

The Republic of the Union of Myanmar  
Ministry of Environmental Conservation and Forestry

ENVIRONMENTAL CONSERVATION RULES

Date: June, 2014

The Republic of the Union of Myanmar  
Ministry of Environmental Conservation and Forestry

Notification No. 50 / 2014

The 8<sup>th</sup> Waxing Day of Nayon 1374 M.E.

( 5<sup>th</sup> June, 2014)

The Ministry of Environmental Conservation and Forestry, in exercise of power conferred under sub-section (a) of section 42 of the Environmental Conservation Law, hereby issues the following rules with the approval of the Union Government.

**Chapter (I)**

**Title and Definition**

1. These rules shall be called the **Environmental Conservation Rules**.
2. The expression contained in these rules shall have the same meanings as contained in the Environmental Conservation Law. Moreover, the following expressions shall have the meaning as follows:
  - (a) **Law** means the Environmental Conservation Law;
  - (b) **School** means any university, college, school opened by any Government department, Government organization or private and private organization which got recognition of the opening by the Government;
  - (c) **Environmental management** means the management of human activities, which affect all living and non-living things and influence living things around the world and their relations;
  - (d) **Environmental Impact Assessment** means the process of systematic study which is required as part of the decision making process on the proposed project, business, service or activity whether there are potentials or impact processes that may cause an impact on physical environment, human and living things, social and socio-economic because of the project;
  - (e) **Meaning of Third Party** means an individual or an organization who does not develop or approve a project, business, service or activity;
  - (f) **Initial Environmental Examination** means the evaluation whether the impact of a project, business, service or activity is evident, the environmental Impact Assessment is required to carry out and other specified documents and certificates are necessary to prepare;
  - (g) **Environmental Management Plan** means the method and the plan to be adopted to protect, avoid and mitigate environmental impacts due to each project phase like planning, implementation, operation, decommissioning and after decommissioning of a project, business, service or activity or any other reasons because of the project. Such plan includes monitoring plan to monitor the change of environmental condition and environmental conservation activities and precautionary measures in response of environmental emergency;

- (h) **Form** means the form contained in these rules;
- (i) **Environmental Conservation Officer** means the staff officer and above level officers from Environmental Conservation Department.

## **Chapter (II)**

### **Adopting Policy Relating to Environmental Conservation**

- 3. The Committee shall prepare the necessary policies relating to environmental conservation for each relevant sector in coordination with suitable organization or an individual from the Government department, Government organization and private sector concerned and submit them to the Union Government. Environmental conservation policies approved by the Government shall be disclosed to the public with suitable means.
- 4. The Committee shall, if it considers that policies relating to environmental conservation should be modified according to the guidance of the Union Government or the submission of an advice by the Ministry or the advice of the relevant Government department, Government organization, private sector and the public, modify it with the approval of the Union Government.
- 5. The Ministry shall, when it considers that it is necessary to adopt or modify the policies relating to environmental conservation, submit its finding of such adoption or modification of policies and advice to the Committee.
- 6. The Ministry shall implement the Myanmar National Environmental Policy and other environmental policies for conservation issued by the Committee according to the section 3 with the approval of the Union Government.

## **Chapter (III)**

### **Environmental Conservation**

- 7. The Committee shall implement the following environmental conservation educational trainings, environmental conservation development activities in coordination and cooperation with the relevant Government departments, Government organizations, social organizations and private organizations:
  - (a) Arranging and holding talks relating to environmental conservation in schools;
  - (b) Dissemination of knowledge of environmental conservation through media such as newspaper, journal, magazine, periodical, radio, television, internet, etc...;
  - (c) Drawing schedules for talks and discussions relating to environmental conservation in urban and rural areas in co-ordination with the relevant administrative organizations, school administrators, organizations relating to environmental conservation;
  - (d) Carrying out the development of environmental conservation studies and research works;
  - (e) Carrying out other educational activities relating to environmental conservation.
- 8. The Committee may carry out the following activities relating to environmental conservation in coordination and cooperation with Government departments, Government organizations and other organizations relating to environmental conservation:

- (a) Growing tree, inserting fish species and supporting environmental conservation activities;
  - (b) Exhibiting environmental conservation shows and exhibitions, conducting competitions, plays, concerts and entertainments relating to environmental conservation;
  - (c) Carrying out coordinated cleaning activities;
  - (d) Holding memorial days relating to environmental conservation;
  - (e) Carrying out other activities relating to environmental conservation;
  - (f) Protecting endangered species and reintegration and regeneration them in their habitats.
9. The Committee:
- (a) May suggest and encourage, if necessary, the relevant departments to insert and amend the school lessons on environmental conservation;
  - (b) Shall scrutinize, from time to time, the progress of implementation developed by the advice of the relevant Government department and Government organization.
10. The Committee may, if any of the following situations arises, send necessary advice or encouragement to the relevant Government department and Government organization:
- (a) Guidance of the Union Government relating to environmental conservation;
  - (b) Asking advice from the relevant Government departments and Government organizations;
  - (c) Finding out by means of investigation of environmental conservation;
  - (d) Considering by itself, according to any report or by his own motion, that it is necessary for conservation of environment.
11. The Committee may assign the Ministry to scrutinize whether the relevant Government department and Government organization follows the advice or encouragement given in section 10.
12. The Committee, for the conservation and enhancement of environment:
- (a) May ask necessary proposals, advices, remarks from the relevant Government departments, Government organizations, international institutions, local and oversea non-governmental organizations, social organization, experts and the public for a particular case or general;
  - (b) May guide to the Department to hold workshops, conferences if it is necessary;
  - (c) May accept and obtain local or foreign technical assistances;
  - (d) May ask the Ministry to prepare and maintain a record, apply and manage the technical assistances obtained in sub-section (c);
  - (e) May ask the relevant Government department to obtain local or foreign technical assistances and providing necessary assistances for enabling to do so;
  - (f) Shall coordinate with the relevant Government department and Government organization, which receives technology, to inform to the Committee about the technology received and the progress at the time of completion or annually.
13. The Committee, relating to occurrence of the situation which damages to the environment or which are likely to damage the environment:

- (a) May inform to the Government department and Government organization concerned if it is found that it is occurred because of the Government department, Government organization owned project, factory, workshop, work centre, service or place; to the relevant owner and the Government department and Government organization which issued permission, licence, permit and an order to develop such project if it is found that it is occurred because of the private-owned or public company owned factory, workshop, work centre, service or place, to handle as necessary within the stipulated period not to cause environmental damage;
  - (b) Shall inform to the relevant Government department and Government organization to take action of terminating business, if it does not comply with the notice under sub-section (a) within the stipulated time;
  - (c) Shall ask the policy from the Union Government to carry on if it is necessary.
14. The Ministry shall implement the environmental management work programs for the whole country or for a region in respect of environmental management with the approval of the Union Government.
15. The Ministry shall cooperate and coordinate so that the relevant Government departments, Government organizations, Nay Pyi Taw Council, Region or State Government, Self-administered Division or Self-administered Region, District General Administrator of the General Administration Department or Township General Administrator of the General Administration Department, Ward or Village-tract Administrator, Private organization and the Public can implement the work programmes for environmental management described in section 14 in accordance with stipulations.
16. The Ministry:
  - (a) Shall adopt the necessary programs, with the approval of the Committee, for the conservation and enhancement of environment, protection, control and reduction of pollution in the environment, and reconservation;
  - (b) May assign duty to the relevant department and the organization under its Ministry or other relevant Government department and Government organization with the guidance of the Committee to implement the programs contained in sub-section (a);
  - (c) May form an inspection team in the department or organization under the Ministry or in any other relevant Government department and Government organization with the guidance of the Committee to monitor and inspect the implementation of programs contained in sub-section (a);
  - (d) May give an advice about environmental conservation if the relevant Government department, Government organization, private organization and an individual asks for an advice about the conservation and enhancement of environment, protection, control and reduction of pollution in the environment, or if it considers that it is necessary.
17. The organization which has a responsibility to monitor, inspect and supervise the implementation of the programs contained in sub-section (c) of rule 16 shall submit their work performance report to the Ministry.

## 18. The Ministry:

- (a) May assign duty to the Department to prepare and submit proposals about potential methods and conditions for economic incentives which do not affect or has minimum impact on the environment for continuous growth in addition to legal affairs and guidelines relating to environment;
- (b) Shall scrutinize proposals submitted by the Department and submit them to the Committee with its remark.

## 19. The Ministry:

- (a) May assign duty to the Department to support in handling issues smoothly if an environmental dispute arises between the Government department and Government organization; between Government department and private organization or public; between an individual and private organization; between an individual, private organizations and the public;
- (b) May form a conciliation body, if it is necessary, comprising representatives from the relevant Government department, Government organization, representatives of both parties, and suitable citizens, to conciliate and handle the dispute. Moreover, it may determine the functions and duties of such body;
- (c) May reform the conciliation body if the formation of the conciliation body is objected with reason by one parties of the dispute or both parties;
- (d) Shall submit and ask the guidance of the Union Government for the disputes which cannot be handled by the conciliation body.

## 20. The Ministry shall, according to the power contained in sub-section (h) of section 7 of the Law, determine the categories of hazardous substances which may significantly affect the environment at the present situation or in short term or in long term to prohibit import, export, production, storing, transporting and trading in accordance with the international conventions and international agreements relating to environmental conservation accepted by Myanmar.

## 21. The Ministry may assign duty to the Department to implement policy, order, work programs and guidelines relating to management, conservation and enhancement of environment for the matters of protection of the ozone layer, conservation of biological diversity, conservation of coastal environment, mitigation and adaptation of global warming and climate change, combating desertification and management of non-depleting substances and other environmental matters.

## 22. The Ministry shall, when the Union Government assigns other functions and duties relating to environmental conservation, implement them itself or, if it is necessary, in coordination and cooperation with the relevant Government departments, Government organizations and individuals.

## 23. The Department:

- (a) shall negotiate and draw the short term, medium term and long term projects for environmental management relating to the whole country or relevant local area and carry out implementation, supervision and scrutinization of implementation with the approval of the Ministry;

- (b) Shall implement the plans for environmental conservation and enhancement, protection of pollution in environment, control and reduction of pollution in environment in accordance with the guidance of the Ministry;
  - (c) Shall monitor the implementation of projects and plans contained in sub-sections (a) and (b), if it is necessary in cooperation and coordination with other Government departments, Government organizations and non-governmental organizations, and submit the work performance report to the Ministry.
24. The Department shall prepare and submit proposals about potential methods and conditions for economic incentives which do not affect or has minimum impact on the environment to the Ministry for continuous growth in addition to legal affairs and guidelines relating to environment;
25. The Department shall prepare necessary information for the Ministry to prescribe the categories of hazardous substances which may affect significantly at the present situation or in short term or in long term on the environment to prohibit import, export, production, storing, transporting or trading in accordance with the international conventions and international agreements relating to environmental conservation accepted by Myanmar and submit them to the Ministry.
26. The Department shall also carry out the following functions and duties for conservation of environment:
- (a) Collection and compiling of data for the conservation and enhancement of the environment, doing research and conducting training programs;
  - (b) Making plans to be carried out according to mitigation of climate change and adaptation policy;
  - (c) Implementing the dissemination of environmental information and enhancement of environmental awareness;
  - (d) Managing and carrying out environmental conservation awareness education and broadcasting works for enabling to teach environmental subjects in schools and public participation in environmental conservation activities;
  - (e) Scrutinizing and submitting so as to enable to issue necessary permissions relating to business, factory and workshop which has an impact on environmental quality and would be implemented by the Government departments, Government organizations, private individuals and private organizations;
  - (f) Scrutinizing and giving remark in response to the request of the relevant departments, organizations relating to import, export and transportation of hazardous substances, which can damage the environment and are restricted or prohibited by international agreements and local existing laws;
  - (g) Determining and declaring guidance relating to the Environmental Impact Assessment procedure;
  - (h) Preparing Environmental Impact Assessment system and submitting to the Ministry;
  - (i) Preparing and submitting an environmental situation report for the whole country;
  - (j) Declaring the environmental situation to the whole country, to each region or for a particular case to the public in accord with the guidance of the Ministry.

## **Chapter (IV)**

### **International, Regional and Bi-lateral Cooperation Relating to Environmental Conservation**

27. The Committee may, if it considers that it is necessary to conclude international, regional and bilateral agreements, instruments relating to matters of environmental conservation, assign the Ministry to proceed as appropriate after obtaining an approval from the Union Government.
28. The Committee, in order to carry out conservation and enhancement of the environment according to international convention, regional and bilateral agreements relating to environmental conservation which shall be implemented by Myanmar:
  - (a) May discuss with the relevant Government departments and Government organizations;
  - (b) May arrange for cooperation and participation of the Ministry and relevant Government departments and Government organizations for implementation.

## **Chapter ( V)**

### **Environmental Management Fund**

29. The Committee, for conservation of environment:
  - (a) May accept the donation, aid and others in cash or by account transfer or any other means;
  - (b) Shall deposit donation, aid and others contained in sub-section (a) to the environmental management fund;
  - (c) Shall expend the environmental management fund only for environmental conservation matters except that the Committee decides to use in other case;
  - (d) Shall instruct the Ministry to maintain the receipts under sub-section (a) with statistics, to use, inspect and manage them.
30. The Ministry:
  - (a) May determine necessary facts including conditions and the amount of compensation paid by the polluter, who make a damage to the environment, with the approval of the Committee;
  - (b) May determine, with the approval of the Committee, necessary facts including the amount of money which shall be contributed by organizations which obtain benefit from the natural environmental service system and businesses which explore, trade and use the natural resources from a part of the benefit for the fund to be used in environmental conservation works.
31. The Ministry shall establish the environmental management fund with the following receipts to implement environmental conservation activities effectively :
  - (a) Receipts from the Union Consolidated fund;
  - (b) Receipts from the Ministry by carrying out its duties relating to environmental conservation;
  - (c) Loan, donation, grant and other lawful receipts from the Committee and the Ministry from local and overseas;

- (d) Compensation by the polluter under sub-section (o) of section 7 of the Law and section 30 of the Rules, and contribution of organizations which obtain benefit from natural environmental service system and contribution of businesses, which explore, trade and use the natural resources from a part of the benefit the for the fund for environmental conservation works.
- 32. The Ministry may assign duty to the Department to carry out depositing, managing, withdrawing to use, transferring and keeping financial records of the environmental management fund according to section 31, in accord with the guidance of the Committee.
- 33. The Department, regarding the environmental management fund in accord with the guidance of the Ministry,
  - (a) Shall set up a withdrawal account at any State-owned bank;
  - (b) Shall set up an account for each category of material, donation and grant and make a record;
  - (c) Shall manage in accordance with the financial regulation;
  - (d) Can withdraw, use and transfer the fund for expenses
- 34. The Department shall carry out depositing money to and withdrawing money from the environmental management fund , keeping financial records and reporting to the Ministry monthly.
- 35. The Ministry may contribute and expend the environmental management fund for the expenditure for special matters relating to management, conservation and enhancement of environment for the matters of protection of the ozone layer, conservation of biological diversity, conservation of coastal area, mitigation and adaptation of global warming and climate change, combating desertification, pollution control, management of non-depleting substances, doing research and development for environmental conservation and other environmental matters.

## **Chapter (VI)**

### **Environmental Emergency**

- 36. The Committee:
  - (a) Shall, if it knows and believes by itself or if it receives reliable information from the Ministry or any other Government department or Government organization or by any other means that any situation of environmental emergency arises or likely to arise in the entire country or in Nay Pyi Taw or in any Region or State or in any area, inform immediately to the Union Government to enable to declare occurrence of an environmental emergency;
  - (b) If it is considered that an emergency situation is over, it shall inform to the Union Government to enable to declare the termination of the environmental emergency.
- 37. The Ministry:
  - (a) Shall prepare the emergency response plans for the environmental emergency in advance in coordination with the relevant Government departments and Government organizations;

- (b) Shall carry out, as may be necessary, in coordination and cooperation with the relevant Government departments, Government organizations, Non-governmental organizations and Experts, in accord with the guidance of the Union Government, to enable to prevent damage to the environment which is caused or likely to cause by environmental emergency.

## **Chapter (VII)**

### **Environmental Quality Standards**

#### **38. The Ministry:**

- (a) May stipulate, with the approval of the Union Government and the Committee, the environmental quality standards contained in sub-section (d) of section 7 and section 10 of the Law for the whole country, for any area or urban or rural, area, any river, any stream, any lake, or a part of them for environmental conservation and enhancement by notification;
- (b) May coordinate and cooperate as necessary with the relevant Government department, Government organization, other Government departments, other Government organizations which are responsible to stipulate environmental quality standards, Nay Pyi Taw Council, Region or State Governments, City Development Committees, District Development Committees and Non-governmental organizations in stipulating the environmental quality standards under sub-section (a);
- (c) May modify such stipulation under sub-section (a), as may be necessary, for the interests of the public according to the time and area;
- (d) May carry out, as may be necessary, activities to encourage the public as well as the relevant Government departments and Government organizations to comply with the environmental quality standards stipulated under sub-section (a).

#### **39. The Department:**

- (a) Shall prepare the environmental quality standards for the Ministry in accordance with section 38 (a), in co-ordination with the relevant Government departments, Government organizations, other Government departments and organizations which are responsible to stipulate environmental quality standards, the Nay Pyi Taw Council, Regional or State Governments, City Development Committees, Regional Development Committees, Non-governmental organizations and Experts, as may be necessary, and submit them to the Ministry;
- (b) May conduct necessary special inspections and investigations at necessary time and place to enable to stipulate environmental quality standards.

## **Chapter (VIII)**

### **Management of Urban Environment**

40.

- (a) The Ministry may give necessary advice about environmental conservation if the relevant Government departments and Government organizations, private organizations and individuals ask an advice about urban environmental management contained in section 17 of the Law in accord with the guidance of the Committee, or if it considers necessary;
- (b) The Department shall submit an advice about urban environmental management with its comments to the Ministry if it is necessary.

## **Chapter (IX)**

### **Waste Management**

- 41. The Ministry shall specify categories and classes of hazardous wastes generated from the production and use of chemicals or other hazardous substances in carrying out industry, agriculture, mineral production, livestock and fisheries, waste disposal and other activities in coordination with the relevant Government department and Government organization.
- 42. The Ministry, to enable to promote the establishment of necessary facilities or centers for the treatment of solid waste, liquid waste and gas emissions which contain poisonous and hazardous substances, shall cooperate with the relevant Government departments, Government organizations and experts:
  - (a) May cause certain categories of business which release solid waste, liquid waste and gas emission containing prescribed amount of poisonous and hazardous substances to carry out treatment by establishing its own waste treatment factory or waste treatment station, or combined waste treatment factory or waste treatment station;
  - (b) May determine the period for the businesses, which were established before the issue of these rules and are responsible to establish its own waste treatment factory or waste treatment station, or combined waste treatment factory or waste treatment station, to establish factories and stations for waste treatment;
  - (c) May assign duty to the Department to inspect and report whether the businesses concerned comply with waste treatment under sub-section (a).

## 43. The Ministry:

- (a) May prescribe the terms and conditions relating to effluent treatment in industrial estate, special economic zones and other necessary places and buildings, and emissions of machines, vehicles and mechanisms;
- (b) May prescribe supervision methods relating to confiscation, storing, keeping safety measures, transportation, import, export, managing such material with advanced technology, treatment and disposal of hazardous waste;
- (c) May adopt necessary measures for improvement of destruction, storage, placement and transportation of solid waste in coordination with the relevant Government departments and Government organizations;
- (d) May adopt cleaner production methods and recycling method of natural resources and wastes in industries and businesses.

## 44. The Department shall specify the categories and classes of hazardous wastes generated from the production and use of chemicals or other hazardous substances in carrying out industry, agriculture, mineral production, livestock and fishery, waste disposal and other works, in coordination with the relevant Government departments and Government organizations, if necessary relevant non-governmental organizations according to the guidance of the Ministry and submit them to the Ministry.

## 45. The Department shall inspect whether the businesses which are responsible to establish a waste treatment factory or center under section 42 comply with terms and conditions of waste treatment according to the guidance of the Ministry and submit a report to the Ministry.

## 46. The Department:

- (a) Shall prepare the terms and conditions relating to effluent treatment in industrial estates, special economic zones, other necessary places and buildings, and emissions of machines, vehicles and mechanisms and submit them to the Ministry;
- (b) Shall prepare methods for supervision of confiscation, storage, keeping safety measures, transportation, import, export, managing that material with advanced technology, treatment and disposal of hazardous waste and submit them to the Ministry;
- (c) Shall cause to implement and supervise the measures adopted by the Ministry for the improvement of destruction, storage, placement and transportation of solid waste;
- (d) Shall submit a report to the Ministry after inspecting industries and businesses whether cleaner production methods and recycling method of natural resources and wastes stipulated by the Ministry are adopted.

## **Chapter (X)**

### **Conservation of Natural Resources and Cultural Heritages**

47. The department:
- (a) Shall scrutinize the situation of performance relating to conservation, management, beneficial use and sustainable use of natural resources and enhancement of regional cooperation implemented by the relevant Government departments and Government organizations in accord with the guidance of the Union Government and the Committee according to section 18 of the Law and report the progress to the Ministry;
  - (b) Shall coordinate with relevant Government departments and Government organizations not to deplete the habitats of natural plants and living things when implementing facts contained in sub-section (a).
48. The Ministry may cooperate with the relevant Government departments and Government organizations or assign duty to cooperate them when carrying out environmental conservation activities for perpetuation of cultural heritage areas, natural heritage areas, cultural monuments, buildings and natural areas according to one of the existing Laws.
49. The Ministry may assign duty to the Department to cooperate with the relevant Government departments and Government organizations when making proper land use for perpetuation of natural resources and cultural heritages contained in section 18 of the Law.
50. The Ministry may communicate and coordinate with the international organizations, as may be necessary, to enable to obtain necessary technology, skill assistance for perpetuation of natural resources and cultural heritages.

## **Chapter (XI)**

### **Environmental Impact Assessment**

51. The Ministry may assign duty to the Department for enabling to adopt and implement the environment impact assessment system.
52. The Ministry shall determine the categories of project, business, service or activity which shall conduct environmental impact assessment.
53. The Ministry may cause the categories of proposed project, business, service or activity which are not included in the categories stipulated under section 52 to conduct an initial environmental examination so as to enable to scrutinize whether or not environmental impact assessment study is necessary to conduct for such projects.
54. Government department, organization or an individual who would develop the categories of project, business, service or activity stipulated under section 52:
- (a) Shall conduct an environment impact assessment for his project, business, service or activity;
  - (b) Shall submit that the environment impact assessment is intended to conduct by which third party or an organization to the Ministry in advance;
  - (c) Shall submit the environmental impact assessment report to the Ministry.

55. Government department, organization or an individual which has been established before the enactment of these rules and is responsible to conduct the environmental impact assessment or initial environmental examination for the project, business, service or activity:
- (a) Shall prepare the environmental management plan according to environmental impact assessment procedure and submit it to the Ministry;
  - (b) Shall implement an environmental management plan with stipulated terms and conditions approved by the Ministry within the time stipulated by the Ministry.
56. Government department, organization or an individual who develops the project, business, service or activity shall manage to conduct environmental impact assessment by a third party or an organization with suitable qualifications accepted by the Ministry.
57. The Ministry shall, upon submission that the environmental impact assessment is intended to conduct by which third party or organization under section 54 (b) to the Ministry in advance, determine and decide after making scrutiny whether or not it is a suitable third party or an organization to conduct the environmental impact assessment. The decision of the Ministry relating to such matter is final and conclusive.
58. The Ministry shall form the environmental impact assessment report Review Body with experts from relevant Government departments and organizations.
59. If private experts are included in the environment impact assessment report Review Body, honorariums, expenses and allowances for them shall be borne from the environmental management fund.
60. The Ministry may assign the Department to scrutinize the report of environmental impact assessment prepared and submitted by a third party or an organization and report to the Ministry through the environmental impact assessment Review Body.
61. The Ministry may approve and reply the environmental impact assessment report or environmental management plan with the guidance of the Committee.

## **Chapter (XII)**

### **Prior Permission**

62. The Ministry shall determine and declare the categories of business, work-site or factory, workshop which may cause an impact on the environmental quality with the approval of the Committee and with the agreement of the Union Government.
63. The owner or occupier of the category of business, work-site or factory, workshop stipulated under section 21 of the Law and section 62 of the Rules shall apply the application (Form-1) to the Ministry to obtain the prior permission.
64. The Ministry shall, if the application for prior permission is allowed after scrutiny, issue the prior permission in Form-2 by stipulating terms and conditions. The business, work-site or factory, workshop which the Ministry issued prior permission shall be registered and kept as records.

65. The Ministry may, if it refuses any application to issue prior permission as it is not in conformity with the stipulations, allow such application to re-apply for the issue of prior permission after it is performed in conformity with such stipulations completely.
66. The Ministry may check whether or not it complies with stipulated terms and conditions when issuing prior permission:
- (a) May assign duty to the Department to scrutinize and inform;
  - (b) May inform to the relevant Government department and Government organization to scrutinize and inform.
67. The investor shall obtain the approval of the Ministry concerning the environment impacts.
68. For improvement of environmental management, the small scaled private enterprise, factory and workshop which are not included in the categories stipulated in sections 52 and 53 and 62 shall obtain a comment from the Department concerning the environment impacts before applying a permission and a license to the Ministry concerned to construct or operate the business.

### **Chapter (XIII)**

#### **Prohibitions**

- 69.
- (a) Any person shall not emit, ask to emit, dispose, ask to dispose, pile and ask to pile, by any means, hazardous waste or hazardous substances stipulated by notification according to any rules in this rules at any place which may affect the public directly or indirectly.
  - (b) Nobody shall carry out any activity which can damage the ecosystem and the natural environment which is affected due to such system, except for the permission of the Ministry for the interests of the people.

### **Chapter (XIV)**

#### **Miscellaneous**

70. The Committee may coordinate and cooperate to have a contact person or a division in relevant Government departments and Government organizations to enable to cooperate to carry out environmental conservation activities in each sector.
71. The Ministry may give a certificate of honor or an acknowledgement of good environmental management to the city, place, factory, workshop, project, etc... which is good in environmental management.
72. The Department which shall carry out the functions and duties of the Department according to these rules is the Environmental Conservation Department of the Ministry of Environmental Conservation and Forestry.
73. The Environmental Conservation Department may delegate to carry out his functions and powers of the Environmental Conservation Department to the relevant officer-in-charge of the Environmental Conservation Department in Region or State as necessary.

74. Any person who finds the commission of any act which may affect the environment or the violation of any prohibitions may, for environmental conservation, inform to the relevant Township General Administration Department, relevant department and organization or the office of the ward or village-tract administrator.

(Sd.) Win Tun

Union Minister

Ministry of Environmental Conservation and Forestry

Letter No. 2/ 220 (b) (6)/ (4301/ 2014)

Date: 5<sup>th</sup> June, 2014

Delivered to

The President Office

The Union Government Office

The Hluttaw Office

The Supreme Court of the Union

The Court of National Constitutional Law

The Office of Union Election Commission

The Office of Union Attorney General Office

The Office of the Auditor General of the Union

The Office of Union Gazetted Officers

All Union Ministries

Myanmar Central Bank

Naypyitaw Concil, State and Regional Ministers

Offices of State and Regional Government

Secretary, Myanmar Investment Committee

Managing Director, Printing and Publishing Enterprise

(A request to announce in the Myanma Gazette)

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Myo Nyunt

Staff Officer

Ministry of Environmental Conservation and Forestry

## Application for the Issue of Prior Permission

( Rule 63)

To

Union Minister

Ministry of Environmental Conservation and Forestry

Dated:.... Year.... Month...Day

Subject: Application for the issue of prior permission

1. I Mr./Ms..... residing at ..... Region  
 .....Township..... City .....Ward/Village-tract  
 apply for the issue of prior permission according to section 64 of the Environmental Conservation Rules  
 to carry out the following business.

2. The relevant facts are submitted as follows:

- (a) Name of applicant owner .....
- (b) Name of Father.....
- (c) National Registration Card (NRC) No.....  
 Passport No. ....
- (d) Place of issuing NRC.....  
 Place of issuing Passport.....
- (e) Nationality .....
- (f) Place of birth .....
- (g) Address .....
- 1) If he is a Myanmar nationality, local address.....  
 .....
- 2) If he is a foreigner, address in his own country .....
- 3) If he is a foreigner, address in Myanmar.....  
 .....
- (h) The type of business for which the prior permission is requested .....
- .....
- (i) The address of the business/ work-site/ factory/ workshop .....
- .....
- (j) To attach the copy of the company registration if it is a company.
- (k) To attach the copy of permission, license, permit of the business if it is obtained from  
 other Government departments and Government organizations.

Applicant

(Mr. / Ms.....)

## Prior permission

( Rule 64)

Subject: Issuing prior permission

1. Prior permission is given to U/ Daw..... who resides in ..... Country, ..... Region/ State, ..... City, ..... Township, ..... Ward or Village in response of requesting prior permission for a business which is described in the paragraph 2 with the condition that the applicant must follow the rules and regulations described in the paragraph 3 according to section 64 of the Environmental Conservation Rules.

## 2. Applied Business Information

(a) Type of business for which the prior permission is requested .....

.....

(b) The address of the business/ work-site/ factory/ workshop.....

.....

## 3. Rules and regulations

(a) Paying compensation with the amount of money decided by the Ministry if the project pollutes the Environment.

(b) If there is benefit from natural environmental service system, a specified amount of money decided by the Ministry should be contributed to the fund.

(c) If it is the extraction of natural resources, a part of the benefit must be contributed to the fund of environmental management for environmental conservation works according to the Ministry.

(d).....

.....

(e).....

.....

(f).....

.....