

# THE CITY OF MANDALAY DEVELOPMENT LAW (1992)

[Repealed by the City of Mandalay Development Law (2002)]

The State Law and Order Restoration Council Law No. 10/92  
The 6th Waxing Day of Pyatho, 1354 M.E

29 December 1992

The State Law and Order Restoration Council hereby enacts the following Law:

## CHAPTER I TITLE AND DEFINITION

1. This Law shall be called the City of Mandalay Development Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:
  - (a) Committee means the City of Mandalay Development Committee formed under this Law;
  - (b) Head of Office means the Head of the personnel of the City of Mandalay Development Committee Office.

## CHAPTER II FORMATION

3. In order to carry out the development works of the City of Mandalay effectively, the Prime Minister:-
  - (a) shall form the Committee comprising a minimum of 5 members and a maximum of 7 members;
  - (b) in forming the Committee shall do so with suitable citizens;
  - (c) shall at the same time determine the Chairman and Secretary of the Committee.
4. The Chairman of the Committee is the Mayor of Mandalay.
5. The Head of Office is the Joint Secretary of the Committee.
6. The Committee shall operate under its own name and a common seal, and shall have perpetual succession with power to sue and be sued in its corporate name.

CHAPTER III  
BEING RESPONSIBLE

7. The Committee shall be directly responsible to the Prime Minister.

8. In carrying out city development works, the Committee shall carry out works in which policy matters are involved only after obtaining the approval of the Prime Minister.

CHAPTER IV  
FUNCTIONS AND DUTIES OF THE COMMITTEE

9. The Committee shall, in respect of the following functions and duties, lay down the policy, give guidance, supervise or implement:

- (a) preparation of civil projects and establishment of new towns within the limits of the City of Mandalay Municipality;
- (b) construction, repairing and demolition of buildings;
- (c) demolition and re-settlement of squatter houses, squatter buildings and squatter wards;
- (d) construction of roads and bridges and maintenance thereof;
- (e) stipulation of conditions for traffic and parking of vehicles and slow-moving vehicles
- (f) construction of gardens, parks, playgrounds and recreation centres and maintenance thereof;
- (g) carrying out works for lighting of roads
- (h) carrying out works for water supply;
- (i) carrying out works for sanitation;
- (j) carrying out works for public health;
- (k) construction, maintenance and administration of markets;
- (l) stipulation of conditions in respect of roadside stalls;
- (j) carrying out precautionary measures against fire hazards
- (m) carrying out other city development works in the interest of the public.

10. The Committee shall, in addition to the functions and duties contained in section 9 also carry out other functions and duties prescribed by the existing city development law, rules and bye-laws.

11. The Committee may, in carrying out its functions and duties co-ordinate with the relevant departments and obtain the assistance thereof, if necessary.

## CHAPTER V POWERS OF THE COMMITTEE

12. The powers of the Committee are as follows:

(a) having the power to carry out city development works with funds owned by the Committee, in accordance with the existing law, rules and bye-laws;

(b) determining, revising, assessing and collecting duties and taxes relating to city development works and the rates thereof, in accordance with the existing laws;

(c) having the power to utilize foreign currency derived from the lease of buildings or lease of lands or by other means, for city development works;

(d) having the power to carry out works contributing to city development by communicating with local and foreign organizations or local and foreign individuals;

(e) having the power to obtain loans and grants from the Government or from foreign organizations, on its own responsibility;

(f) having the power to carry out works by forming bodies work-wise;

(g) arranging improved modern methods and systems in order to carry out city development works more effectively;

(h) exercising powers conferred under the existing city development law, rules and bye-laws;

(i) exercising powers conferred from time to time by the Prime Minister.

## CHAPTER VI FINANCE

13. The Committee shall subsist on its own funds. In addition, it shall undertake responsibility for all its financial matters.

14. The Committee shall open a separate bank account for its funds and shall have the power to utilize such funds for city development works. Funds not immediately required for use may be invested in a suitable manner.

15. The Committee shall open a separate bank account for foreign currency accrued to it and shall have the power to utilize such foreign currency for city development works.

16. The Committee shall:

(a) after scrutinizing the annual budget estimate prepared and submitted by the Head of Office submit the same to the Prime Minister and obtain confirmation;

(b) submit and report the progress of the annual finance and auditing work to the Prime Minister within 90 days of the end of the financial year.

## CHAPTER VII ORGANIZATIONAL SET-UP

17. The Committee shall prepare and maintain the necessary organizational set-up based on the functions and duties, with the confirmation of the Prime Minister.

18. The Committee may, in preparing the organizational set-up under section 17 also include in the set-up the following personnel contributing to the city development works, after consultation with the relevant departments:

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

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

(c) personnel carrying out the function of security and maintenance of discipline.

19 The Committee, in appointing personnel:-

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

(b) may appoint by transfer, personnel who would be able to carry out effectively city development works, in consultation with the relevant departments.

20. In appointing personnel, the Committee shall not utilize in excess of 30 percent of the annual income accrued.

21. In order that the Head of Office may supervise and control the personnel the Committee shall delegate as may be necessary powers relating to service affairs to the Head of Office.

CHAPTER VIII  
MAINTENANCE OF FUND AND AUDITING OF ACCOUNTS

22. In order that the Head of Office may maintain the accounts systematically and to enable auditing thereof, the Committee shall prescribe accounts procedures in consultation with the Auditor General. Accounts shall be maintained in accordance with the accounts procedures so prescribed.

23. The Committee shall cause the accounts maintained by the Head of Office to be audited by a person assigned responsibility by the Auditor General.

CHAPTER IX  
MISCELLANEOUS

24. Funds owned by the City of Mandalay Municipality, moveable and immoveable property, works in the process of execution, works which have been completed, assets and liabilities shall devolve respectively on the Committee.

25. The Committee shall apply the existing city development law, rules, bye-laws and orders in so far as they are not contrary to the objective and concepts of this Law.

26. For the purpose of carrying out the provisions of this Law, the Committee may:

(a) issue such rules and procedures as may be necessary, with the approval of the Prime Minister;

(b) issue such bye-laws, orders and directives as may be necessary.

Sd./  
Than Shwe  
General  
Chairman  
The State Law and Order Restoration Council