

The Myanmar Fire Brigade Law
(The Pyidaungsu Hluttaw Law No. 11, 2015)

13th Waning of Taboung, 1376,M.E.

(17 March, 2015)

The Pyidaungsu Hluttaw hereby enacts this law:

Chapter 1

Title and Definition

1. This Law shall be called the Myanmar Fire Brigade Law.
2. The following expressions contained in this law shall have the meanings given hereunder:
 - (a) Fire Brigade means the Myanmar Fire Brigade formed with Fire Services Department personnel. In this expression, auxiliary fire brigade and reserve fire brigade are also included;
 - (b) Auxiliary Fire Brigade means the fire brigade comprising volunteers who meet the specified qualification trained and formed by the Department of Fire Services;
 - (c) Reserve Fire Brigade means the fire brigade formed by the owner or manager of a factory, workshop, bus terminal, airport, port, hotel, motel, lodgings, condominium, market, department, organization and business exposed to fire hazard the directive or permission of the Department of Fire Services;
 - (d) Fire safety means performing activities of awareness, prevention of fire hazard and extinguishing fire. In this expression, performance of other safety matters are also included;
 - (e) Fire safety equipment means fire alarm equipment, fire sensor equipment, emergency rescue equipment, fire-extinguisher, fire-engine, water pump, different kinds of vehicles, fire-break and different kinds of extinguishing suit, communication apparatus or any other articles that can be used in extinguishing fire. In this expression, rescue equipment's used by the Fire Brigade and equipment's stipulated from time to time by notification by the Department of Fire Services are also included;
 - (f) Fire hazardous material means inflammable materials, charcoal, coal, gas, liquefied gas, deteriorated or electricity conducted electrical instruments, spirit, liquor, acid, cotton and cotton-based materials, wood and wood-based materials, paper and paper-based materials, rubber and rubber-based materials, plastic and plastic-based materials, petrol and petroleum products chemicals and heat conditioners. In this expression, materials determined by notification as fire hazardous materials by the Department of Fire Services from time to time are also included;
 - (g) Business exposed to Fire Hazard means business in which fire, fuel, electricity or fire hazardous materials are used. In this expression, the site, building or vehicle adjoining the said business are also included;
 - (h) Explosive Material means chemical substances, explosive substances, gunpowder or material in which gunpowder is used. In this expressions, materials stipulated from time to time, by notification, as explosive material by the Department of Fire Services are also included;

- (i) Inspection on fire safety means the inspection of matters on fire safety by the Department of Fire Service or by the assignee of it;
- (j) Central Body means the Central Body on fire safety;
- (k) Ministry means the Ministry of Home Affairs of the Union Department;
- (l) Director General means the Director General of the Department of Fire Service;
- (m) Head of Department of Fire Service means the Head of Department of Fire Service of the Union Terrorist, Region or State, Self-administered Region or Self-administered Zone, District and Township;
- (n) Person-in-Charge of Fire Service means the highest ranking fire services personnel assigned duty in a region or in case of the terrorist where there is no fire service personnel, a member of auxiliary fire brigade who has the highest rank assigned duty by the Department of fire Service;
- (o) Fire Service Personnel means a civil service personnel appointed in the Department of Fire Service.

Chapter II Objectives

3. The objectives of this Law are as follows;
- (a) to prevent destruction of state owned property, private property, cultural heritage and the lives and property of the public by fire and other natural disaster;
 - (b) to organize the Fire Brigade systematically and to train members of fire brigade;
 - (c) to carry out extinguishing fire, prevention and search and rescue when fire, other natural disaster, epidemic disease or any kind of sudden disaster occurs;
 - (d) to educate, organize and invite extensively so as to achieve public cooperation when any disaster occurs;
 - (e) to participate and help, if necessary, for the state safety, peace of the public and the rule of law.

Chapter III

Formation of the Central Body on Fire Safety

4. The Union Government;
- (a) Shall form the Fire Safety Central Body with the following persons;

(i) The Union Minister for the Ministry of Home Affairs	Chairperson
(ii) The Deputy Minister for the Ministry of Home Affairs	Vice-chairperson
(iii) a member of Nay Pyi Taw Council	Member
(iv) Ministers for Security and Boarder Affairs from Region and State Government	Member
(v) Chair persons of City Development Committee	Member
(vi) Head of relevant civil service organization	Member\
(vii) Volunteers interested in fire safety	Member
(viii) Director General	Secretary
(ix) Deputy Director General of the Department of Fire Service	Joint-secretary

- (b) may, if necessary, reorganize the Central Body formed under sub-section
- (a).

Chapter IV

Duties and Powers of the Central Body

- 5. The duties and powers of the Central Body are as follows;
 - (a) laying down the work programmes for fire safety;
 - (b) laying down the plans to be aided by the Fire Brigade for prevention before strike of the natural disaster and for search and rescue when it occurs;
 - (c) supervising, guiding and coordinating the functions of different levels of the fire safety bodies;
 - (d) inspecting, supervising, guiding and coordinating the functions of the fire brigade;
 - (e) accepting cash donations goods and technical assistance from local and foreign wel-wishers, guiding and supervising in respect of the systematic use of such cash donations goods and technical assistance in prevention and rescue of fire hazard, other natural disaster, epidemic disease or sudden disaster.

Chapter V

Formation of Different Levels of Fire Safety Body

- 6. The Central Body shall form different levels of Fire Safety Body in accord with the stipulations as follows;
 - (a) the Union Terrorist, Region or State Safety Body;
 - (b) the Self - administered Region or Self – administered Zone Fire Safety Body;
 - (c) the District Fire Safety Body;
 - (d) the Fire Safety Body;
 - (e) the City Fire Safety Body;
 - (f) the Ward or Village-tract Fire Safety Body
- 7. The Central body shall stipulate the duties and powers of different levels of Fire Safety Body.

Chapter VI

Formation of Auxiliary Fire Brigade

- 8. The Department of Fire Service shall;
 - (a) form the Auxiliary Fire Brigade to enable to participate and assist voluntarily together with the fire service personnel in performing the activities of fire safety, in performing the activities of fire hazard, other disaster, epidemic disease or search and rescue of sudden disasters and educating inciting for inciting into and disseminating fire safety knowledge;
 - (b) if the Auxiliary Fire Brigade formed under sub-section (a) is desirous to reorganize or dissolve, be carried out with approval of the Department of Fire Service.
- 9. The Department of Fire Service shall;
 - (a) draft the constitution of the Auxiliary Fire Brigade;
 - (b) determine the duties and powers of different levels of members of Auxiliary Fire Brigade;

- (c) carry out to train members of the Auxiliary Fire Brigade and to acquire techniques;
 - (d) determine measures to accept, maintain and expend the assistance funds and crash of different levels of Auxiliary Fire Brigade.
10. Any person who attains the age of eighteen years has the right to join the Auxiliary Fire Brigade on his own volition in forming the Auxiliary Fire Brigade.
 11. The Department of Fire Service may, if necessary, coordinate with the relevant Government Departments and organizations in forming the Auxiliary Fire Brigade.
 12. The Nay Pyi Taw Council and Region or State Government shall, if necessary, fulfill the fundamental requirements and administrative matters of the Auxiliary Fire Brigade.

Chapter VII

Formation of the Reserve Fire Brigade

13. The Department of Fire Service shall;
 - (a) direct the relevant owner or manager to form the Reserve Fire Brigade at a factory, workshop, bus terminal, airport, port, hotel, motel, lodgings, condominium, market, department, organization and business exposed to fire hazard;
 - (b) if desirous to reorganize or dissolve the Reserve Fire Brigade formed under sub-section (a), be carried out with the approval of the Department of Fire Service.
14. The Reserve Fire Brigade shall;
 - (a) accept supervision and inspection of the head of the relevant Department of Fire Service;
 - (b) coordinate with the relevant fire service personnel and members of the Auxiliary Fire Brigade in performing the activities of fire safety and in the occurrence of fire hazard, other disaster, epidemic disease or sudden disasters;
 - (c) accept the direction of the Department of Fire Service for training and acquiring skills and technology of fire safety.

Chapter VIII

Activities for Fire Safety

15. The different levels of Fire Safety Body shall;
 - (a) perform the activities for fire safety in accord with the procedures laid down by the Central Body;
 - (b) organize and educate to obtain the cooperation of the public in the activities for fire safety;
 - (c) supervise as may be necessary for participation of all the relevant members of fire brigade in accord with the work programmes laid down by the Central Body when fire hazard, other natural disaster, epidemic disease or sudden disaster occurs;
 - (d) appoint fire safety warning groups in coordination with the relevant administrative organizations.
16. The person-in-charge of the Township Fire Service shall;
 - (a) issue, from time to time, the directives on fire safety to be abided by the residents in the city, ward or village- tract;
 - (b) inspect or cause to inspect in accord with the stipulations whether the residents in the city, ward or village – tract abide by the directives issued under sub-section (a) and

arrange to enable warning or taking actions, as may be necessary, against those do not abide by.

17. The relevant Government department or organization shall, for the purpose of fire safety, obtain the recommendation of the Inspection on fire safety of the Department of Fire Service before granting permission for the following matters:

- (a) constructing three-storied and above buildings , condominium, market and complex building;
- (b) operating hotel, motel and lodgings;
- (c) constructing factory , workshop, warehouse and storage tank;
- (d) operating business exposed to fire hazard or by using explosive substance;
- (e) import, production and sale of fire safety equipment;
- (f) operating transport business by using vehicles, train, aircraft, helicopter, ship, motor vessel, unmotored vessel.

18. The relevant Government department and organization shall obtain the opinion of the Department of Fire Service for the purpose fire safety in laying down the plans for the construction of town and village, for urban and rural development and for industrial zones and economic zones.

19. The person who is authorized to issue permit shall, in granting the exhibition, tournament, fair and religion festivals at public place or granting to operate business exposed to fire hazard, obtain the opinion of the head of the relevant Department of Fire Service.

Chapter IX

Duties and Powers in respect of Outbreak of Fire

20. When there is an outbreak of fire, the person-in-charge of Fire Brigade, any member of the relevant Fire Safety Body or any fire service personnel or any member of the Auxiliary Fire Brigade assigned duty by them may exercise the following powers related to extinguishing fire:

- (a) cutting off the electricity supply;
- (b) blocking and cutting off the petrol and gas pipes;
- (c) clearing the roads and streets for easy accessibility of fire extinguisher vehicle;
- (d) entering the residence, premises and building required for enabling to extinguish fire effectively;
- (e) demolishing the residence, premises and building to which fire is likely to spread to the extent required;
- (f) availing water from any place, well, pond and blocking other pipe lines for availability of more water;
- (g) using any vehicle available for extinguishing activities.

21. The Head of Township Department of Fire Service shall investigate as soon as possible the cause of outbreak of fire, estimated amount of loss and person responsible for the outbreak of fire and report step by step through channel.
22. The Ministry:
- (a) may, if necessary, form an Inquiry Commission and assign duty to investigate the outbreak of fire;
 - (b) shall, when forming the Inquiry Commission under sub-section (a), the investigation made under section 21 shall be suspended and handed over until investigation is concluded to the Inquiry Commission.

Chapter X

Duties and Powers of the Director General

23. The duties and powers of the Director General are as follows:

- (a) giving advice on the plan for construction of town and village, for urban and rural development and for industrial zone and economic zones in respect of fire safety;
- (b) determining the duties and powers of the fire service personnel and different levels of members of the Auxiliary Fire Brigade;
- (c) supervising and guiding the fire brigades;
- (d) opening the trainings for fire safety and the trainings for search and rescue;
- (e) arranging to attend local and foreign trainings for members of the fire brigade;
- (f) recommending to whom it concerns for members of the fire brigade, civil service personnel and the dutiful public who endeavor in extinguishing fire and prevention, search and rescue of natural disaster, epidemic disease or other sudden disaster to enable to give rewards or to confer titles and awards;
- (g) carrying out to get indemnity or compensation in accord with the stipulations if any member of the fire brigade dies or is injured while he is serving duty in extinguishing fire and prevention, search and rescue of natural disaster, epidemic disease or other sudden disaster;
- (h) conducting education activities for the public to understand the fire hazard and other disaster;
- (i) doing research in respect of fire safety, prevention and search and rescue of natural disaster;
- (j) organizing to increase the numbers of the Auxiliary Fire Brigade;
- (k) communicating and cooperating with international fire service organizations and other organizations with the approval of the Ministry;
- (l) managing to enable the systemic use of donation and technical assistance from domestic and foreign well-wishers in prevention and search and rescue of fire hazard, other natural disaster, epidemic disease or sudden disaster;
- (m) performing duties and powers assigned by the Central Body and the Ministry;

Chapter XI

Prohibitions

24. No person shall fail to abide by the directives of fire safety issued under section 16 by the head of the relevant Township Department of Fire Services.
25. The owner or manager of the factory, workshop, bus terminal, airport, port, hotel, motel, lodgings, condominium, market, department, organization or business exposed to fire hazard shall, in accord with the directive of the Department of Fire Brigade:
 - (a) not fail to form the Reserve Fire Brigade;
 - (b) not fail to provide fire safety equipment.
26. No person shall, knowing that there is no outbreak of fire, report fraudulently the outbreak of fire to the Fire Brigade.
27. No person shall, without cause, obstruct, block, disturb, or attack the members of the fire brigade and vehicles which departed to extinguish the fire and direct by any means to the place which is not related to the outbreak of fire.
28. No person shall obstruct, disturb or assault the members of the fire brigade who are performing the activities of the extinguishing fire.
29. No person shall obstructs or disturb the act of relevant head of the fire brigade , any member of the relevant the fire brigade, any member of fire brigade assigned duty by them in the exercise of any power contained under section 20 when the outbreak of fire occurs.
30. No person shall remove, clear or transfer the evidence from the specified area of the place razed by fire for the place of starting fire on and cause of fire are inspected confirmed by whom it concerns.
31. No person shall form, reorganize or dissolve the Auxiliary Fire Brigade without the direction or permission of the Department of Fire Service.
32. No person shall form or dissolve the Reserve Fire Brigade without the direction or permission of the Department of Fire Brigade.
33. No member of the fire brigade who is performing duty at the scene of fire shall accept the bribe or, other money with or without the consent of the owner.

Chapter XII

Penalties

34. Whoever violates the prohibitions contained in sections 24, 30 and 31 shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine or with both.
35. Any owner or manager of the factory, workshop, bus terminal, airport, port, hotel, motel, lodgings, condominium, market, department, organization or business exposed to fire hazard violates the prohibition contained in section 25 shall, on conviction be punished with imprisonment for a term which may extend to three years or with fine or with both.
36. Whoever violates the prohibitions contained in sections 26 and 32 shall, on conviction, be punished with imprisonment for a term which may extend to three years or with fine or with both.

37. Whoever violates the prohibitions contained in sections 27, 28 and 29 shall, on conviction, be punished with imprisonment for a term which may extend to five years or with fine or with both.
38. Any member of the fire brigade violates the prohibitions contained in section 33 shall, on conviction, be punished with imprisonment for a term which may extend to seven years and may also be liable to a fine.
39. Whoever abets or conspires any prohibition contained in this Law shall, on conviction, be punished with the punishment contained in the related offence.

Chapter XIII

Miscellaneous

40. The service fees for conducting necessary activities for inspection for the purpose of fire safety shall, in accord with the stipulations, be paid by the relevant owner or manager to the Department of Fire Services. The Ministry shall stipulate the service fees with the approval of the Union Government.
41. No prosecution or suit shall lie against any person for the loss due to extinguishing fire in good faith in an outbreak of fire or the accident of fire engines although drive systemically to extinguish fire.
42. While discharging functions and duties in accord with this Law or with rules, order, directives and procedures issued under this Law, members of the Auxiliary Fire Brigade and the Reserve Fire Brigade shall be deemed to be public servants under section 21 of the Penal Code.
43. The offences contained in this Law are determined as cognizable offences.
44. The Fire Brigade, Auxiliary Fire Brigade and the Reserve Fire Brigade formed under the Fire Service Law (the Revolutionary Council Law No. 12/1963) shall be deemed as Fire Brigades formed under this Law.
45. The rules, bye-laws, notifications, orders, directives and procedures issued under the Fire Services Law (the Revolutionary Council Law No. 12/1963) and the Fire Services Law (the Revolutionary Council Law No. 1/1997) may, in so far as they are not inconsistent with the provision of this Law, continue to be applicable.
46. In order to implement the provisions of this Law:
- (a) the ministry may issue rules and bye laws with the approval of the Union Government;
 - (b) the Central Body, the Ministry and the Department of Fire Brigade may issue notification, order, directives and procedures.
47. The Fire Service Law (the State Law and Order Restoration Council Law No.1/1997) is hereby replaced by this Law.
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I hereby sign under the Constitution of the Republic of the Union of Myanmar.

Sd/

Thein Sein

President

Republic of the Union of Myanmar