the port to the relevant vessel during the period of default to pay the port charges, costs or compensations prescribed to pay under this law, and during the period of collecting on such defaulter in accord with the existing tax and revenue laws;

Chapter XI

Financial Duties and Powers

37. The Myanmar Port Authority may take loan for required capital, in accord with law, from local, foreign banks and financial institutions, with the approval of the Union Government through the Ministry, for enabling to perform work under this Law.

38. The State-own fixed assets to be taken over by the Myanmar Port Authority shall be valued at the market price, with the approval of the Union Government, and mentioned as the value of the State's investment.

39. The due dividend on the value of the State's investment shall be allocated to the State.

40. (a) In any financial year, the following expenses may be incurred from the fund of the Myanmar Port Authority:

- (i) emoluments, fees, subsidies for the members of the Administration Body;

- (ii) salaries, allowances, emoluments, fees, pensions and gratuities of the staff, advisers, staff representatives and officials serving duty in the Myanmar Port Authority;
 - (iii) operational costs, maintenance costs, estimated depreciation expenses to be incurred by the Myanmar Port Authority;
 - (iv) interests and costs paid on the loans of the Myanmar Port Authority;
 - (v) sums required to repay for the loans of the Myanmar Port Authority;
 - (vi) sums required to transfer to the account of reserved fund for the repayment of long-term loans or to enable to substitute consumable and depreciable assets;
 - (vii) sums considered that is suitable to reserve for the replacement of new assets and depreciation of assets of the Myanmar Port Authority;
 - (viii) costs to be incurred for new works, ongoing projects, machines, vessels, vehicles, machineries and appliances allowed by the Myanmar Port Authority;
 - (ix) other expenses decided by the Myanmar Port Authority that it should be incurred;
- (b) The net profit of the Myanmar Port Authority may be opened as the general fund and the suitable reserved fund accounts after determining appropriate percentage;
 - (c) The Myanmar Port Authority may determine the rates of salaries, wages and allowances with the approval of the Ministry.
- 41.(a) The Myanmar Port Authority shall draw an annual budget based on the actual incomes and expenditures of the previous financial years.

- (b) The budget estimates may be approved at the meeting of the Administration Body of the Myanmar Port Authority.
- (c) A copy of annual budget estimates approved by the Myanmar Port Authority shall be sent to the Ministry.
- (d) The gross income and expenditure of the Myanmar Port Authority according to the financial year shall be drawn, by mentioning separately, in the estimated budget of the Union in accord with the budget law.

42. The Myanmar Port Authority shall pay the annual contribution stipulated by the Union Government and the due tax and revenue under the existing law.

43. The Myanmar Port Authority:

- (a) may open separate accounts in Kyat and in foreign currency under the name of the Myanmar Port Authority at the suitable banks;
- (b) shall open separate accounts according to the group of work or individual work under the Myanmar Port Authority to be apparent the situation of income and expenditure;
- (c) has the right to draw and expend its income in foreign currency with the permission of the Ministry;
- (d) shall carry out after forming the internal audit team.

44. The Myanmar Port Authority shall submit the following lists as directed by the Ministry:

- (a) list of staff;
- (b) statement of cash flow;
- (c) statement of production, trading or service;
- (d) statement of profit and loss;

(e) balance sheet ;

45. The Myanmar Port Authority shall carry out, with the approval of the Ministry, mutual financial assistance among the enterprises under the Ministry

46. The Myanmar Port Authority may invest its capital in accord with the Myanmar Citizens' Investment Law and the Foreign Investment Law.

47. The works and accounts of the Myanmar Port Authority shall accept the audit by the Union Auditor General's Office or the audit team registered at the Myanmar Accountants Council.

48. The audit fees of the audit team shall be incurred from the fund of the Myanmar Port Authority.

49. The audit report of the team for the financial year shall be submitted annually to the departments and organizations in accord with the stipulations.

50. The audit report shall contain the following facts:

(a) work performance situations, financial statements of the Myanmar Port Authority.

(b) lists of property, contributions, right of succession and other financial data of the Myanmar Port Authority.

(c) ownership of the Myanmar Port Authority to be legally succeeded under this Law and list of income and expenditure for the investment after liquidating assets;

(d) a specific report of the audit team if there is something to report.

51. The audit team shall audit and report specifically according to the requirement of the Myanmar Port Authority or on assignment of the Ministry.

52. The audit team or any other authorized person:
- (a) has the right to request financial and operational lists from the Myanmar Port Authority;
 - (b) may extract or copy the financial and operational list.
53. The Myanmar Port Authority may, with the approval of the Ministry, grant pensions, gratuities and compassionate grant relating to the death, removal from post and retirement of its staff.

Chapter XII

Pilot Licence and Assigning Duty as Pilot

54. (a) A person desirous to carry out the functions and duties as a pilot shall apply to the Myanmar Port Authority to obtain a pilot licence in accord with the stipulation;
- (b) The Myanmar Port Authority may select the applicant under subsection (a) by written and practical examination whether or not he is qualified and issue a pilot licence by determining the terms and conditions as a pilot.
- (c) The Myanmar Port Authority shall determine the functions and duties of pilots by grading according to their skill.
55. The Myanmar Port Authority may, on occurrence of any of following causes, take action against the pilot in accord with the stipulations, suspend for a limited period or terminate the pilot licence by administrative means:
- (a) violation of any prohibitions contained in the rules, regulations, by-laws and orders issued under this Law;
 - (b) violation of any terms and conditions contained in the pilot licence issued under this Law;

- (c) negligence or immorality in performing duties;
- (d) considering that it is inappropriate to assign duty as a pilot for any other sufficient cause.

56. The master of the vessel having more than 500 Gross Registered Tonnage which enter into or leave from the port shall:

- (a) berth, moor, depart or shift within a port limit after asking the assistance of the pilot compulsorily if it is not in conformity with the regulations and by-laws stipulated by the marine department for enabling to ask for permission of entering and leaving without pilot;
- (b) report such arrival and berth of a vessel to the port conservator in accord with the stipulations when the vessel arrives at and berth within the specific port limit. Moreover, the port conservator shall be reported in accord with the stipulations, when such vessel leaves from the port ;
- (c) take responsibility for settlement and pay the due compensation for the loss or destruction arising from the vessel or from the defect of maneuvering the vessel through the waterway and navigation channel or from the accidental collision of vessels;
- (d) pay half of the stipulated pilotage to the Myanmar Port Authority if it is allowed to enter and exit without pilot,

57. If the master of a vessel refuses to take the lawful advice of the pilot controlling the vessel, the pilot may refuse to continue his pilotage service after anchoring the vessel when it arrives at the first anchorage area.

Chapter XIII

Providing Health Service within a Port limit

58. The Ministry shall appoint the health officers and assign duty at each port where sea-going vessels berth in order to prevent infectious diseases that may affect the public health through the passengers and cargoes onboard the vessels within a port limit.

59. The Myanmar Port Authority shall carry out the following functions and duties relating to the prevention of the infectious diseases and health of the sick within a port limit where sea-going vessels berth by itself or by delegating to the health officer appointed and assigned duty under section 58:

- (a) taking measures for prevention, inspection, treatment and emergency response to infectious diseases occurred from vessels within a port limit;
- (b) raising of signal flag, determining place for the anchorage and emergency announcement on the spread of such infectious diseases for the vessels on which an infectious diseases is spreading or is suspicious of spreading or for the vessels that left from a port which is believed or actually happened the spread of infectious diseases at or near that port;
- (c) examining the health of persons on board the vessel which carries the diseased persons ;
- (d) determining questions to be answered and information to be reported relating to the occurrence infectious diseases of by the masters of a vessel, pilots and other persons on board the vessels which carries the diseased persons ;
- (e) determining the duties to be carried out by the masters and pilots of such vessel, and other persons onboard the vessel when the occurrence of an infectious disease;
- (f) taking treatment to any person onboard the vessel on which an infectious disease is occurring or is suspicious of occurring after taking

him to any hospital or clinic that is agreed by the health officer and retaining such vessel;

- (g) sanitizing, ventilating, sterilization, and eradicating rats or other infectious insects on board the vessel or any part of the vessel or any material or equipment on board the vessel of occurring infectious disease;
- (h) carrying out the necessary precaution and treatments relating to the occurrence of infectious disease from the persons and cargo on board the vessel;
- (i) informing to the Ministry of Health and World Health Organization for enabling to carry out necessary measures not for spreading of infectious disease;
- (j) arranging for the persons died due to the infectious disease on board the vessel.

60. The master of a vessel entering from abroad:

- (a) shall inform in advance to the Myanmar Port Authority that it is free from infectious disease on board the vessel before berthing at any port in the state.
- (b) shall provide the declaration of free from infectious disease in the prescribed form to the health officer, by himself or through the health officer of the vessel when it berths at any port of the State.

61. The health officer shall obtain the following powers, within the port limit assigned duty to him , under the supervision of the Myanmar Port Authority;

- (a) the right to inspect on board the vessel whether or not the water supply, medicines and medical equipment, food and accommodations for the seamen are in conformity with the stipulations;

- (b) the right to examine the health of all or some seamen or apprentices on board the vessel by boarding on any vessel;
- (c) the right to claim to produce the logbook and other books, papers and documents that are necessary to inspect the situation of health and medical treatment of the persons on board the vessel and if they refused, the right to enforce;
- (d) the right to call and examine any relevant person and the right to claim to answer the questions correctly in carrying out under sub-sections (a), (b) and (c);
- (e) the right to claim to write and sign on the admission by the person is asked that he has answered correctly.

62. The health officer shall issue the certificate to the relevant master of the vessel and responsible persons that infectious disease has been prevented and it is free from infectious disease on such vessel after boarding and inspecting, in conformity with the powers of section 61, the sea-going vessels entering into and berthing at the port limit for which he is assigned duty.

63. The health officer shall not claim the fee for boarding and inspecting onboard the vessel, prevention of infectious disease and the issue of certificate on the free from infectious disease.

Chapter XIV

Conservation of Ports

64. The Myanmar Port Authority:

- (a) may appoint and assign duty to one or more port conservators to conserve each port stipulated under this Law;
- (b) may delegate all or part of powers and duties to the port conservators relating to conservation of ports;

- (c) may carry out supervising on the work performance of the port conservator, rewarding the persons who served dutifully and taking action against the persons who violate of the staff's discipline;
- (d) shall maintain of buoys and other navigation aids managed by the Myanmar Port Authority within or outside a port limit;
- (e) shall manage systematic storage and transhipment of dangerous cargo within a port limit;
- (f) shall manage the systematic placement of cargo within a port limit;
- (g) shall direct the master of a vessel, owner, agent and any other persons to be systematic in sending the time and data relating to loading and unloading of cargoes at wharfs;
- (h) shall manage to embark and disembark the passengers onboard the vessel at the specified place by the Myanmar Port Authority according to the requirement of the work;
- (i) shall manage the port charges to be collected under this Law and the procedure to be paid;
- (j) shall manage the safety for construction of other works in or adjacent to the berthing places of vessel, wharfs, landing places, short wharfs, disembarking places, railways, warehouses and free warehouses;
- (k) shall determine the matters on receiving and transit of cargoes with the building, land and premises owned by the Myanmar Port Authority and the procedures on receiving cargo which has been destroyed or proposed it is destroyed before unloading from vessels.

65. The port conservator may, by order, direct any vessel within a port for the safety, security and keeping discipline.

66. The port conservator:

- (a) when vessels are required to remove urgently because of the occurrence of any danger at a port, may cut or remove the mooring rope or anchor chain, or instruct any suitable person to do so;
- (b) may carry out removal of timber-raft, bamboo-raft which causes obstruction to the free navigation of vessels, or the usage of any berthing place of a vessel, wharf, unloading place, anchorage area; or any other objects which obstructs the navigation; or salvage, removal, destruction of the wrecks, grounded vessel or sunk vessel. In doing so, the expenses and additional 20 % of such sum may be claimed from the relevant owner of the cargoes. If it cannot be claimed as such, such cargoes may be disposed, with the approval of the Myanmar Port Authority and such expense may be recovered. If the amount of sales is not sufficient for the expense, it can be recovered in accord with the existing tax laws;
- (c) may access and inspect into any vessel or building within a port limit if it is received that information of committing or likely to commit any offence ;
- (d) may request assistance from any person within a port limit for the prevention of fire or extinguishing fire within a port limit;
- (e) may remove and evict the persons who trespassed, without permission, into a port limit, foreshore and shore area, in accord with the existing law;
- (f) may remove sewage of a vessel disposed or dumped not in conformity with the discipline so as not to affect the navigation channel and claim the expenses from the relevant master of a vessel and take action against the master of a vessel who disposed or dumped the sewage;
- (g) may direct the owner, agent or master of a relevant vessel to provide information before or when entering into or leaving from a port if it is

considered that it is necessary to know clearly the cargoes and estimated time of existence of a vessel entering into or leaving from a port:

- (h) shall announce the location, anchorage and determination of waterway for the vessels at the restricted areas.

67. The owner, a agent or master of the vessel arriving to a port:

- (a) shall report the arrival as directed, from time to time by the port conservator when a vessel enters into a port;
- (b) shall report the followings to the port conservator during the stipulated period according to the stipulated manner:
 - (i) general declaration of the arrival of a vessel in the stipulated form;
 - (ii) port clearance certificate of the last port of call;
 - (iii) passengers list on board the vessel;
 - (iv) crew list of the vessel;
 - (v) copy of documents of the cargo to be loaded or unloaded at a port;
 - (vi) other documents stipulated by the port conservator from time to time.

68. The Myanma Port Authority shall not be responsible to pay compensation for any act, negligence or omission of the port conservator or pilot of any port stipulated under this Law, or for any damage of a vessel caused by any break of anchoring , equipment, mooring rope of a vessel and any other materials used by the vessel.

69. Except for the provisions contained in section 68, one may file suit on the Myanmar Port Authority for any activity carried out by the Myanmar Port Authority, or for any activity carried out under the order or with the permission expressly issued by the Myanmar Port Authority.

Chapter XV

Construction and Management of Wharfs and Shipyards

70. The Myanmar Port Authority shall, with the approval of the Ministry, construct and maintain necessary wharf within a port limit for berthing, mooring and leaving of vessels easily and for embarking and disembarking of passengers and loading and unloading of cargoes.

71. The Myanmar Port Authority shall, with the approval of the Ministry, build necessary shipyard, dry dock and slip way for building and repairing of local and foreign going vessels and arrange necessary machineries and skilled engineers for building and repairing of vessels.

72. (a) A person desirous to build any kinds of wharf, shipyard, dry dock, slip way shall apply to the Myanmar Port Authority in accord with the stipulations to obtain a operation licence.

(b) The Myanmar Port Authority may allow or refuse the application under sub-section (a) after scrutiny. If allowed, it shall issue a operation licence., with the approval of the Ministry, by determining the terms and conditions.

(c) The person who has obtained a operation licence under sub-section (b) shall pay the prescribed licence fee.

73. The Myanmar Port Authority may, if the person who has obtained a operation licence under sub-section (b) of section 72 violates any prohibition contained in the Rules, Regulations, By-Laws and Orders issued under this law or any terms and

conditions contained in the operation licence to be complied which is permitted under this law, such violator shall be fined by administrative means in accord with the stipulations, suspend the operation licence for a limited period or terminate it.

Chapter XVI

Prohibitions

74. Any person shall not build or operate any kind of wharf, shipyard, dry dock and slip way without a operation licence within a port limit.

75. Any master of the vessel:

- (a) shall ,without the assistance of a pilot, ente into berth at any specified port, leave from any port or shift within a port any kind of vessel of 500 Gross Registered Tonage or upwards;
- (b) shall not fail to hoist up the international signal flag if the pilot of the pilot vessel request to show signal, when a vessel reaches to a distance where the signal is visible from any signal centre within the boundary of any river way or waterway adjacent to the sea to a specified port .

76. Any master of a vessel:

- (a) shall not fail to light up the specified signal lights on his vessel for the safety of vessels within a port;
- (b) shall not deny if the conservator request, according to the requirement of work, to fasten the rope at his vessel for any other vessel or unfasten such rope until receiving the order to do so;
- (c) shall not protrude any rope or any material fastened to the vessel out of it to endanger the navigation of other vessels within a port from sunset to sunrise;

- (d) within a port limit
 - (i) shall not fly illegal flag and show illegal signal;
 - (ii) shall not fail to fly the specified flag and show any signal;
 - (iii) shall not berth the vessels side by side;
 - (iv) shall not fail to comply with the order to remove the vessel from a wharf;
 - (v) shall not fail to comply with the directive to tow a vessel with a rope by the port conservator to reach the destination;
 - (vi) shall not fail to report the arrival of the vessel or shall not report falsely;

77. Any master or owner of a vessel, in order to evade the port charges:

- (a) shall not sail out the vessel;
- (b) shall not mention the lesser weight or amount of cargoes or shift or conceal cargoes;
- (c) shall not mention the lesser registered tonnage of the vessel and cargo tonnage.

78. Any person, without a operation licence permitted under this Law, within a port limit;

- (a) shall not operate any business of supplying fuels and other requirements to vessels by a private vessel businessman;
- (b) shall not carry out the business of towing, tugging, dredging or salvaging of a vessel by a private businessman;
- (c) shall not operate a business as a pilot for vessels having more than 500 Gross Registered Tonnage entering into a port limit.

79. Any person:

- (a) shall not remove, expose, destroy, cause to damage , loosen the rope, drifting in water or steal any buoy, anchorage equipment or signal posted or managed at any port by the Myanmar Port Authority or under its order;
- (b) shall not destroy or cause to damage any berth area for the vessel or wharf, any navigation aids within a port limit or any equipment for the facilitation of the port operations within a port limit;
- (c) shall not fail to comply with the order of the port conservator within a port limit;
- (d) shall not carry out any activity which causes obstacle to the navigation channel without permission of the Myanmar Port Authority within a port limit;
- (e) shall not obstruct the inspection on board a vessel and within a port limit by the responsible persons including the port conservator ;
- (f) shall not fire ammunitions and release fireworks unlawfully within a port limit;
- (g) shall not fail to comply with the order directed by the port conservator for the prevention of fire or for extinguishing fire or shall not report falsely relating to the fire safety;
- (h) shall not loosen the anchors chain of the vessel anchored within a port limit without permission of the port conservator;
- (i) shall not expose or remove the anchorage equipment or buoy without permission or help of the port conservator if any vessel attaches or hooks with such anchorage equipment or buoy.

80. Any person, so as to cause water pollution or destruction to the environmental resources:

- (a) shall not cause oil spill or discharge of sludge from the petroleum tanker, oil tanker and chemical tanker navigated within a port limit, or from oil test wells, oil wells and oil pipelines or from collision or grounding of vessels;
- (b) shall not discharge, dispose or cause to fall dangerous materials, toxic materials, garbages, sludge and waste from the vessels, above and underwater natural resource exploration rigs and structures within a port limit;
- (c) shall not discharge, dispose or cause to fall other materials which cause obstacle to the navigation, from the vessels, into a port;
- (d) shall not dispose or drop the materials that may slide into the port because of tide, storm or flood on land.

81. Any person:

- (a) shall not land, scorch or fumigate any vessel at any port contrary to the directive of the port conservator or contrary to prohibition of the Myanmar Port Authority;
- (b) shall not, without permission of the Myanmar Port Authority, wield or heat pitch, tar, resin, dammar, turpentine, oil or other flammable materials on board a vessel or at the restricted area within a port;
- (c) shall not draw off fuels with unprotected light, on board a vessel within any port;
- (d) shall not dive or sweep for anchors, anchor chain or other materials without permission of the port conservator within a port limit;
- (e) shall not remove or shift rocks, stones, gravels, sand or materials protecting the bank from slide from the foreshore and shore area of any bank without permission of the port conservator;

- (f) shall not post or embed a buoy, moor, anchor or any other objects at a foreshore and shore area without permission;
- (g) shall not discharge or dump ballast of a vessel to adjust its balance not in conformity with the discipline.

82. Any officer or staff of the Myanmar Port Authority, for his personal interest:

- (a) shall not directly or indirectly, involve in any business relating to a port ;
- (b) shall not enter or involve in a contract of port business or shall not lend money to the Myanmar Port Authority with interest.

83. Any person shall not fail to comply with any order or directive issued by the Myanmar Port Authority, by the person assigned duty by the Myanmar Port Authority or by the port conservator.

Chapter XVII

Offences and Penalties

84. Whoever violates any prohibition contained in section 74 shall, on conviction, be punished with imprisonment for a term not exceeding three years or with a fine from a minimum of five hundred thousand Kyats to a maximum of fifty million Kyats, or with both.

85. Any master of the vessel who violates any prohibition contained in sections 75, 76 or 77 shall, on conviction, be punished with imprisonment for a term not exceeding one year or with a fine from a minimum of three hundred thousand Kyats to a maximum of three million Kyats, or with both.

86. Whoever violates any prohibition contained in section 78 shall, on conviction, be punished with imprisonment for a term not exceeding one year or with a fine from a minimum of one million Kyats to a maximum of ten million Kyats, or with both.

87. Whoever violates any prohibition contained in section 79 or section 81 shall, on conviction, be punished with imprisonment for a term not exceeding six months,

or with a fine which may extend from a minimum of fifty thousand Kyats to a maximum of five hundred thousand Kyats, or with both.

88. Whoever violates any prohibition contained in section 80 shall, on conviction, be punished with imprisonment for a term not exceeding two years, or with a fine which may extend from a minimum one million Kyats to a maximum of twenty million Kyats, or with both.

89. Any officer, or staff of the Myanmar Port Authority who violates any prohibition contained in section 82 shall, on conviction, be punished with imprisonment for a term not exceeding three years, or with a fine from a minimum of five hundred thousand Kyats to a maximum of fifty million Kyats, or with both.

90. Whoever violates any prohibition contained in the rules and orders issued under this Law or intentionally fails to comply with any stipulated duty shall, on conviction, be punished with imprisonment for a term not exceeding three months, or with a fine from a minimum of thirty thousand Kyats to a maximum of three hundred thousand Kyats, or with both.

91. Whoever attempts to or conspires with the commission of any offences contained in this Law or abets in the commission of an offence shall be punished with the punishment prescribed for such offence under this Law.

Chapter XVIII **Awarding Bonus**

92. The Myanmar Port Authority may award bonus to its staffs if they can perform according to the prescribed operational cost and income ratio, or better than that in implementing its project plan.

93. In awarding bonus after allocating bonuses for staff according to the prescribed percentage from the reward fund, additional bonus for performance may be awarded again to an individual person or a group based on the following basic principles:

- (a) enabling to produce or provide services more than the stipulated standard;
- (b) enabling to invent new systems for production and providing services;
- (c) enabling to perform innovative production which quality of product shall meet the standard;
- (d) enabling to utilize the raw materials systematically in accord with the stipulated standards;
- (e) lessening the waste and loss.

Chapter XIX

Miscellaneous

94. The staff-in-charge of the factory, workshop, department or terminal and division under the Myanmar Port Authority shall take responsibility for the success and failure of their work .

95. As the Myanmar Port Authority is an enterprise under the supervision of the Ministry of Transport of the Union Government, all its running capital and assets shall be presumed as the State-owned.

96. The Myanmar Port Authority shall determine, by notification, with the approval of the Ministry, the term of licence, licence fees, licence renewal fees and other service charges relating to the permission of any business under this Law,

97. The offences under this Law shall be presumed as cognizable offences.

98. If the cargo has been unloaded from a vessel and a receipt for the transfer has been obtained, the master or the owner of the vessel shall not be responsible for any loss or destruction to such cargo after unloading from the vessel.

99. The members of the Myanmar Port Authority, the port conservators and staff assigned duty under this Law shall be presumed as public servants under Section 21 of the Penal Code while they are serving the duty assigned under this Law.

100. The Myanmar Port Authority may apply to the Union Government through the relevant Ministry to obtain appropriate tax exemption and relief in accord with the existing laws.

101. The paragraph 149 of the first schedule of the Limitation Act shall be applicable to the civil suits instituted by the Myanmar Port Authority or on behalf of the Myanmar Port Authority.

102. The rules, notifications, orders, directives and procedures issued under the Yangon Port Act (Act No. IV of 1905) and the Out-ports Act (Act No. II of 1914) may be applied so far as they are not contrary to this Law.

103. In implementing the provisions contained in this Law:

- (a) the Ministry may issue rules, regulations and by-Laws with the approval of the Union Government;
- (b) the Ministry and the Myanmar Port Authority may issue necessary notifications, orders, directives and procedures;
- (c) the person assigned duty by the Myanmar Port Authority or the port conservator may issue the necessary orders and directives.

104. The Yangon Port Act (Act No. IV of 1905) and the Out-ports Act (Act No. II of 1914) are hereby repealed by this law.

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

(Sd.) Thein Sein

President

The Republic of the Union of Myanmar