

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 Rules relating to the Disaster Management**.
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) **The Rules** means the Rules relating to the Disaster Management.
  - (c) **Disaster Affected population** means people who have been injured, made homeless, have been displaced, evacuated or are otherwise adversely affected by a disaster event and required assistance during the disaster phase and the post-disaster phase.
  - (d) **Pre-disaster phase** means the period before the disaster occurs and during the period of preparedness, prevention and risk reduction measures which are implemented in order to mitigate the potential damages and losses from natural hazards.
  - (e) **Preparedness** means the measures performed at the pre – disaster phase in order to avoid the adverse impacts of hazard and its related disaster;
  - (f) **Prevention** means the measures which are enable to build up capacity the estimation in advance, response and adverse impacts of disaster;
  - (g) **Early warning** means the generation and dissemination of timely and meaningful warning information to enable individuals, communities and organizations threatened by an imminent hazard to prepare and to act appropriately with sufficient lead time to reduce the possibility of harm or loss.
  - (h) **Emergency phase** means the period during which are early warning and emergency response activities commence or take place in order to address the immediate needs of the disaster affected population, including relief and search and rescue measures.
  - (i) **Post-disaster phase** means the period after the during disaster phase in which emergency response, rehabilitation and reconstruction measures are undertaken.
  - (j) **Search and rescue** means the search for and provision of aid to persons, cattle, aircraft, ships and other vehicles who are, or are feared to be in distress or imminent danger due to a disaster event, and providing for their initial medical care or other needs, and delivering them to a safety place of evacuation center.
  - (k) **Emergency assistance** means the provision of emergency and relief supplies and support, including food and nutrition, clean water, medicines, clothes and household commodities, transport,

temporary shelter, medical supplies and services, and sanitation for the disaster affected population during and post disaster phases.

- (l) **Emergency response** means the performing the search and rescue, providing emergency assistance, encouragement of morale of the affected population and arrangement of evacuation until more permanent and sustainable solutions can be found; it includes a arrange of measure such as warning/ evacuation center and assessing damage and losses.
- (m) **Evacuation center** means houses, buildings or public facilities that have been preselected for the purpose of giving shelter to the evacuated persons during disaster and post disaster phases. The such selection shall be based on a range of safety requirements; i.e. ease of access, located in low-risk area, and hazard resilient construction, adequate sanitation, etc.
- (n) **Temporary shelter** means transitional shelter for disaster affected populations during the period between a period of disaster occurs and the achievement of a long-term shelter of evacuation center. It shall be provided a habitable covered living space, a secure, healthy living environment with privacy and dignity for those living within it, such as tents, houses and buildings.
- (o) **Simulation exercise or mock drill** means a disaster preparedness measure that simulates an emergency in order to test the national response framework and the standard operating procedures by coordination with the different level of disaster management bodies and the community involving the key stakeholders.
- (p) **Logistic management means** the management of a range of timely operational activities of procurement, maintenance, distribution and supply of emergency aid mand construction materials for temporary shelters and emergency shelters by means of a realistic supply chain;
- (q) **Supply chain management means** the network management system of fulfilling and performing, the function of procurement, transportation and distribution the emergency aid for the disaster affected persons by the responsible department, organization and personnel assigned duties.
- (r) **Hazard** means a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage.
- (s) **Disaster Risk** means the potential disaster losses, in lives, health, status, livelihoods, assets and services, which could occur to a particular community or a society over some specified future time period.
- (t) **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.
- (u) **Disaster Mitigation** means the lessening or limitation of the adverse impacts, scale or severity of hazards and related disasters by various strategies and actions, including for example engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness.
- (v) **Vulnerability** means the physical, social, economic, and environmental factors, characteristics and circumstances of a community, system or asset that make it susceptibility to the damaging effects of a hazard.
- (w) **Vulnerable Populations** mean individuals or groups who live in areas with high levels of disaster risk including ill persons, persons with disabilities, pregnant woman, elderly persons and children.
- (x) **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.
- (y) **Reconstruction** means a range of measures taken after a disaster occurs 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.

- (z) **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.
- (aa) **Affected area** means an area of the whole or part of the Republic of the Union of Myanmar affected by a disaster.
- (bb) **The Working Committee** means each Disaster Management Working Committee and the Search and Rescue Working Committee and other Working Committee formed by the National Committee under sub-section (b) of section 5 of the Law.
- (cc) **The Regional or State Management Body** means the Regional or State Disaster Management Body formed by the Republic of the Union Government under section 7 of the Law.
- (dd) **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.
- (ee) **The Township Management Body** means the Township Disaster Management Body formed by the Region or State Government under section 8 of the Law;
- (ff) **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;
- (gg) **Ministry** means the Union level relevant Ministry of the Republic of the Union Government.
- (hh) **Department** means the Relief and Resettlement Department.
- (ii) **Competent Authority** 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-governmental organizations for the international assistance required in disaster management activities stipulated in the Law and this Rules.
- (jj) **Assisting international actor** means international organizations, overseas regional organizations, foreign government departments and government agencies, non-governmental organizations, donors and well-wishers.
- (kk) **Assigned department, agency and personnel** means ministry, regional management bodies, government departments, government agencies, non-governmental organizations, civil society organizations, private entrepreneurs, well-wishers and volunteers assigned by the Work Committee as per the guidance of National Committee in disaster management activities and by the Law and this Rules.
- (ll) **Central Sub-committee** means the central level sub-committees formed by the National Committee in order to effectively undertake the roles and responsibilities of Work Committee and the National Committee in disaster management activities.

## CHAPTER II

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

3. For the purpose of the disaster risk reduction or disaster mitigation, the Ministry of Social Welfare, Relief and Resettlement shall, with the guidance of the National Committee, assign 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 assign duty to the Department to develop the National level of Disaster Management Plan, the Standing Order and programs.

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 as per 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 provide technical assistance requested from relevant Ministry, Departments, Region or State Government in mainstreaming disaster risk reduction into the sector development plans and regional development plans.

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, the Government Department and the Government Agencies**

8. The relevant responsible Ministries, the Government Departments and Government agencies shall communicate, coordinate and collaborate with relevant Working Committees and Central Sub-committee 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 receiving the early warning.

9. The relevant Ministries, the Government Department, the Government Agency and Region or State Management Body shall issue their respective Standing Order on Disaster Management based on the National Level Disaster Management Plan, and Regional Level Disaster Management Plan approved by the National Committee to be in line with their Ministry, Department and Agency.

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

- (a) undertake the functions and duties in accordance with the National Level Disaster Management Plan and their 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 relevant Standing Order issued by them, and supervise their implementation.

11. The relevant Ministry, the Government Department, the Government Organization and Government Enterprise shall submit from time to time the report of the implementation of disaster management activities to the National Committee and the Working Committee.

### **CHAPTER IV**

#### **Functions and Duties of the Department**

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

- (a) drafting the national level disaster management plan and program in consultation with relevant government departments, government agencies and other agencies if necessary, and submission to

the National Committee through relevant Working Committee and the Ministry of Social Welfare, Relief and Resettlement ;

- (b) reviewing and updating the national level disaster management plan, the standing order and the programs, and submission it to the National Committee at least every two years through the Ministry for approval;
- (c) providing technical assistance to the ministries, departments and organizations, or the Region or State Disaster Management Bodies in preparing their disaster management plans, standing order and other programs;
- (d) submission and obtaining the approval of the programs for disaster management under the Sub-rule (a) in co-ordination 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 department, government organization, social organizations and well-wishers from home and abroad to enable to successfully and effectively implement the activities of disaster management by means of logistic management and supply chain management;
- (f) undertaking the study and research relating to the disasters, disseminate the early warning issued by Department of Meteorology and Hydrology to the relevant organizations to enable to reach to the public in timely manner.
- (g) organizing for the public awareness and knowledge sharing on disaster risk reduction, conducting the training courses, and organizing the simulation exercise or mock drill;
- (h) organizing for talks on disaster risk reduction at schools, colleges, institutes and universities to promote the knowledge and awareness of the students in co-ordination with the relevant ministries and departments.
- (i) coordination with the assisting international actors to enable to send the trainees and participants to the workshops, seminars and trainings on disaster management organized in the country and abroad;
- (j) coordinating and assisting the Regional Disaster Management Bodies, relevant government department and agencies to make prior selection of the areas, routes, safe shelters, other resources such as vehicles, machineries, etc. in order to reduce, 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 systematically and swiftly distribute in time them to the disaster affected population, when the disaster occurs;
- (l) coordinating and collaborating with the task force member of fire brigades, red cross societies and non-governmental organizations in disaster mitigation activities;
- (m) coordinating and collaborating with the search and rescue Working Committee, the task force member of fire brigades, red cross societies and non-governmental organizations in 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 Mitigation Volunteer Youth Task Forces in order to effectively implement the community based disaster management activities;

- (p) undertaking the duties of the Disaster Management Center to timely and effectively implement the disaster management measures 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. The Ministry of Social Welfare, Relief and Resettlement shall prepare the National Disaster Management Plan and submit it to the National Committee through the Working Committee for approval under rules 3 and 4.
14. The respective Ministries shall prepare the disaster management plans of their ministries and submit to the National Committee for approval through the Working Committee.
15. The Regional Bodies shall prepare the disaster management plans to be implemented by the relevant agencies and responsible personnel. After preparing such plans,
  - (a) the Region or State Disaster Management Bodies shall prepare the Region or State Disaster Management Plan and submit 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 the Self-Administered Division or Self-Administered Zone Disaster Management Plan and submit to Region or State Disaster Management Body for approval.
  - (c) Township Disaster Management Bodies shall prepare the Township Disaster Management Plan and submit to the District Disaster Management Committee for approval.
  - (d) Ward or Village tract Disaster Management Bodies shall prepare the Ward or Village tract Disaster Management Plan, and submit to the Township Disaster Management Committee for approval.
16. The Plans at different levels of National, Ministry and Regional Bodies shall be the broad framework of disaster management functions to be implemented by the relevant agencies and personnel.
17. The Plans at all levels shall cover the following content:
  - (a) hazards including climate change related hazards and devastating disasters,
  - (b) disaster risks assessment,
  - (c) the institutional arrangements on disaster management,
  - (d) measures for disaster risk reduction, disaster prevention, preparedness, readiness for emergency response, emergency response, rehabilitation and reconstruction,
  - (e) long term and short term measures for disaster risk reduction,
  - (f) modalities for governance and logistic support, institutions, allocated resources, simulation exercise or mock drill,
  - (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 updating the Plan,
  - (k) Other matters relating to disaster management as deemed necessary.

18. The Disaster Management Plans shall be updated and reviewed at least once in two years to be in line with the changing situations.
19. The National Committee, Union Ministries and Region or State Government shall prepare the respective Standing Orders for Disaster Management in order to undertake the measures for disaster risk reduction, prevention and preparedness, at the pre-disaster phase; emergency response during disaster occurs; and rehabilitation and reconstruction measures at the post-disaster phase.
20. The Stranding Order mentioned in Rule 19 shall be prepared in collaborative process with relevant ministries, government departments and agencies, assisting international actors and social societies.
21. The guidelines to be undertaken by departments and agencies for each hazard shall be included in the Stranding Order mentioned in Rule 19.
22. In line with section 5 (v) and 14 (d) of the Law, disaster risk reduction activities shall be considered as an underlying principle and disaster risk reduction measures are included in the national development plan, sector development plans, regional development plans for sustainable development.
23. The Union Ministries, Region or State Government shall prepare the long term and short term projects for the priority activities on disaster mitigation as sector and regional plans, and may submit these projects to the National Committee. The following facts shall generally be included in the projects:-
- (a) the hazards and risks related to climate change may be met in respective sectors and regional development plans,
  - (b) disaster risk reduction measures to be undertaken,
  - (c) the time frame, work-plan, the budget requirement and outcomes.
24. (a) Build capacity and create opportunities for vulnerable populations to participate in disaster management activities including disaster prevention.
- (b) consider the needs of vulnerable groups including women, children, persons with disabilities and elderly people while undertaking the disaster management measures and support their needs.

## **CHAPTER VI**

### **Declaring a State of Disaster**

25. When the following specific situations happen due to a disaster affected , the National Committee as per Section 11 of the Law shall submit forthwith to the President to declare a state of disaster:-
- (a) loss of human lives and animals;
  - (b) large scale 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 Emergency as per Section 11 of the Law:-
- (a) the duration of first declaration shall be up to 2 months;
  - (b) when the disaster still exists and the area is not back to normalcy after making the first declaration, the duration of the next declaration shall be up to 2 months for each declaration, and may declare again if necessary;
  - (c) after making declaration under sub-rule (a) or (b), when the declaration does not need to exit continuously owing to disaster risks are reduced, and the affected area are back to normalcy stage, the declaration shall be ceased in to force 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 the whole or part of the affected area, and the affected area are back to normalcy within 2 months from the date of declaration, the declaration may be withdrawn; if it is not withdrawn, such declaration shall be come into effect till 2 months from the date of declaration.

27. The assigned department, agency and service personnel, after making declaration of a State of Emergency by the President under section 11 of the law, shall undertake the duties related to disaster management separately assigned by the President apart from the duties identified in the Law and this Rules.

## **CHAPTER VII**

### **Disaster Preparedness and Prevention before Disaster Phase**

28. In performing the measures of preparedness and prevention at the pre-disaster phase for disaster risk reduction contained in sections 14 and 15 of the Law, the assigned department, agency and service personnel assigned by National Committee shall undertake the following tasks in order to effectively implement the disaster preparedness activities as per the directives, instructions and procedures issued in accordance with the Law and the guidance of the National Committee;-

- (a) compiling the research and record the events and experiences of disasters which had been occurred in other countries as well as in the Union of Myanmar, and submission the suggestions to National Committee after reviewing the risk assessment and findings;
- (b) establishing the disaster damage and loss database system;
- (c) making arrangement the discussions and talk, and conducting training on community-based disaster risk reduction from time to time in order to educate the public awareness ;
- (d) Coordinating with relevant ministries for the awareness talk on disasters at the schools, colleges, institutions and universities;
- (e) Coordinating and collaborating with relevant government departments and organizations on simulation exercises or mock drills and required trainings;
- (f) Including the disaster preparedness related lessons in the school curriculum and syllabus, and undertaking public awareness through newspapers, journals, magazines, television, radio and others media as appropriate.

29. Pursuant to section 16 of the Law, the assigned department, agency and service personnel assigned by National Committee shall undertake the following tasks in order to effectively implement the disaster prevention activities as per the directives, instructions and procedures issued in accordance with the Law and the guidance of the National Committee;-

- (a) coordinating with respective government departments and agencies, non-governmental organizations and regional management bodies, and forming the emergency search and rescue teams comprising military, Myanmar Police Force, fire brigades, auxiliary fire brigades, red cross and other social associations, and making awareness and simulation exercise or mock drill;
- (b) studying the area where the disasters are likely to happen and the population of the area for search and rescues purpose, and pre-identifying the temporary shelters and evacuation center, and preparing the essential items including vehicles, equipment and other required resources;
- (c) coordinating with government departments, agencies, non-governmental organizations and assisting international actors, and requesting the required assistance to effectively implement the search and rescue activities during disaster and the evacuation measures at disaster affected area;



- (d) coordinating with respective Region or State Government and select the suitable place for multi-purpose cyclone shelters using the geographic information system and construct them; and coordinating for the convenient stay of the cyclone victims;
- (e) making arrangement the coordination programs in advance to enable to coordinate with government departments, agencies and assisting international actors for relief and emergency support.
- (f) forecasting the possibility of disaster and the area to be affected and disseminating it to respective personnel, and issuing the appropriate warnings after editing.
- (g) establishing backup communication system, if necessary, 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 in addition to the existing communication system.
- (h) undertaking research and record the events and experiences of disasters which had been occurred in the country as well as in other countries, and developing the action plans for disaster preparedness and prevention, and submission it to the Working Committee;
- (i) coordinating with Central Sub-committees in advance for disaster mitigation during disaster;
- (j) establishing the based and from camps to get the required human resources and materials to be ready for the relief and emergency support both in normal time and in emergencies and giving guidance and supervision the implementation of the programs;
- (k) identifying the areas where the assistance are available for effective implementation of relief and emergency support activities and according to the area identification, and giving guidance the collection and using of materials and human resources supported by respective departments, agencies and social associations, and supervising them;
- (l) purchasing the private owned land and building, if required, or paying the appropriate fees for use of temporary shelters after evacuation of disaster affected population, while allowing for temporary shelters, 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;
- (m) observing the areas and population likely to be affected by the disasters (flood, cyclone, tsunami, fire, earthquake and landslide, etc.), and preparing the measures for search and rescue of disaster affected population, pre-identifying the offshore islands, flat plain, temporary shelter and evacuation center for disaster affected population, and getting to be ready the materials for life-rescue in urgent need, relief and emergency aid in advance;
- (n) forming the search and rescue taskforce comprising with the members of fire brigade and auxiliary firefighter and the Red Cross Society and volunteers, and conducting training and the simulation exercise or mock drill;
- (o) making arrangements in coordination with the Regional Authorities, the Security taskforce and the Myanmar Police Force to systematically distribute the relief and emergency aid;
- (p) observing the conditions of road way and main waterways which can be used at any time and approaching ways, collecting and compiling data on airports and helipads, and storing enough volume of fuel in the required places;
- (q) forming the special task forces and training them for search and rescue of disaster affected populations trapped in the buildings during earthquake, landslide and fire; and preparing necessary machine, equipment and emergency safety kits to be ready;
- (r) providing technical assistance to the industry, factory buildings, roads and bridges which may be affected disasters, and coordination for emergency plans;
- (s) coordinating and cooperating in mainstreaming disaster risk reduction measures in development planning;

- (t) collaborating with relevant departments and agencies to rehabilitate the damaged environment due to disasters.

## CHAPTER VIII

### Emergency Response Including Search and Rescue during disaster stage

- 30. The emergency status 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 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 shall be decided based on the following conditions:
  - (a) if any regional disaster management body of the respective level is unable to control the situation and needs to seek assistance from other higher level of regional body;
  - (b) administrative areas is more than one administrative area to respond to the emergency;
  - (c) the disaster event and its negative consequences is deemed to spread quickly to other areas or communities.
  
- 32. The Ward or Village Tract Disaster Management Body shall :
  - (a) undertake the measures of emergency response as soon as known a disaster is occurred.
  - (b) immediately inform the occurrence of the disaster to the Township Disaster Management Body.
  - (c) immediately conduct an initial assessment with following data, and inform forthwith by any mean to the Township Disaster Management Body:
    - (1) disaster affected area;
    - (2) number of disaster victims;
    - (3) damage to facilities and infrastructure;
    - (4) disturbance to functions of public services and government administration; and
    - (5) capacity of natural and artificial resources.
  
- 33. (a) When The Ward or Village Tract Disaster Management Body informs the disaster event, the Township Disaster Management Body shall inform upper different level of Disaster Management Body.
  - (b) Depending on the information sent under sub-rule (b), the Region or State Management Body may inform the National Committee if required.
  
- 34. (a) The Township Management Body shall inform the findings of initial assessment sent under sub- rule (c) of the rule 32 to the upper different level of regional management bodies.
  - (b) The Region or State Management Body may inform the intensity and amount of the disaster identified by the initial assessment to the National Committee if required.

35. Depending on the findings of the initial assessment sent under sub-rule (c) of the rule 32, the Township Management Body shall :

- (a) not directly intervene the measure of emergency response but closely monitor the emergency response at ward or village tract level, if deemed as Emergency Level 5.
- (b) undertake the measure of emergency response, if deemed as Emergency Level 4.
- (c) request the measure of emergency response intervention from the Self-administered Division or Self-administered Zone Disaster 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 the rule 32, the Self-administered Division or Self-administered Zone Management Body or District Management Body shall:

- (a) not directly intervene the measure of emergency response but closely monitor the emergency response at ward or village tract level, if deemed as Emergency Level 5;
- (b) not directly intervene the measure of emergency response but closely monitor the emergency response at ward or village tract level, if deemed as Emergency Level 4;
- (c) undertake the measure of emergency response, if deemed as Emergency Level 3;
- (d) request for the measure of emergency response intervention from the Region or State Management Body, if the emergency status is beyond the District or Self-administered Division or Self-administered Zone Management Body level or District Management Body level's control, 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 the rule 32, the Region or State Management Body shall :

- (a) not directly intervene the measure of emergency response but closely monitor the emergency response at ward or village tract level, if deemed as Emergency Level 5;
- (b) not directly intervene the measure of emergency response but closely monitor the emergency response at ward or village tract level, if deemed as Emergency Level 4;
- (c) not directly intervene the measure of emergency response but closely monitor the emergency response at ward or village tract level, if deemed as Emergency Level 3;
- (d) undertake the measure of in charge of emergency response, if deemed as Emergency Level 2;
- (e) request for the measure of emergency response intervention from the National Committee, if the emergency status is beyond the Region or State Management Body 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 the intensity and a mount of the disaster identified by the initial assessment, the National Committee shall, if deems that the national level emergency response is required :

- (a) report to the President for consideration to declare a state of disaster.
- (b) undertake the measure of emergency response.

39. The emergency status decided by the National Committee shall be overwhelmed the emergency status decided by the different level of Regional Management bodies, and the emergency status decided by Region or State Management Bodies shall be overwhelmed the emergency status decided by their lower different level of Regional Management Bodies.

40. The assigned departments, agencies and the personnel shall undertake the following broad task in accordance with the guidance of the National Committee, and the notifications, order, 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 disaster phase : -

- (a) submission the report to the National Committee through its higher authority mentioning the emergency State of disaster at the affected area to be declared by the President the emergency state of disaster specifying the period;
- (b) co-ordination and collaboration with the relevant Working Committee and Central Sub-committees, and the responsible Ministry, Department, relevant Government Department, Government Organization, other Non-Governmental Organizations to be more effectively and swiftly implemented disaster Management, and performing the necessary arrangement and assisting therefor;
- (c) communicating and collaborating with the assisting International actors and the responsible Ministry, Department, relevant Government Department, Government Organization, other Non-governmental Organizations, to be effectively and successfully implemented the disaster management, and supervising such measures;
- (d) submission to the National Committee for forming the Temporary Regional Management Body comprising with the suitable persons from area near thereby, when the members of any Regional Management Body are met among the disaster affected population, and are unable to fulfill their disaster management functions under the information received, and for assigning 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) setting up the special task force on search and rescue to the disaster affected persons who are blocked due to disaster, and assigning duties;
- (g) coordinating with relevant Central Sub-committees, Regional Management Bodies and Region or State Sub-committees for rescue of disaster affected population, 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 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 Work Committee and the relevant Central Sub-committees in respect of the search and rescue tasks ,and performing such tasks;
- (j) make the relevant Central Sub-committees, Regional Management Bodies and Region or State Sub-committees manage to systematically perform the measure of emergency response 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, other Non-governmental Organizations and International Organization, and supervising and coordinating the activities;
- (m) communicating and collaborating the Government Departments and agencies, other Non-governmental Organizations and assisting International actors for the 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 the status report of the disaster management activities to the National Committee;
- (p) continuously communicating and collaborating the National Committee, the Work Committee and the relevant Central Sub-committees regarding the search and rescue activities;
- (q) giving guidance the activities of information network and necessary information to local people and assisting International actors about the disaster event, status of the situation and the status of search and rescue and emergency response undertaken by the state; and supervising such activities;
- (r) setting up the emergency communication system as well as the communication centers to enable to communicate in time with relevant government departments and agencies local and abroad at the during the disaster phase;
- (s) performing the particular arrangements for the communication and coordination with relevant government departments, agencies, Non- Governmental Organizations and assisting international actors to fulfill the requirements of disaster affected population.

## **CHAPTER IX**

### **Rehabilitation and Reconstruction during Post Disaster Phase**

41. The assigned departments, agencies and the personnel shall undertake the following broad task in accordance with the guidance of the National Committee and the notifications, order, instructions and procedures issued under the Law to enable to effectively undertake rehabilitation and reconstruction for better living status of the affected population; and reservation of the environment damaged by the disaster contained in section 18 of the Law in post-disaster phase:-

- (a) coordinating and collaborating with the Search and Rescue Work 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 the record for the relief items, fund and other aids provided from abroad, distribution and usage of these items to the affected population, the performance of assisting international actors who undertake the relief and support activities, and announcing the records to the public for transparency;
- (c) coordinating with responsible personnel for the systematic distribution of the food, other commodities and emergency relief aids and fund supported from abroad to the disaster affected population, and distributing them in accord with regulations;
- (d) arranging and constructing the safe temporary shelters to adequately accommodate for the affected population.
- (e) considering the needs of vulnerable population at evacuation centers and temporary shelters, and arranging for them;
- (f) coordinating and collaborating with the responsible ministry, departments and relevant Regional Management Bodies for the sector-wise rehabilitation and reconstruction measures to bring the affected population back to the normal situation and getting the better living standard at post-disaster phase;
- (g) collecting the accurate data on loss of lives of human and animals, the injured, damage of state-owned and private-owned buildings and properties, and loss of livelihood, and performing the cleaning the debris and rescue;
- (h) collaborating and 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 and constructing state owned buildings including religious buildings, private houses including schools, hospitals and clinics destroyed by disaster, and reconstructing them at the suitable place;
- (j) coordinating and calculating with relevant ministries, and Region or State governments to undertake regular livelihood activities and required agriculture and livestock breeding for the local people, and establishing new livelihoods if required;
- (k) undertaking the moral rehabilitation measures in the society including psychosocial support for the survivors who are disheartened and depressed due to the disaster;
- (l) providing healthcare services to the people in the affected area and preventing the subsequent epidemics;
- (m) undertaking the good communication system and smooth and adequate transportations;
- (n) providing technical advise of support for the industries, factory, buildings, roads and bridges which may be created disasters, and setting up early warning system, and laying down emergency plans;
- (o) in order to provide regular supports, identifying the importance of the measures of rehabilitation and reconstruction such as rehabilitation of agriculture and livestock breeding, other livelihoods and businesses, communication and transportation, health, education, electricity, communication and other necessary sectors; giving guidance and supervising the systematic implementation;
- (p) rehabilitating and conserving the environment destroyed by disaster in coordination with the relevant government departments, agencies, non-governmental organizations, civil society organizations and assisting international actors and receiving necessary assistance;
- (q) causing to undertake the specific tasks related to rehabilitation and reconstruction to the assigned departments, agencies and personnel;
- (r) recording the persons who outstandingly and actively participate in the activities of disaster management and honoring the appropriate award;
- (s) undertaking other functions and duties assigned by the President Office, Union Government and National Committee in respect of the disaster management;
- (t) making arrangement promptly for the resettlement measures to enable the affected population not to stay long term at temporary shelters;
- (u) performing the particular arrangements for the communication and coordination with relevant government departments, agencies, Non- Governmental Organizations and assisting international actors for requirements of disaster affected population.

## CHAPTER X

### Communication and Collaboration with the Assisting International Actors

42. The ministry assigned by the National Committee as the focal point and competent authority shall undertake the followings :-

- (a) when a disaster happens in the country, inform the National Committee for the approval in order to get the permission to enter into the country to provide and undertake the humanitarian support for the affected population;
- (b) with the permission of the National Committee, coordinate with relevant government departments and organizations to facilitate the entry of those organization into the country or the support from abroad;
- (c) coordinate with relevant government departments and organizations for tax exemptions of imported emergency relief materials and rehabilitation items;

- (d) coordinate and collaborate with the assisting international actors regarding the humanitarian support when the disaster happens in neighboring countries and countries in the region.

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

- (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 assistance shall be included in the request mentioned in rule 43.

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

- (a) when they enter into the country, shall communicate and inform directly to the focal point and competent authority or through respective diplomatic channel.
- (b) when they are 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, Order and Directives.
- (c) depending the races, origins, religions, positions, class, culture, sex, shall not discriminate, and avoid the exploitation in terms of economic and social issues.
- (d) shall respect the human right and dignity of the affected population.
- (e) regarding the entry, undertaking the activities, departure, uniforms, badges and identity cards, shall follow the existing laws and provision in this rule.
- (f) when enter into the country or assist from abroad, shall communicate and inform directly to the focal point and competent authority or through respective diplomatic channel.
- (g) the following support may be generally provided to the affected population:-
  - (1) donations;
  - (2) technical supports;
  - (3) standard emergency supports;
  - (4) facilities including infrastructures.

46. The assisting international actors shall enter into the country and leave the country when the permission only after obtained from the Working Committee with the approval of the National Committee has been granted to do so in undertaking the humanitarian assistance to the affected population in the country.

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

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

49. When it is 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 of neighboring country where a disaster strikes, they shall apply for the permission to the Focal Point and Competent Authority in advance.

- (b) The Focal Point and Competent Authority shall check the application under sub-rule (a), and find that 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 Focal Point and Competent Authority shall, if it is allowed under sub-rule (b), coordinate with the relevant Government Departments and organization for exemption of tax and fees to be paid by the assisting international actors under existing law.

51. The Disaster Management working Committee shall inform in advance to the assisting international actors before the day of exit, after they entered and completed their functions.

## **CHAPTER XI**

### **Maintenance, Expenditure and Disposal of the National Disaster Management Fund**

52. The department, agency or personnel assigned by the National Committee 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 reconstruction and rehabilitation activities.

54. The respective Ministries, Region or State government shall submit the report of the implementation status of the activities mentioned in rule 53, and the state budget allocation and expenditure to the National Committee.

55. The 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 balance sheet in the respect of the maintenance, expenditure, 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 submit to the assigned department, agency or personnel for allocation of 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, while undertaking 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 as per 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 maintain, expend and dispose the Regional or State Disaster Management Fund established under section 20 of the Law with the followings in accordance with the financial regulations: -

- (a) contribution from the Region or State Government Budget;
- (b) grant, donation and other legal incomes from assisting international actors;
- (c) grant and donation from local donors, civil society organizations and non-governmental 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 and relief activities;
- (c) Short term and long-term reconstruction and rehabilitation activities.

63. The Region or State Management Body shall disclose the report on fund allocation, expenditure and balance sheet in the 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 efficiently 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) undertaking the office works, and prepare the records and maintain them;

- (b) correspondence and communications;
- (c) regular meetings and special meetings;
- (d) preparing the reports of the performance of activities;
- (e) bearing the expense of office works from the fund of the Department.

65. While the activities of the disaster management are undertaken, the assigned department, agencies and personnel assigned duties shall not discriminate any person based on race, birth, religion, official position, status, culture, sex and wealth.

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 Town 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 Focal Point and Competent Authority 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 think to exempt tax and duty, the Focal Point and Competent Authority may inform to the Ministry of Finance with the recommendation for exemption of tax and duty under 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 an 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 this rules, the Standing Order issued by National Disaster Preparedness Center in January, 2009 and instructions are valid until and unless they are inconsistent with the provisions of this rules.

Sd/

The Union Minister

The Ministry of Social Welfare, Relief and Resettlement