

The Law Amending the Conservation of Water Resources and Rivers Law

(The Pyidaungsu Hluttaw Law No.11, 2017)

The 3rd Waning of Waso, 1379 M.E.

(11 July, 2017)

The Pyidaungsu Hluttaw hereby enacts this Law.

1. This Law shall be called the Law Amending the Conservation of Water Resources and Rivers Law.
2. In section 2 of the Conservation of Water Resources and Rivers Law:
 - (a) Sub-section (b) and sub-section (c) shall be substituted as follows:
 - “(b) **River** means the natural current arising from the creek flows.
 - (c) **Creek** means the current that flows with the collection of natural water resources from one place to another.”
 - (b) The expression “However, islands adjoining with land are excluded” contained in sub-section (f) shall be deleted.
 - (c) After the expression “for river training” contained in sub-section (l), the expression “and development” shall be inserted.
 - (d) After sub-section (l), the following expression shall be inserted as sub-section (l - 1):
“(l-1) **Bank protection structure** means the structure constructed to protect from bank erosion and for stabilization of the bank.”
 - (e) After sub-section (m), sub-section (n) shall be inserted as follows and the original sub-section (n) shall be renumbered as sub-section (o):
“(n) **Ministry** means the Ministry of Transport and Communications of the Union Government.”
 - (f) The expression “under the Ministry of Transport” contained in sub-section (n) shall be substituted by the expression “of the Ministry of Transport and Communications.”
3. The expression “Ministry of Transport” contained in the Conservation of Water Resources and Rivers Law shall be substituted by the expression “Ministry” respectively.
4. In section 4 of the Conservation of Water Resources and Rivers Law:

(a) Sub-section (d) shall be deleted.

(b) Sub-section (e) shall be substituted as follows:

“(e) determining navigation pilot charge, utilization charge of waterway, harbouring charge, anchorage charge, utilization charge of waterfront boundary, utilization charge of rivers and creeks for other works other than agricultural and husbandry works, and service charges for river training.”

5. In section 5 of the Conservation of Water Resources and Rivers Law:

(a) Sub-section (d) shall be substituted as follows:

“(d) cooperation with relevant government departments and organizations in order to determine dangerous water levels for towns correctly.”

(b) After the expression “to prevent water pollution” contained in sub-section (h), the expression “in rivers” shall be inserted.

(c) After sub-section (k), sub-section (k-1) shall be inserted as follows:

“(k-1) granting permission after examining on the application to grant permit of salvage for the sunken vessel for commercial purposes in the river-creek boundary, bank boundary and waterfront boundary.”

(d) Sub-section (n) shall be substituted as follows:

“(n) collecting navigation pilot charge, utilization charge of waterway, harbouring charge, anchorage charge, utilization charge of waterfront boundary, utilization charge of rivers and creeks for other works other than agricultural and husbandry works, and service charges for river training.”

6. In section 6 of the Conservation of Water Resources and Rivers Law:

(a) Sub-section (a), sub-section (c) and sub-section (g) shall be substituted as follows:

“(a) granting permission after examining on the application of river utilization permit for the construction of bank protection structure, the construction of waterway training structure, switchback, dockyard, wet dockyard and water-tight dockyard, building of jetty, landing road and landing stage, vessel landing by drainage, drainage, and for other works other than agricultural and husbandry works in the river-creek boundary, bank boundary and waterfront boundary.

(c) giving recommendation to the relevant government department and organization after examining on the application for construction and repairing of buildings and bridges in the river-creek boundary, bank boundary and waterfront boundary.

(g) giving recommendation to the relevant government department and organization after examining as to whether or not the waterways of the rivers-creeks, river-creek boundary, bank boundary and waterfront boundary can be affected adversely, on the application to grant permit for sand excavating, sand suction, sand dredging, rivers shingle suction and creek shingle production for commercial purposes in the river-creek boundary, bank boundary and waterfront boundary.”

(b) After sub-section (g), sub-section (g-1) shall be inserted as follows:

“(g-1) giving recommendation to the relevant government department and organization after examining as to whether or not the waterways of the rivers-creeks, river-creek boundary, bank boundary and waterfront boundary can be affected adversely, on the application to grant permit for gold panning, gold mineral dredging or extracting resources, and implementation of water related works by various means.”

(c) The expression “in rivers and creeks” contained in sub-section (h) shall be deleted.

(d) After sub-section (h), sub-section (i) and sub-section (j) shall be inserted as follows:

“(i) granting permission after examining on the application for land utilization permit to carry out fish, prawn, crab, soft-shell crab and other husbandry works for commercial purposes in the river-creek boundary, bank boundary and waterfront boundary.

(j) managing the land area, with the direction of the Ministry, obtained from expanding and land reclamation in the rivers and creeks due to conservation works of water resources and rivers along the river-creek boundary, bank boundary and waterfront boundary.”

7. Section 7 of the Conservation of Water Resources and Rivers Law shall be substituted as follows:

“7. The Directorate may, if necessary, delegate its functions and duties to the Regional or State Offices and Township Offices subordinate to it.”

8. Section 15 of the Conservation of Water Resources and Rivers Law shall be substituted as follows:

“15. In the river-creek boundary, bank boundary and waterfront boundary, no person, without the permission of the Directorate, shall:

(a) carry out the construction of waterway training structure, switchback, dockyard, wet dockyard, water-tight dockyard, building of jetty and pier, the construction of landing

lane and landing stage, vessel landing by drainage, drainage, and the construction of temporary bridge of river and creek.

(b) dig husbandry pond to carry out fish, prawn, crab, soft-shell crab and other husbandry works.”

9. In section 23 of the Conservation of Water Resources and Rivers Law:

“(a) The expression “Ministry of Transport” contained in sub-section (a) shall be substituted by the expression “Directorate of Water Resources and Improvement of Rivers Systems.”

(b) The expression “shall not build” contained in sub-section (b) shall be substituted by the expression “shall not carry out the construction of roads and bank protection structure, and river bank training works.”

10. The expression “fine not exceeding kyats 50,000” contained in section 25 of the Conservation of Water Resources and Rivers Law shall be substituted by the expression “a fine from a minimum of five hundred thousand kyats to a fine not exceeding a maximum of one million kyats”.

11. The expression “the provisions” contained in section 26 of the Conservation of Water Resources and Rivers Law shall be substituted by the expression “the prohibitions” and the expression “fine not exceeding kyats 30,000” shall be substituted by the expression “a fine from a minimum of three hundred thousand kyats to a fine not exceeding a maximum of seven hundred thousand kyats”.

12. The expression “fine not exceeding kyats 10,000” contained in section 27 of the Conservation of Water Resources and Rivers Law shall be substituted by the expression “a fine from a minimum of one hundred thousand kyats to a fine not exceeding a maximum of five hundred thousand kyats”.

13. Section 33 of the Conservation of Water Resources and Rivers Law shall be substituted as follows:

“33. The Obstruction in Fairways Act, 1881, the Defile Traffic Act, 1907, the Ports Act, 1908, the Inland Vessel Law (The Pyidaungsu Hluttaw Law No.29, 2015), the Myanmar Port Authority Law (The Pyidaungsu Hluttaw Law No.21, 2015) and rules, procedures, orders and directives issued under the said Laws may continue to be applicable in so far as they are not inconsistent with the provisions of this Law.”

I hereby sign under the Constitution of the Republic of the Union of Myanmar.

Sd/ Htin Kyaw
President
Republic of the Union of Myanmar

Myanmar Law Information System (MLIS)