

The Republic of the Union of Myanmar

The Union Government

The Ministry of Social Welfare, Relief and Resettlement

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In exercising the power conferred under Sub-section (a) of Section 43, of the Disaster Management Law, the Ministry of Social Welfare, Relief and Resettlement hereby prescribes these Rules with the approval of the Union Government.

CHAPTER I

Title and Definition

1. These Rules shall be called **the Disaster Management Rules**.
2. The expressions mentioned in these Rules shall have the same meanings as are assigned to them in the Disaster Management Law. In addition, the following expressions shall have the meanings given hereunder:
 - (a) **The Law** means the Disaster Management Law.
 - (b) **Pre-disaster phase** means the period before the disaster occurs, and the phase in which preparedness, prevention and risk reduction measures are implemented in order to mitigate the potential damages and losses from natural hazards during this period.
 - (c) **Preparedness** means the measures to enhance the ability to predict, respond to and cope with the effect of a disaster.
 - (d) **Prevention means** the outright avoidance of adverse impacts of hazards and related disasters through action taken during the pre-disaster stage, including dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.
 - (e) **Early warning** means the issuance and dissemination of timely and meaningful warning information to enable communities and organizations

threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss.

- (f) **Emergency phase** means the period during which emergency response activities commence in order to address the immediate needs of the affected population.
- (g) **Post-disaster phase** means the phase or period after the occurrence of a disaster in which emergency response, rehabilitation and reconstruction measures are undertaken.
- (h) **Search and rescue** means the searching for persons, cattle, aircraft, ships and other vehicles who are in distress or imminent danger due to a disaster event, and providing for their initial medical care, or for other needs, and delivering them to a safe place or an evacuation center.
- (i) **Emergency assistance** means the provision of emergency and relief supplies and support, including food and nutrition, clean water, medicines, clothes and household commodities, transportation to temporary shelter, cleaning the environment and sanitation etc. for the affected population during the disaster phase and in the post disaster phase.
- (j) **Emergency response** means performing search and rescue, providing emergency assistance, encouraging the morale of the affected population, arranging evacuation center and assessing possible damages and losses.
- (k) **Evacuation center** means houses, buildings, life-saving ridges, topographical elevations or public facilities that have been preselected for the purpose of giving shelter to the evacuated persons during emergency phases.
- (l) **Temporary shelter** means temporary tents, houses and safety shelters or buildings for disaster affected populations.
- (m) **Simulation exercise or mock drill** means the simulation as a disaster preparedness measure of search and rescue, emergency response before the disaster occurs by coordination with the different level of disaster management bodies and the community involving the key stakeholders, in order to mitigate the damage and loss of disaster affected populations when the disaster occurs.
- (n) **Logistic management means** the management of a range of timely operational activities of procurement, maintenance, distribution and supply of emergency aid and construction materials for temporary shelters and emergency shelters by means of a realistic supply chain management.

- (o) **Supply chain management means** the network management system of fulfilling and performing the functions of procurement, transportation and distribution of the emergency aid for the disaster affected persons by the responsible department, organization and personnel assigned duties.
- (p) **Disaster risk** means the potential disaster damages or losses in lives, health, education, livelihoods, assets, infrastructures, services and environmental impact, which could occur to a particular community or a society over some specified future time due to disaster.
- (q) **Disaster risk reduction** means the concept and practice of reducing [disaster] risks through systematic efforts to analyze and manage the factors that cause disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for disaster events.
- (r) **Disaster risk mitigation** means the strategies and function for lessening or mitigating the adverse impacts, scale or severity of hazards and related disasters; In this expression, engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness etc. are also included.
- (s) **Vulnerability** means the characteristics and circumstances of a community, system or asset and basic factor of physical, social, economic, and environmental that may be susceptible to the damaging effects of a hazard.
- (t) **Vulnerable Populations** mean individuals or groups who live in areas with high levels of disaster risk, physical and mental ill persons, persons with disabilities, pregnant women, elderly persons and children.
- (u) **Rehabilitation** means a range of measures taken after a disaster, aimed at quickly restoring the disaster affected populations' living conditions through the repair and re-establishment of vital services interrupted, or degraded by any disaster or emergency state.
- (v) **Reconstruction** means a range of measures taken after a disaster to re-establish a community, including the permanent construction of housing and other infrastructure, the full restoration of services, and complete resumption of the pre-disaster phase whilst seizing the opportunity to implement disaster risk reduction measures and to apply the "build back better" principle.
- (w) **Risk assessment** means a methodology to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of

vulnerability that together could potentially harm exposed people, property, services, livelihoods and the environment on which they depend.

- (x) **Affected area** means the whole or part of the Republic of the Union of Myanmar affected by a disaster.
- (y) **The Working Committee** means the Disaster Management Working Committee, the Search and Rescue Working Committee and any other necessary Working Committee formed by the National Committee under Sub-section (b) of Section 5 of the Law.
- (z) **The Regional or State Management Body** means the Regional or State Disaster Management Body formed by the Union Government under Section 7 of the Law.
- (aa) **The Self-Administered Division or Self-Administered Zone Management Body or the District Management Body** means the Self-Administered Division or Self-Administered Zone Disaster Management Body or the District Disaster Management Body formed by the Region or State Government under Section 8 of the Law.
- (bb) **The Township Management Body** means the Township Disaster Management Body formed by the Region or State Government under Section 8 of the Law.
- (cc) **The Ward or Village tract Management Body** means the Ward or Village tract Disaster Management Body formed by the Region or State Government under Section 8 of the Law.
- (dd) **Ministry** means the relevant Union level Ministry of the Union Government.
- (ee) **Department** means the Relief and Resettlement Department.
- (ff) **Competent Authority for International Communication** means the ministry or personnel assigned by National Committee to act as an authority in coordination and communication with international organizations, overseas regional organizations, foreign government departments and government agencies, non-government organizations for the international assistance required in disaster management activities stipulated in the Law and these Rules.
- (gg) **Assisting international actor** means international organizations, overseas regional organizations, foreign government departments and government agencies, non-government organizations, donors and well-wishers.

(hh) **Assigned department, agency and personnel** means ministry, regional management bodies, government departments, government agencies, non-government organizations, civil society organizations, private entrepreneurs, well-wishers and volunteers assigned by the Working Committee as per the guidance of National Committee in disaster management activities and by the Law and these Rules.

CHAPTER II

Functions and Duties of the Ministry of Social Welfare, Relief and Resettlement

3. For the purpose of disaster risk reduction or disaster mitigation, the Ministry of Social Welfare, Relief and Resettlement shall, with the guidance of the National Committee, assign duties to the Department to conduct the analysis of the disaster events, data and disaster management experience of the countries world-wide and in the Republic of the Union of Myanmar, and to prepare and develop the Disaster Management Plan, the Standing Order and the other related programs at the national level.

4. The Ministry of Social Welfare, Relief and Resettlement shall scrutinize the National Disaster Management Plan, the Standing Order and other required programs submitted by the department under Rule 3, and make necessary adjustments, and submit them for approval to the National Committee through the Disaster Management Working Committee.

5. The Ministry of Social Welfare, Relief and Resettlement shall:

- (a) submit to the National Committee for formation of necessary sub-committees in order to systematically and quickly perform the disaster management measures;
- (b) if the relevant Ministries and Regional or State Governments request the technical assistance for implementation in mainstreaming disaster risk reduction into the sector development plans and local development plans, provide such assistance.

6. The Disaster Management Centre shall be established at the Ministry of Social Welfare, Relief and Resettlement to perform disaster management functions effectively and timely when a disaster occurs. If necessary, it may establish the branch of Disaster Management Centre or Mobile Centre at the appropriate place of disaster affected area.

7. The Ministry of Social Welfare, Relief and Resettlement shall assign duties to the suitable service personnel in consultation with relevant Ministries to perform the tasks of the Disaster Management Centre.

CHAPTER III

Functions and Duties of the Relevant Ministries, Government Departments

Government Agencies

8. The relevant responsible Ministries, the government departments and government agencies shall communicate, coordinate and collaborate with relevant Working Committees and Working Sub-committees for the receiving of the information relating to disaster in advance, and for issuing the early warning, and for the timely evacuation of the people from the place where a disaster is likely to happen to the evacuation center when the early warning communication is received.

9. The relevant ministries, the Government Departments, the Government Agencies and Region or State Governments shall issue their respective Standing Order on Disaster Management based on the Disaster Management Plan at the national level issued by the National Committee, and the respective Disaster Management Plan at the local level approved by the National Committee to be adherence with the respective Ministry, Department and Agency.

10. The relevant Ministries, the Government Departments and the Government Agencies shall, in performing Disaster Management functions:

- (a) implement the functions and duties in accordance with the Disaster Management Plan at the national level and the respective Disaster Management Plan approved by the National Committee;
- (b) co-ordinate and collaborate with the other relevant departments, agencies and personnel assigned duties in accordance with the respective Standing Order issued by them, and supervise the implementation.

11. The relevant Ministries, the Government Departments and the Government Organizations shall submit from time to time the report of the implementation of disaster management activities to the National Committee and the Disaster Management Working Committee.

CHAPTER IV

Functions and Duties of the Department

12. The Department shall, with the guidance of the National Committee, the Disaster Management Working Committee, and the Ministry of Social Welfare, Relief and Resettlement, perform the following functions and duties in respect of disaster management:

- (a) drafting the national level disaster management plan and programmes by the department, if necessary, in consultation with relevant government departments, government agencies and local organizations and other agencies and submitting them to the National Committee through the Ministry of Social Welfare, Relief and Resettlement and the relevant Working Committee;
- (b) reviewing and updating the national level Disaster Management Plan, the Standing Order and the other necessary programmes, and submitting them to the National Committee through the Ministry at least every two years for approval;
- (c) providing technical assistance to the relevant Ministries, Departments and Organizations, or the Region or State Disaster Management Bodies in preparing their Disaster Management Plans, Standing Order and programmes when they request assistance;
- (d) submitting and obtaining the approval of the programmes for disaster management under the Sub-rule (a) in coordination and collaboration with the relevant government departments and agencies to the Working Committee, and implementing the programs in coordination with the relevant government departments and government agencies;
- (e) coordinating and collaborating with the relevant government departments, government organizations, civil society organizations and well-wishers of local and from abroad to enable the successful and effective implementation of the activities of disaster management by means of logistic management and supply chain management;
- (f) undertaking studies and research relating to disasters, disseminating the early warning issued by the Department of Meteorology and Hydrology to the relevant organizations, in order to reach the information to the public in timely manner;

- (g) organizing for public awareness and knowledge sharing on disaster risk reduction, conducting the necessary training courses, and organizing and performing the simulation exercises or mock -drills;
- (h) conducting talks and lectures on disaster risk reduction in schools, colleges, institutes and universities to promote the knowledge and awareness of the students, in coordination with the relevant ministries and departments;
- (i) coordinating and collaborating with the assisting international actors and entities in order to send trainees and participants to the workshops, seminars and trainings on disaster management, locally or abroad;
- (j) coordinating and assisting the Regional Disaster Management Bodies, relevant government departments and agencies to make prior selection of the areas, routes, safe shelters, other resources such as vehicles, machineries, etc. in order to reduce and mitigate the disaster risks and protect the people, in accordance with the national level Disaster Management Plan;
- (k) coordinating with the Regional Disaster Management Bodies for stockpiling of the standard relief aid in order to be able to distribute them timely, systematically and swiftly to the disaster affected areas;
- (l) coordinating and collaborating with fire brigades, red cross societies and non-governmental organizations, in order to perform the disaster mitigation activities;
- (m) coordinating and collaborating with activities of the Search and Rescue Working Committee, the members of fire brigades, red cross societies and non-government organizations for performance of search and rescue activities;
- (n) establishing an information network to communicate with the assisting international actors in respect of disaster related information;
- (o) forming the Disaster Reduction Youth Volunteer Forces in order to effectively implement the community based disaster management activities, and performing therefor;
- (p) undertaking the functions and duties of the Disaster Management Center to timely and effectively implement the disaster management measures when a disaster occurs in accordance with the guidance of the National Committee and the Ministry;

- (q) performing the other functions and duties assigned by the Working Committee and the Ministry.

CHAPTER V

Disaster Management Plans

13. (a) The Ministry of Social Welfare, Relief and Resettlement shall prepare the National Disaster Management Plan and submit it to the National Committee for approval, through and with the permission of the Working Committee in accordance with Rules 3 and 4.
- (b) The respective Ministries shall prepare the Disaster Management Plans of their ministries and submit them to the National Committee for approval through the Working Committee.
14. The local bodies shall prepare the Disaster Management Plans to be implemented by the respective agencies and responsible personnel. After preparing such plans: -
- (a) the Region or State Disaster Management Bodies shall prepare their respective Disaster Management Plan and submit it to the National Disaster Management Committee for approval through the Working Committee.
- (b) the Self-Administered Division or Self-Administered Zone Disaster Management Bodies and District Disaster Management Bodies shall prepare their respective Disaster Management Plan, and submit it to Region or State Disaster Management Bodies for approval.
- (c) Township Disaster Management Bodies shall prepare their respective Disaster Management Plan and submit it to the District Disaster Management Bodies for approval.
- (d) Ward or Village tract Disaster Management Bodies shall prepare their respective Disaster Management Plan, and submit it to the Township Disaster Management Bodies for approval.
15. The disaster management plans at the national level, of the ministries and the local bodies shall be the overall framework for disaster management functions to be implemented by the respective government departments, government agencies and responsible personnel.
16. The Disaster Management Plans at all levels of National, Ministries and Regional Bodies shall cover the following content:

- (a) hazards, including climate change related hazards and devastating disasters;
- (b) disaster risks assessment;
- (c) institutional arrangements for disaster management;
- (d) measures to be implemented for disaster risk reduction, disaster prevention, disaster preparedness, readiness for emergency response, emergency response, rehabilitation and reconstruction;
- (e) long-term and short-term arrangements and measures for disaster risk reduction;
- (f) modalities for governance and logistical support, institutions, allocated resources, simulation exercises or mock-drills, etc.;
- (g) available resources and capacity to implement the plan;
- (h) budget allocation for the plan;
- (i) implementation of the Plan and reporting;
- (J) reviewing, evaluation and revising the Plan;
- (k) Other matters relating to disaster management as deemed necessary.

17. Township, District, Self- Administered Division or self- Administered Zone and Region/State Management Bodies shall scrutinize the disaster management plans submitted by the different level Bodies, whether such plans are in accordance with Rules 15 and 16, approve and submit to the higher level.

18. The different levels of the National Committee, and the respective Working Committees and Regional Bodies shall review and update the Disaster Management Plans at least once in two years.

19. The National Committee, Ministries and Region or State Governments shall prepare the respective Standing Orders on Disaster Management in order to undertake disaster mitigation, prevention and preparedness measures before a disaster, emergency response during a disaster, and rehabilitation and reconstruction measures after a disaster, as planned in advance.

20. Preparing the Standing Orders mentioned in Rule 19 shall be ensured through a collaborative process with relevant ministries, government departments and agencies, assisting international actors and civil society organizations.

21. The guidelines and directives to be undertaken by departments and agencies for each potential hazard shall be included in the Standing Orders mentioned in Rule 19.

22. Since disaster risk reduction is considered as an underlying principle of sustainable development as provided in Sub-section (v) of Section 5 and Sub-section (d) of Section 14 of the Law, disaster risk reduction measures shall be included in the national development plan, sector development plans, local development plans, and implemented through them.

23. The Ministries, Region or State Governments shall prepare the long-term and short-term projects on the priority disaster risk reduction measures in their respective sectors and administrative regions and may submit these projects to the National Committee. The following facts shall generally be included in those projects:

- (a) the disaster risk due to potential hazards and climate change associated with the respective sectors and the respective local plans;
- (b) disaster risk reduction measures to be implemented;
- (c) work-plan, time frame, budget requirements for implementation and expected outcomes.

24. The Ministries and Region or State Governments shall;

- (a) build capacity and provide opportunities for vulnerable populations to enable them to participate in disaster management activities, including disaster prevention.
- (b) address the needs of vulnerable populations in the implementation of disaster management activities.

CHAPTER VI

Declaring a State of Disaster Affected Area and its Duration

25. When the following specific situations happen due to any disaster stipulated under Section 11 of the Law, the National Committee shall submit forthwith to the President to declare a State of Disaster Affected Area:

- (a) large-scale loss and damage of human lives and animals;
- (b) serious loss and damage to infrastructure, properties and livelihoods;

- (c) severe damage to social activities including security, education and health;
- (d) serious damage to environment;
- (e) having difficulties to bring the situation of the disaster affected area quickly back to normalcy.

26. Regarding the duration of a State of Disaster Affected Area declared for the specified area under Section 11 of the Law:

- (a) the duration of the first declaration shall be valid for 2 months;
- (b) when the disaster still prevails and the specific area is not back to normalcy after making the first declaration, the duration of each further declaration shall be extended 2 months, and may be extended again if necessary;
- (c) after making the declaration under Sub-rule (a) or (b), when the declaration does not need to be extended, in a situation where the disaster is mitigated and the affected area is back to normalcy, the declaration shall be ceased after completion of 2 months from the date of declaration;
- (d) after making the declaration under Sub-rule (a) and (b), when the disaster is mitigated in whole or part of the affected area, and if the affected area is back to normalcy within 2 months from the date of declaration, the said declaration for whole or part of the affected area may be withdrawn within such duration; In case, it is not withdrawn, such declaration shall be extended for up to 2 months from the date of declaration.

27. The assigned departments, agencies and service personnel, after the declaration of a State of Disaster Affected Area is made by the President under Section 11 of the Law, shall undertake their duties related to disaster management as separately assigned by the President in addition to the duties identified in the Law and these Rules.

CHAPTER VII

Disaster Preparedness and Prevention for Disaster Risk Reduction at the Pre- Disaster Phase

28. The assigned department, agency and service personnel shall undertake the following tasks in order to effectively and successfully implement the

preparedness and prevention measures for disaster risk reduction at the pre-disaster phase contained in Section 14 and 15 of the Law, in accordance with the guidance of the National Committee and notifications, orders, directives and procedures issued under the Law;

- (a) compiling and recording the events and experiences of disasters which occurred in other countries as well as in the Union of Myanmar, and conducting research and submitting the recommendations to the National Committee based on the risk assessments and findings;
- (b) establishing the database system for disaster damage and loss;
- (c) conducting discussions, talks, and trainings on community-based disaster risk reduction from time to time in order to educate the public on disaster risk reduction knowledge and duties thereof;
- (d) coordinating with relevant ministries for the awareness of the students on disasters risks at the schools, colleges, institutions and universities;
- (e) coordinating and collaborating with relevant government departments and organizations on raising awareness and conducting simulation exercises or mock drills on saving lives, and conducting required trainings;
- (f) prescribing the disaster preparedness related lessons in the school curriculum and syllabus, and dissemination of such measures by means of media such as newspapers, journals, magazines, television, radio and others as appropriate.

29. The assigned department, agency and service personnel shall undertake the following tasks in order to effectively implement the disaster prevention activities as contained in Section 16 of the Law in the potentially disaster-affected area, under the guidance by the National Committee, and by referring to the respective notifications, orders, directives and procedures issued under the Law ;

- (a) coordinating with respective government departments and agencies, non-government organizations and regional management bodies, and forming the emergency search and rescue teams comprising of military, Myanmar Police Force, Fire Brigades, Red Cross Societies and other civil society organizations, raising awareness and conducting simulation exercises or mock drills at the area at risk;
- (b) studying the area where the disasters are likely to happen and the population of the area, pre-identifying the evacuation center and

temporary shelters, and preparing and stock-piling vehicles, equipment, materials and other required resources for search and rescue purpose;

- (c) coordinating with government departments, agencies, non-government organizations and assisting international actors, and requesting the required assistance to effectively implement the search and rescue activities during disaster and the evacuation measures in the area at risk;
- (d) selecting suitable places for multi-purpose cyclone shelters in the area at risk of cyclones by utilizing Geographical Information Systems and coordinating with the respective Region or State Government, and constructing cyclone-shelters and coordinating for convenience of the affected people during their stay at the cyclone shelters;
- (e) making arrangements in advance to enable coordination with government departments, agencies and with assisting international actors for search and rescue, relief and emergency support;
- (f) identifying the area potentially affected and the potential scenario based on the type of hazard, and disseminating information to respective personnel, analyzing and issuing the information;
- (g) establishing backup communication system, if necessary, in addition to the existing communication system for the continuous receipt of meteorological and hydrological information during emergency period from assisting international actors, neighboring countries and the Department of Meteorology and Hydrology;
- (h) establishing the technology-supported early warning system for the timely issuance of early warning on the potential disasters to the public;
- (i) undertaking research and compiling records of events and experiences of disasters which occurred locally and abroad, and preparing the action plans for disaster preparedness and prevention, and submitting them to the Working Committee;
- (j) coordinating and collaborating with Central Sub-committees in advance for disaster mitigation when disaster occurs;
- (k) giving guidance and supervising, both in normal time and in emergencies, for establishment of the base and front camps, stock-piling, preparation and implementation of the work-plans to get the

required human resources and materials at the ready for relief and emergency support;

- (l) identifying areas where the assistance is available for effective implementation of relief and emergency support activities, and according to the area identification, guiding the collection and use of material and human resources supported by the respective government departments, agencies and civil society organizations, and supervising them;
- (m) purchasing privately owned land and buildings, if required, or giving permission for use and stay in temporary shelters by paying the appropriate fees after evacuation of disaster affected population, while allowing for temporary shelter, acquisition of the land according to the existing Land Acquisition Act, if the owner does not agree to use the land and, allowing the disaster affected population to stay temporarily;
- (n) observing the areas and the population likely to be affected by disaster, and preparing search and rescue measures for disaster affected population, and pre-identifying the offshore islands, flood area, flood plain, temporary shelter and evacuation center for disaster affected population, and getting ready life-saving materials for those in urgent need, relief and emergency aid, in advance;
- (o) organizing and forming the search and rescue taskforce comprising of the members of the local fire brigade, the Red Cross Society and volunteers, and conducting trainings and simulation exercises or mock drills;
- (p) making arrangements in advance through coordination with the local administrative bodies, the security taskforces and the Myanmar Police Force to systematically distribute relief and emergency aid;
- (q) observing the conditions and situations of roads, main waterways and ways which can be used as means of approaching at any time, collecting and compiling data on airports, heliports and places and storing enough volume of fuel in the required places;
- (r) forming the special taskforces and training them for search and rescue operations aimed at disaster affected populations trapped in earthquake affected buildings, landslides and fires etc.; and preparing for necessary machines, equipment and emergency life-saving kits to be ready;

- (s) providing technical assistance to the industry, factory buildings, roads and bridges which may be affected by disasters, and coordinating the preparation of emergency plans;
- (t) coordinating and cooperating for mainstreaming disaster risk reduction measures to be included in development planning;
- (u) cooperating and collaborating with relevant departments and agencies to rehabilitate the environment damaged by disasters.

CHAPTER VIII

Emergency Response Activities including Search and Rescue during the Disaster Stage

30. The emergency status level of disaster shall be categorized as follows: -
- (a) **Emergency Status Level 5:** if a disaster is considered to be controlled by ward or village tract level;
 - (b) **Emergency Status Level 4:** if a disaster is considered to be controlled by township level;
 - (c) **Emergency Status Level 3:** if a disaster is considered to be controlled by the Self-administered Division or Self-administered Zone level or District level;
 - (d) **Emergency Status Level 2:** if a disaster is considered to be controlled by Region or State level;
 - (e) **Emergency Status Level 1:** if a disaster is considered to be controlled by national level.
31. The level of emergency status Contained in Rule 30 shall be decided based on the following conditions:
- (a) if any local disaster management body of the respective level is unable to control the situation and needs to seek emergency assistance from other higher level body;
 - (b) if the affected area to undertake emergency response falls in more than one administrative area;
 - (c) if the disaster event and its negative consequences are deemed to spread quickly to other areas.
32. The Ward or Village Tract Disaster Management Body shall:

- (a) undertake the measures of emergency response as soon as it is known that a disaster has occurred;
 - (b) immediately inform the Township Disaster Management Body of the occurrence of the disaster ;
 - (c) immediately perform an initial assessment comprising the following data, and inform the findings forthwith by any means to the Township Disaster Management Body:
 - (1) disaster affected area;
 - (2) amount of disaster victims;
 - (3) damage to infrastructure and other facilities;
 - (4) disturbance to functions of public services and governmental administration; and
 - (5) capacity of resources.
33. (a) When the Ward or Village Tract Disaster Management Body informs on the disaster event, the Township Disaster Management Body shall submit such information to the upper next levels of the Disaster Management Body.
- (b) Depending on the information submitted under Sub-rule (a), the Region or State Management Body may inform the National Committee if it is deemed necessary.
34. (a) The Township Management Body shall submit the findings of the initial assessment sent under sub-rule (c) of the rule 32 to the upper next levels of local management bodies.
- (b) The Region or State Management Body may submit the intensity and volume of the disaster identified by the initial assessment to the National Committee if it is deemed necessary.
35. Depending on the findings of the initial assessment sent under Sub-rule (c) of Rule 32, the Township Management Body shall:
- (a) not directly intervene the measure of emergency response but closely watch and monitor the emergency response at ward or village tract level, if it is deemed to be Emergency Level 5;
 - (b) undertake the measure of emergency response, if it is deemed to be Emergency Level 4.;
 - (c) request the assistance for the measure of emergency response intervention from the Self-administered Division or Self-administered

Zone's Management Body or the District Management Body if the emergency status is beyond the township level's control, and undertake emergency response for the time being.

36. Depending on the findings of the initial assessment sent under Sub-rule (c) of Rule 32, the Self-administered Division or Self-administered Zone Management Body or District Management Body shall:

- (a) not directly intervene in the measure of emergency response but closely watch and monitor the emergency response, if it is deemed to be Emergency Level 5;
- (b) not directly intervene in the measure of emergency response but closely monitor the emergency response, if it is deemed to be Emergency Level 4;
- (c) undertake the measure of emergency response, if it is deemed to be Emergency Level 3;
- (d) request the assistance for the measure of emergency response intervention from the Region or State Management Body, if the emergency status is beyond the control of the Self-administered Division or Self-administered Zone level or District level, and undertake the measure of emergency response for the time being.

37. Depending on the findings of the initial assessment sent under Sub-rule (c) of Rule 32, the Region or State Management Body shall:

- (a) not directly intervene in the measure of emergency response but closely watch and monitor the emergency response, if it is deemed to be Emergency Level 5;
- (b) not directly intervene in the measure of emergency response but closely watch and monitor the emergency response, if it is deemed to be Emergency Level 4;
- (c) not directly intervene in the measure of emergency response but closely watch and monitor the emergency response, if it is deemed to be Emergency Level 3;
- (d) undertake the measure of emergency response, if it is deemed to be Emergency Level 2;
- (e) request assistance for the measure of emergency response intervention from the National Committee, if the emergency status is beyond the

Region or State level's control; and undertake the measure of emergency response for the time being.

38. Upon request of the Region or State Management Body, and depending on the intensity and amount of the disaster identified by the initial assessment, the National Committee shall, if it is deemed that the national level emergency response is required:

- (a) report to the President for consideration to declare a State of Disaster Affected Area;
- (b) undertake the measure of emergency response for the time being.

39. The emergency status level decided by the National Committee shall supersede the emergency status levels decided by the local Management bodies at different levels, and the emergency status decided by Region or State Management Bodies shall supersede the emergency status level decided by the Management Bodies at different lower levels.

40. The assigned departments, agencies and the personnel shall undertake the following general tasks in accordance with the guidance of the National Committee, and the notifications, orders, instructions and procedures issued under the Law to enable to effectively undertake emergency response including search and rescue contained in Section 17 of the Law during the disaster phase:

- (a) submission of the report on the status of disaster at the affected area to the National Committee through their higher authority, in order for the President to declare the State of Disaster Affected Area for a specified period;
- (b) co-ordination and collaboration with the relevant Working Committee and Central Sub-committees, and the responsible ministries, departments, government institutions, government organizations and other non-government organizations to implement disaster Management functions more effectively and swiftly, and performing the necessary arrangement and assisting therefor;
- (c) communicating and collaborating with the assisting International actors and the responsible ministries, departments, government institutions, government organizations and other non-government organizations, to implement the disaster management functions effectively and successfully, and supervising such measures;

- (d) requesting the National Committee to form the temporary local Management Body comprising of the suitable persons from nearby areas, when the members of any local Management Body are affected by the disaster, and are found to be unable to fulfill their disaster management functions with the information received, and to assign duties to this temporary body;
- (e) laying down the arrangements of measures for emergency response activities including search and rescue programs, and supporting programs for standard emergency relief items during disaster stage;
- (f) forming and assigning duties to the special task force on search and rescue at local level to perform search and rescue functions for the persons who are blocked due to disaster;
- (g) making further arrangements and coordinating with relevant Central Sub-committees, Regional Management Bodies and Region or State Sub-committees for rescuing the disaster affected persons, and arranging necessary support for those who survive from disaster;
- (h) forming the special task force to jointly perform the measures of search and rescue regarding the disasters which happen in the neighboring countries by coordinating with neighboring countries and overseas regional organizations, and determining the functions and duties mutually through negotiation;
- (i) continuously communicating with the National Committee, the Working Committee and the relevant Central Sub-committees in respect of the search and rescue tasks, and performing such tasks;
- (j) ensuring the relevant Central Sub-committees, and local Management Bodies to systematically perform the measure of emergency response for disaster affected persons;
- (k) providing effective support of the required standard emergency aid to disaster affected population, constructing the evacuation center and temporary shelters, and supervising and supporting the needs especially for vulnerable people;
- (l) compiling the list of the needs of standard emergency aid for disaster affected population, and laying down the arrangements for prompt and effective support from the government departments and agencies, and other non-government organizations and international organizations, and supervising and coordinating such activities;

- (m) communicating and collaborating with the government departments and agencies, other non-government organizations and assisting international actors for more effective implementation of emergency response activities;
- (n) evaluating the performance of disaster management activities undertaken by the Regional Management Bodies at the disaster affected area, whether the activities are successfully and effectively implemented or not, and supervising and coordinating the implementation of such activities;
- (o) when the disaster occurs, submission of the situation report on the disaster management activities to the National Committee;
- (p) continuously communicating and collaborating with the National Committee, the Work Committee and the relevant Central Sub-committees regarding search and rescue activities;
- (q) giving guidance and supervision for information sharing, dissemination, linking with information networks to inform local people and international actors about the disaster situation and the status of search and rescue and emergency response activities undertaken by the government;
- (r) setting up the emergency communication system as well as the communication centers to enable to communicate in time with relevant departments and agencies in the country and abroad during the disaster phase;
- (s) performing the particular arrangements for the communication and coordination with relevant government departments, agencies, non-government organizations and assisting international actors to fulfill the requirements of disaster affected population.

CHAPTER IX

Rehabilitation and Reconstruction during the Post Disaster Phase

41. The assigned departments, agencies and the personnel shall undertake the following general tasks in accordance with the guidance of the National Committee, and the notifications, orders, instructions and procedures issued under the Law to enable the effective implementation of the activities of rehabilitation and reconstruction for better living standards of the affected population, and activities

for conservation of the environment damaged by the disaster in the post-disaster phase contained in Section 18 of the Law:

- (a) coordinating and collaborating with the Search and Rescue Working Committee and relevant Central Sub-committee for family reunion of affected population, and cremation of those who die during disaster in accordance with their customs;
- (b) preparing and compiling records of relief items, funds and other emergency aids provided from abroad, distribution and usage of these items and aids to the affected population, and the performance of assisting international actors who participate in the relief and support activities, and making the records available to the public for transparency;
- (c) coordinating with the responsible personnel for the systematic distribution of the required food, other commodities and emergency relief aids and funds supported from abroad to the disaster affected population, and distributing them in accordance with regulations;
- (d) arranging and constructing suitable and safe temporary shelters to adequately accommodate for the affected population;
- (e) considering the needs of the vulnerable population at evacuation centers and temporary shelters, and arranging for them;
- (f) coordinating and collaborating with the responsible ministries, departments and relevant Regional Management Bodies for the sector-wise rehabilitation and reconstruction measures bringing the affected population back to normalcy and achieving better living standards in the post-disaster phase;
- (g) collecting accurate data on losses of lives of humans and animals, the injured, damages to state-owned and private-owned buildings and properties, and businesses or livelihoods, and performing moving and cleaning of debris and rescue activities;
- (h) collaborating with the relevant government departments and government agencies on rehabilitation and reconstruction of education, health, agriculture and other sectors;
- (i) coordinating and collaboration with relevant ministries, and Region or State Governments, estimating costs of state owned buildings including schools, hospitals, clinics and religious buildings, private

houses destroyed by disaster, and reconstructing them at the suitable place;

- (j) coordinating and calculating the estimated costs with relevant ministries, and Region or State Governments to revive normal agriculture and livestock breeding activities and other livelihood activities pursued by the local people, and enabling to establish new livelihoods if it is deemed necessary;
- (k) undertaking the moral rehabilitation measures in society including psychosocial support to the survivors who are disheartened and depressed due to disaster;
- (l) providing healthcare services to the people in the affected area and preventing epidemics;
- (m) undertaking the establishment and maintenance of a good communication system and smooth and adequate transportations;
- (n) administering to ensure safety of victims, and rule of law in the affected area, and to avoid subsequent problems such as human trafficking;
- (o) providing technical advice in support of the industries, factory, buildings, roads and bridges which may cause dangers, and setting up early warning system, and laying down emergency plans;
- (p) in order to provide regular support, identifying the importance of rehabilitation and reconstruction measures, such as the rehabilitation of agriculture and livestock breeding, other livelihoods and businesses, communication and transportation, health, education, electricity, communication and other necessary sectors in the disaster affected area; and giving guidance and supervision for systematic implementation;
- (q) rehabilitating and conserving the environment destroyed by disaster in coordination with the relevant government departments, agencies, non-government organizations, civil society organizations and assisting international actors and receiving necessary emergency assistance;
- (r) ensuring the assigned departments, agencies and personnel to perform in the affected area, the specific tasks relating to rehabilitation and reconstruction;

- (s) recording the persons who outstandingly and actively participate in the activities of disaster management, and honoring them with the appropriate award;
- (t) undertaking other functions and duties assigned by the President Office, Union Government and National Committee in respect of disaster management;
- (u) making arrangement promptly for resettlement measures so as to avoid that the affected population stays for the long-term in temporary shelters;
- (v) performing the particular arrangements for communication and coordination with the relevant government departments, government agencies, civil society organizations, non-governmental organizations and assisting international actors to meet the needs of vulnerable populations.

CHAPTER X

Communication and Collaboration with the Assisting International Actors

42. The Ministry assigned by the National Committee as the Competent Authority for International Communication shall undertake the following activities:

- (a) when a disaster affects the Union of Myanmar and when the assisting international actors communicate and inform to enter into the country to provide and undertake the humanitarian assistance for the affected population or to support the aid from abroad, submit such information to the National Committee to obtain the permission for them;
- (b) if the permission is obtained from the National Committee, coordinate with relevant government departments and government organizations to facilitate the entry of those assisting international actors into the country or to support from abroad;
- (c) coordinate with relevant government departments and organizations for tax and duty exemptions of imported emergency relief materials and rehabilitation items under the existing law;
- (d) communicate and collaborate with the assisting international actors regarding the humanitarian assistance when the disaster occurs in neighboring countries and countries in the region.

43. The National Committee may request international humanitarian assistance when any of the following situations occur:

- (a) when the situation of damage and loss due to the disaster is beyond the national level response;
- (b) when the National Committee assumes that the request for the international humanitarian assistance is required.

44. The information on the type and amount of the required assistances shall be included in the request mentioned in Rule 43.

45. While providing humanitarian assistance to the affected population, the assisting international actors:

- (a) when they enter into the country, shall directly inform the Competent Authority for International Communication or communicate through respective diplomatic channel about their entry;
- (b) when they are entering and undertaking the activities in the country, shall respect the sovereignty, territorial integrity and national unity of the Republic of the Union of Myanmar, and abide by the existing laws, rules, regulations, orders and directives;
- (c) shall avoid discrimination based on races, origins, religions, positions, class, culture, gender, and shall avoid political, economic and social exploitation;
- (d) shall respect the human rights and dignity of the affected population;
- (e) shall follow the existing laws and the provisions in these Rules regarding the entry, the undertaking of activities, and the departure, wearing uniforms, badges and identity cards;
- (f) when entering into the country or assisting from abroad, shall communicate and inform directly to the Competent Authority for International Communication or through respective diplomatic channel;
- (g) the following support may be generally provided to the affected population:
 - (1) donations;
 - (2) technical assistance;
 - (3) standard emergency support;
 - (4) facilities including infrastructures.

46. The assisting international actors shall enter into the country with the permission of the Disaster Management Working Committee at the approval of the National Committee to undertake, coordinate and collaborate for the humanitarian assistance to the affected population in the country and leave the country after performing the functions.

47. The assisting international actors shall request the National Committee for approval on the uniforms and badges to be worn during the performance of humanitarian assistance in the country.

48. The uniforms and badges of the respective organizations approved by the National Committee shall be worn.

49. When undertaking the disaster management activities, the volunteers from the local non-government organizations shall wear the uniforms and badges of the respective organizations approved by the National Committee.

50.(a) When the assisting international actors are required to halt in, or make transshipment or transit through the territory of the Republic of the Union of Myanmar to provide the emergency support to any neighboring country where a disaster strikes, they shall apply for the permission to the Competent Authority for International Communication in advance.

(b) The Competent Authority for International Communication shall check the application under Sub-rule (a), and if it is not prejudiced to the sovereignty, submit the application to the Union Government with the approval of the National Committee, and provide necessary assistance to halt in, or make transshipment or transit through the territory of the Republic of the Union of Myanmar.

(c) The Competent Authority for International Communication shall, if it is allowed under Sub-rule (b), coordinate with the relevant departments and organizations for exemption of tax and duty to be paid by the assisting international actors under the existing law.

51. The Disaster Management Working Committee shall inform in advance through the Competent Authority for International Communication the date of exit of the assisting international actors, who enter and leave the country after the completion of their functions.

CHAPTER XI
Maintenance, Expenditure and Disposal of
the National Disaster Management Fund

52. The assigned department, agency or personnel shall prepare the financial regulations regarding the maintenance, expenditure and disposal of the National Disaster Management Fund established under Section 19 of the Law through consultation with relevant ministries and Union Auditor General's Office, and prescribe with the approval of the National Committee.

53. The National Disaster Management Fund shall be allocated and utilized for the following purposes:

- (a) Implementation of national action plan on disaster risk reduction;
- (b) Implementation of sector-wise disaster risk reduction plan;
- (c) Implementation of disaster prevention and preparedness activities;
- (d) Emergency response and search and rescue activities;
- (e) Short and long-term rehabilitation and reconstruction activities.

54. The respective Ministries, Region or State Governments shall submit the report on implementation of the activities mentioned in Rule 53, and of the union budget allocation and expenditure to the National Committee.

55. The Disaster Management Working Committee may submit the proposal to allocate the suitable amount of fund from the Union budget to the National Committee, if the National Disaster Management Fund is not sufficient to undertake the Disaster Management Plans and programs which are required to implement in the country.

56. The assigned department, agency or personnel may submit the proposal to allocate the suitable amount of fund from the Union budget to the Ministry of Social Welfare, Relief and Resettlement to obtain the approval from Union Government, if the National Disaster Management Fund is not sufficient to undertake the respective disaster management activities.

57. The assigned department, agency or personnel shall disclose the report on fund allocation, expenditure and budget balance in respect of the maintenance, expenditure and disposal of the National Disaster Management Fund in accordance with the financial regulations to be transparent, and to be known by the respective government departments, agencies and donors.

58. The Region or State Management Body may request the assigned department, agency or personnel to allocate a suitable amount from the National Disaster Management Fund with the permission of the National Committee, if the Region or State Disaster Management Fund is not sufficient to undertake the respective disaster management activities within its area.

59. The assigned department, agency or personnel may scrutinize the submission under Rule 58, and allocate the suitable amount from the National Disaster Management Fund to the Region or State Disaster Management Fund with the permission of the National Committee.

60. The Region or State Management Body shall:

- (a) maintain, use and dispose the Region or State Disaster Management Fund established under Section 20 of the Law with the permission of the National Committee in accordance with the financial regulations;
- (b) prepare the financial regulations in accordance with the guidance of the National Committee in consultation with the respective Region or State Auditor General Office;
- (c) assign duties to the respective Region or State Finance Sub-committee for the maintenance and auditing the accounts in accordance with the financial regulations in respect of the Regional or State Disaster Management Fund;
- (d) accept the auditing by the Region or State Auditor General Office to the accounts of the Regional or State Disaster Management Fund;
- (e) submit the audit reports of the Regional or State Disaster Management Fund to the National Committee and Region or State Government.

61. The Region or State Management Body shall, in accordance with the financial regulations maintain, expend and dispose the Regional or State Disaster Management Fund established under Section 20 of the Law with the following receipts:

- (a) allocation from the Region or State Government's Budget;
- (b) support, donation and other legal incomes from assisting international actors;
- (c) support and donation from local donors, civil society organizations and non-government organizations;
- (d) accrued amount of money gained from the Fund.

62. The Regional or State Disaster Management Fund established under Rule 61 shall be utilized for the following purposes with the permission of the Regional or State Management Body:

- (a) implementation of disaster prevention, preparedness and disaster mitigation activities;
- (b) emergency response activities;
- (c) short term and long-term rehabilitation and reconstruction activities.

63. The Region or State Management Body shall disclose the report on fund allocation, expenditure and budget balance in respect of the maintenance, expenditure, disposal of the Region or State Disaster Management Fund in accordance with the financial regulations to be transparent, and to be known by the respective government departments, agencies and donors.

CHAPTER XII

Miscellaneous

64. The Ministry of Social Welfare, Relief and Resettlement shall assign duties to the suitable service personnel from the Department to effectively perform the following office works in respect of the functions and duties of the National Committee formed according to the Section 4 of the Law and the functions and duties of the Working Committees and the Sub-committees delegated by the National Committee, and supervise their performances:

- (a) performing the office works, preparing and maintaining the office records;
- (b) performing the functions relating to correspondence and communications;
- (c) performing the functions relating to organizing regular meetings and special meetings;
- (d) preparing the reports on the performance of activities;
- (e) bearing the expense relating to the functioning of the office from the budget of the Department.

65. While the activities of the disaster management are undertaken, the assigned departments, agencies and personnel shall not discriminate for any reason based on race, birth, religion, official position, status, culture and gender.

66. The relevant officer in-charge of Township Police Force shall submit any offence contained in the Law to the District Management Body together with the recommendation of the Township Management Body to obtain the prior sanction of Region or State Management Body in order to prosecute.

67. The relevant District Management Body or Township Management Body shall scrutinize the submission under Rule 66, and submit the remark whether the prior sanction should be allowed or not for prosecution to the Regional or State Management Body.

68. The respective Regional or State Management Body:

- (a) may, after scrutinizing the submission under Rule 67 allow or deny to issue the prior sanction;
- (b) if it is allowed under Sub-rule (a), shall issue the prior sanction for prosecution.

69. (a) Any assisting international actors and assisting local actors may submit to the Competent Authority for International Communication for exemption of tax and duty under the relevant existing law for the purpose of relief and emergency aid and donation of the standard food, commodities, household items, relief and emergency aid, and rehabilitation equipment which are imported into the Union of Myanmar for relief and emergency aid.

- (b) After scrutinizing the submission under Sub-rule (a), if it thinks to exempt tax and duty, the Competent Authority for International Communication may inform to the Ministry of Finance with the recommendation for exemption of tax and duty under the relevant existing law for such standard food, commodities, household items, relief and emergency aid, and rehabilitation equipment which are imported into the Union of Myanmar.

- (c) The Ministry of Finance may exempt the tax and duty for importing of the standard food, commodities, household items, relief and emergency aid, and rehabilitation equipment into the Republic of the Union of Myanmar, for relief and emergency aid, submitted under Sub-rule (a), or informed under Sub-rule (b).

70. Before the issuance of these Rules, the Standing Order issued by National Disaster Preparedness Central Committee in January, 2009 and instructions are valid until and unless they are inconsistent with the provisions of these Rules.

Sd/

The Union Minister

The Ministry of Social Welfare,
Relief and Resettlement