

**Elderly People Law**  
**(The Pyidaungsu Hluttaw Law No.44, 2016)**  
**The 2<sup>nd</sup> Waxing day of Pyatho, 1378 M.E.**  
**(30<sup>th</sup> December, 2016)**

The Pyidaungsu Hluttaw hereby enacts this Law.

**Chapter I**  
**Title and Definition**

1. This Law shall be called Elderly People Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:
  - (a) **Elderly People** means all Myanmar citizens who are 60 years of age and above;
  - (b) **Debilitated Elderly Person** means the elderly person who is physically or mentally impoverished and is unable to survive by oneself without assistance of another person;
  - (c) **Elderly Parent and Grandparent in Need of Maintenance** means elderly parent and grandparent who become destitute or unable to survive by themselves as they have no children and grandchildren or the children and grandchildren abandon, neglect and do not support or are unable of supporting them though they have. In this expression, blood-related uncles, aunts and not blood-related persons who looked after the orphans or children on behalf of the parents though they have parents, are also included;
  - (d) **Maintenance** includes expenses for provision of food, clothing and shelter, health care and social care required for elderly people;
  - (e) **Parents** means biological father, biological mother, and adoptive parents. In this expression, step father and step mother who looked after step children are also included;
  - (f) **Children** means biological children and adopted children. In this expression, step children being looked after by step parents are also included;
  - (g) **Elderly People Identification Card** means the identification card issued in accordance with this Law to elderly people to be entitled their rights;
  - (h) **Family care** means care provided to the elderly parents and grandparents by their family members;

- (i) **Home-based and community-based care** means care either provided by elderly people each other or by the family member or non-family member, including volunteer or service providers who offer services to others in exchange for payment at home or in the community;
- (j) **Social care** means care which is the provision of food, articles for use, daily activity requirements together with social supports needed for the self-care to promote the emotional benefits and social interaction;
- (k) **Healthcare** means disease prevention, diagnosis, treatment, physical and psychological rehabilitation, and provision of other health services;
- (l) **Home for the aged** means a home run either for commercial or charitable purpose, that provides accommodation, sustenance, social and healthcare for elderly people;
- (m) **Establishment permit** means the permit issued in accordance with this Law to establish a home for the aged;
- (n) **Care Services for Elderly People** means services run, either for commercial or charitable purpose, by private and non-governmental organizations to provide social care and healthcare for elderly people;
- (o) **Operation permit** means a permit issued in accordance with this Law to run care services for elderly people;
- (p) **Fund** means a fund established in accordance with this Law to provide support and care for elderly people;
- (q) **Abuse** means physical and mental maltreatment, and mistreatment of elderly people, including not providing adequate food and medicine, beating, verbal abuse, forcing to beg and endangering;
- (r) **Negligence** means the omission of proper meeting or adequate provision of required food for and isolation of elderly people;
- (s) **Myanmar Elderly People Committee** means the national level elderly people committee established in accordance with this Law;
- (t) **Regional Committees** means the respective Region or State, Self-Administered Division or Self-Administered Zone, District and Township Elderly People Committees established in accordance with this Law.
- (u) **Ministry** means the Ministry of Social Welfare, Relief and Resettlement;
- (v) **Social Welfare Officer** means the service personnel from the social welfare department, who has been appointed by the social welfare department to perform the duties of social welfare officer or the civil service personnel or other suitable citizen appointed to perform the duties of the social welfare officer in accordance with this Law;

- (w) **Person in Charge of the Home for the aged** means the owner, the founder or the manager responsible for the home for the aged. In this expression, the person assigned by any aforesaid person is also included.

## **Chapter II**

### **Aims**

3. The aims of this Law are as follows:
- (a) to promote the healthcare and social care, and to provide necessary technical and administrative assistance for elderly people;
  - (b) to ensure that the elderly receive regular income from the support of or by reinforcing activities engaged elderly people by the Union and benefactors;
  - (c) to ensure that the elderly receive the self-care, family care, home-based and community-based care adequately;
  - (d) to provide shelter and care for elderly people and the debilitated elderly who are destitute and without caregiving support in the homes for the aged with their own volition;
  - (e) to promote the participation of elderly people in the social and community affairs by expanding the home-based and community-based care groups;
  - (f) to include accessible health services for elderly people in the National Health Care Schemes;
  - (g) to provide supporting materials which are economical and readily usable for mobility and transportation;
  - (h) to give priority to elderly people when providing relief supplies, financial support, healthcare, and arranging rescue camps during the times of natural disasters and rehabilitation periods;
  - (i) to provide the safe and secure environment for the elderly.

## **Chapter III**

### **Formation of the Myanmar Elderly People Committee and its Duties and Powers**

4. The Union Government:
- (a) shall form the Myanmar Elderly People Committee consisting of the following members to implement the aims of this Law, to protect the rights of elderly people and to take care of elderly people, to provide

supervision on the laying down and implementation of policies and guidelines:

- |      |   |                  |
|------|---|------------------|
| (1)  | Union Minister, Ministry of Social Welfare,<br>Relief and Resettlement  | Chairperson      |
| (2)  | Deputy Minister or Permanent Secretary<br>Ministry of Social Welfare, Relief and Resettlement                     | Vice Chairperson |
| (3)  | Deputy Minister or Permanent Secretary<br>Ministry of Home Affairs  | Member           |
| (4)  | Deputy Minister or Permanent Secretary<br>Ministry of Health and Sports   | Member           |
| (5)  | Deputy Minister or Permanent Secretary<br>Ministry of Education   | Member           |
| (6)  | Deputy Minister or Permanent Secretary<br>Ministry of Religious Affairs and Culture                               | Member           |
| (7)  | Deputy Minister or Permanent Secretary<br>Ministry of Information   | Member           |
| (8)  | Deputy Minister or Permanent Secretary<br>Ministry of Labour, Immigration and Population                          | Member           |
| (9)  | Deputy Minister or Permanent Secretary<br>Ministry of Agriculture, Livestock and Irrigation                       | Member           |
| (10) | Deputy Minister or Permanent Secretary<br>Ministry of Construction  | Member           |
| (11) | Deputy Minister or Permanent Secretary<br>Ministry of Transport and Communications                                | Member           |
| (12) | Not more than three Representatives from<br>the city development committees concerned                             | Members          |
| (13) | Chairperson,<br>Myanmar Women Affairs Federation  | Member           |
| (14) | Chairperson<br>Myanmar Maternal and Child Welfare Association   | Member           |
| (15) | Not more than five suitable Representatives<br>from the Internal Non-Governmental<br>Elderly People Organizations | Members          |
| (16) | Director General<br>Department of Social Welfare  | Secretary        |
| (17) | Deputy Director General<br>Department of Social Welfare   | Joint Secretary  |
- (b) may re-form the Myanmar Elderly People Committee if required.

5. The duties and powers of the Myanmar Elderly People Committee are as follows:

- (a) laying down necessary policies, plans and guidelines and implementation, monitoring, evaluation and supervision on such activities to implement effectively the aims of this Law;
- (b) laying down programmes, project plans and plans for the approval of the Union Government through the ministry for effective provision of support and care for elderly people particularly debilitated elderly person;
- (c) formation of necessary working committees, subcommittees and advisory groups and assigning duties to such committees and groups to implement its duties and exercise its powers effectively;
- (d) laying down work programmes on family care, home-based and community-based care, social care and healthcare for elderly people or on providing support for elderly people and debilitated elderly people who are in need of support and collaborating with the respective Union Ministries, government departments, government organizations, Hluttaw Representatives, Region or State government, local and international non-governmental organizations.
- (e) laying down and implementation of programmes to strengthen the established family structure based on the traditional paradigm;
- (f) implementation in accordance with the International Declarations and Agreements on the Rights of Elderly People ratified by the State;
- (g) directing and supervising the issuance of elderly people identification cards, and supervision on statistics and information about elderly people to be accurate and update;
- (h) promoting the studies and research to find out the fundamental causes of problems facing elderly people, their needs and aspirations, and laying down effective guidelines;
- (i) educating the public to appreciate the problems, needs and aspirations of elderly people;
- (j) establishing care centres, recreation centres, day care centres for elderly people, homes for the aged laying down guidelines and regulations, and providing necessary supports;
- (k) organizing lectures, discussions, workshops, and other programmes in schools and other appropriate places to promote the attitude of the younger generation that they have the responsibility to take care of elderly people;

- (l) providing information about the services to which elderly people are entitled;
- (m) introducing the measures of preparation for elderly people's lives to the younger generation, carrying out appropriate social welfare programmes and encouraging the youths to participate in these programmes;
- (n) revising the existing laws and making necessary amendments in order to protect and promote the rights and benefits of elderly people and to prevent discriminations;
- (o) performing the duties assigned by the Union Government from time to time.

6. The Ministry shall perform office work of the Myanmar Elderly People Committee, working committee, and subcommittees.

7. The members of the Myanmar Elderly People Committee, working committee and subcommittees, who are not civil service personnel are entitled to the rewards and allowances as specified by the Ministry.

8. The expenses of the Myanmar Elderly People Committee, working committee, and subcommittee shall be borne by the Ministry's budget.

## **Chapter IV**

### **Formation of Regional Committees and their duties**

9. The relevant Region or State Government:
- (a) shall form the Elderly People Committee consisting of not more than 15 representatives from the Region or State level respective government departments, government organizations, Hluttaw representatives, non-governmental social organizations, elderly people support and care organizations as directed by the Myanmar Elderly People Committee in order to implement and supervise the State Elderly People support and care plan in the respective Region or State;
  - (b) may re-form the Region or State Elderly People Committee if required.
10. The relevant Region or State government:
- (a) shall form the Self-Administered Division or Self- Administered Zone, District and Township Elderly People Committees consisting of not more than 9 suitable representatives from the respective government departments, government organizations, Hluttaw representatives, non-governmental social organizations, in order to implement effectively the elderly people support and care in the respective Region or State;

- (b) may re-form the Self-Administered Division or Self- Administered Zone, District and Township Elderly People Committees, if required.
11. The Regional Committees shall, as directed by the Myanmar Elderly People Committee and under the supervision of the respective Region or State Government:
- (a) lay down the elderly people support and care programmes in accord with the tradition and social customs of the respective region to implement the Myanmar Elderly People Support and Care Plan and Project, and implement, and supervise the programmes;
  - (b) perform the duties prescribed in the rules and regulations, notifications, order, directives and procedures issued under this Law in order to implement the aims of this Law effectively and successfully.
12. The respective Social Welfare Departments shall perform the duties of the office of the Local Committees.
13. The members of the Regional Committees who are not civil service personnel are entitled to the rewards and allowances as specified by the respective Region or State Government.
14. The expenses of the Local Committees shall be borne by the Region or State budget.

## **Chapter V**

### **Rights of Elderly People**

15. Every elderly person shall be entitled to the rights specified by this Law without any discrimination on the grounds of race, birth, religion, official position, status, culture, sex, poverty and affluence.
16. In the rights of elderly people the followings are included:
- (a) the right to receive appropriate support for daily living, mobility and essential health care;
  - (b) the right to freely profess and practice religion;
  - (c) The right to personal freedom, self-determination for personal life, and dignified existence;
  - (d) the right to organize social, economic, political, cultural, and religious groups and associations, and to participate in community activities;
  - (e) the right to receive adequate support for appropriate regular income and living standard at old age;
  - (f) the right to receive maintenance for parents and grandparents in need of support from their children and grandchildren;
  - (g) the right to receive financial support for elderly people from the Union and charities;

- (h) the right to travel conveniently by public and private transport and the right to fare discounts or gratis;
- (i) the right to receive family care, home-based and community-based care supports with dignity in their community;
- (j) the right to receive protection from discrimination, maltreatment, negligence, abandonment, exploitation, and abuse;
- (k) the right to receive proper funeral services in accord with their religious customs and the right to receive services gratis for elderly people who cannot afford to pay for this;
- (l) the right to receive other elderly people' rights which are granted by the Myanmar Elderly People Committee with the approval of the Union Government.

## **Chapter VI**

### **Maintenance and Care for Elderly People and Duties of Children and Grandchildren**

17. If the adult children and grandchildren have adequate financial means and properties or can work and are able to provide support their parents and grandparents:

- (a) they have the duty to provide maintenance and regular care in accordance with their responsibilities in order to fulfil the needs of their parents and grandparents;
- (b) they have the duty to provide maintenance monthly or lump sum, in accordance with the stipulations, for the parents and grandparents in need of maintenance.

18. The parents and grandparents in need of maintenance or their relatives and friends, or elders of the community or person in charge of the home for the aged on behalf of them may, in accordance with the stipulations, petition against adult children or grandchildren who have adequate means and properties or who can work and provide support to the relevant court for maintenance for their parents and grandparents.

19. In the petition made under section 18, where there are other children and grandchildren responsible for the provision of maintenance for the parents and grandparents besides the children or the grandchildren being applied as respondents, the respondents have the right to request the court to include the other children and grandchildren as co-respondents in such application.

20. The respective court:



- (a) may, after examining petition under section 18, make an order against the respondent to pay not more than 50000 kyats per person monthly or lump sum payment when clearly found out the evidence that the respondent fails to provide maintenance monthly or lump sum for the parents or grandparents in need of maintenance without adequate reason. In default of such payment, the court shall presume as if it were in default of payment of fine under the code of criminal procedure and has jurisdiction to recover it.
- (b) may, after making an order under subsection (a), amend its order when the respondent applies for the reduction in payment or exception on the grounds that his or her income is decreasing or he or she has no income due to the changing circumstances with sufficient evidence.

21. The Myanmar Elderly People Committee or respective Region or State Elderly Committee shall lay down and implement necessary programmes to provide appropriate support for the parents and grandparents in need of maintenance from the fund if their children and grandchildren have no adequate financial means and properties or they can work but unable to provide support or they have no children and grandchildren.

## **Chapter VII**

### **Support and Care for Elderly People and General Duties and Responsibilities**

22. The home-based, community-based care organizations, non-governmental organizations and voluntary social organizations have the following duties and responsibilities in general for the provision of home-based and community-based care to elderly people in the community. They shall:

- (a) encourage and provide care for the physical and psychological development of elderly people;
- (b) provide maintenance and care as much as possible for elderly people in need of maintenance;
- (c) arrange the social care and health care for elderly people as a community movement;
- (d) arrange the protection of the rights of elderly people and the fulfilment of their needs as a civic duty;
- (e) having the understanding of elderly people' opinions through participating in the social activities, raise awareness of the social values of assisting, caring, and respecting elderly people to the public, including school;

- (f) encourage voluntary services for elderly people.
  - (g) encourage the neighbours of elderly people to raise the spirit of volunteering and neighbourliness and to provide care for elderly people in need of support.
23. The role of the Union concerning elderly people is as follows:
- (a) protecting the rights of all elderly people in accordance with the law;
  - (b) ensuring that the elderly people in need of care for they have no family member can enjoy physical and mental well-being;
  - (c) allocating appropriate annual budget to provide support and care for elderly people;
  - (d) providing maintenance from the budget and care for the elderly and debilitated people in need of care;
  - (e) creating situations where elderly people can stay in the secure environment and encouraging to respect the dignity of elderly people in the community;
  - (f) taking action in accordance with the stipulations of law against persons and organizations who violate the elderly people' rights prescribed in this Law;
  - (g) implementing effectively the aims and provisions of this Law.

### **Chapter VIII**

#### **Earning Regular Income**

24. In order to find the appropriate jobs for elderly people who have capability and willingness to work, in coordination with the respective Union Ministries and Companies, the Myanmar Elderly People Committee shall:
- (a) arrange part-time job opportunities and the jobs capable of doing by elderly people for them;
  - (b) arrange to get loans to do their livelihoods;
  - (c) provide vocational and professional training for elderly people;
  - (d) take measures for appropriate tax reduction or exemption for the employers who give job opportunities to elderly people.
25. The Union shall lay down and implement the programmes for elderly people to enjoy their rights according to the age gradation.

### **Chapter IX**

#### **Health Care and Social Care for Elderly People**

26. The Myanmar Elderly People Committee shall coordinate with the relevant ministries, government departments, government organizations, Hluttaw

representatives and non-government social organizations and link up among them to fulfil health care and social care as much as possible for elderly people to be healthy and able to live in appropriate accommodation.

27. The Myanmar Elderly People Committee shall coordinate with the Ministry of Health and Sports and provide the inclusive health care across the country. In doing so:

- (a) the medical department shall arrange high-quality and appropriate medical treatment to be easily accessible by elderly people at a gratis or a lower rate.
- (b) the medical department shall provide the required medicines and ancillary equipment for elderly people either at a gratis or a lower rate;
- (c) the Myanmar Elderly People Committee shall promote research related to elderly people and organize training for geriatrics experts;

28. The Ministry of Health and Sports shall perform the education and disease prevention tasks in various ways in order to give awareness of the healthy elderly life to the elderly and the youths.

29. The Myanmar Elderly People Committee shall arrange to provide more comprehensive care in special cases providing self-care, family care, and community care for elderly people who need special care. In doing so:

- (a) caregivers whether the family members or the volunteers shall be given appropriate allowances;
- (b) home-based, community-based caregiver shall be encouraged and given supplementary allowances;

## **Chapter X**

### **Creating Convenient Environment for the Mobility of Elderly People**

30. The Myanmar Elderly People Committee shall create decent environment for and, accept and welcome elderly people by ensuring not to discriminate against elderly people and by raising awareness that elderly people are not a community burden but assets for the community.

31. The Myanmar Elderly People Committee shall coordinate with the relevant ministries, government departments, government organizations, Hluttaw representatives and non-governmental social organizations to fulfil the requirements of elderly people such as necessary services, related materials and convenient mobility to ensure appropriate accommodation, infrastructure and independent living for elderly people, and carry out the followings:

- (a) taking into consideration the special requirements of elderly people when the public places and housings are built or renovated and

installing the appropriate requirements for the daily mobility of elderly people;

- (b) directing and laying down rules and regulations for the private sector and civic organizations to provide elderly people with equipment which should be supplemented, services and public transportation vehicles to use conveniently;
- (c) giving discount and exemption for elderly people when receiving special medical treatment, visiting public places, utilizing services and public transportation vehicles.

32. The Myanmar Elderly People Committee shall coordinate with the relevant Union ministries, government departments, government organizations, Hluttaw representatives, non-governmental social organizations and shall build up step by step the networking and community services for care and rehabilitation, culture and sports activities, daily life activities of elderly people.

33. The Myanmar Elderly People Committee shall arrange to review the existing laws so as to amend as necessary for fulfilment of elderly people' requirements for convenient mobility.

## **Chapter XI**

### **Participation of Elderly People in the Society**

34. The Myanmar Elderly People Committee shall encourage the relevant government departments, government organizations, Hluttaw representatives, non-governmental Social Organizations, and individual persons to set up the social services organizations, and to open the rehabilitation centres for the participation of elderly people in the society.

35. The government departments, government organizations, Hluttaw representatives, and non-governmental social organizations shall support to home-based, community-based care organizations led and participated by elderly people either cash or in kind, to draw up local programmes for community development to ensure their rights and to promote participation of elderly people at the social and cultural events in the community.

## **Chapter XII**

### **Issuance and Use of Elderly People Identification Cards**

36. The Social Welfare Department, in accordance with the guidance of the Myanmar Elderly People Committee, shall:

- (a) lay down and implement required programmes and projects to issue elderly people identification cards.

- (b) assign district or township social welfare department officers to issue elderly people identification cards so that elderly people can enjoy the rights mentioned in this Law and to get accurate statistics about elderly people.
37. The officer from the district or township social welfare department assigned by the Social Welfare Department shall:
- (a) collect the list of elderly people in the township in accord with their own volition and issue elderly people identification cards at gratis;
  - (b) issue elderly people identification cards by categorizing between elderly people and the debilitated elderly people in need of maintenance and care.
38. Elderly people shall:
- (a) have the right to request for elderly people rights mentioned in this Law to enjoy to the respective person or department and organization by showing the elderly people identification card;
  - (b) not transfer his or her elderly people identification card to another elderly person.
39. The respective person or the organization shall not refuse or neglect on elderly person's request to be entitled to the rights mentioned in this Law by showing the elderly people identification card under subsection (a) of section 38.

### **Chapter XIII**

#### **Establishment of the Home for the Aged and Running the Care Services**

40. If a local or international organization whether private or non-government organization wants to establish a home for the aged or wants to run elderly people care services, it shall apply for the establishment permit or business permit in accordance with the stipulations to the Social Welfare Department through the respective Region or State Social Welfare Departments.
41. The Region or State Social Welfare officer shall examine the applications for an establishment permit or business permit under section 40 whether they are in accordance with the stipulations or not and submit the applications to the Social Welfare Department with remarks whether the permits should be issued or not.
42. The Social Welfare Department shall:
- (a) scrutinize the applications made under section 41 and may allow or deny the applications for the establishment permit or the business permit. If allowed, it shall issue the establishment permit or business permit to the applicant by prescribing the conditions;

- (b) have the applicant pay the specified fee where the establishment permit or the business permit is issued under subsection (a) for establishing or running commercial purpose. In case of charitable purpose, the fee shall be exempted.
43. The Social Welfare Department:
- (a) shall inspect and supervise the homes for the aged being issued establishment permit and elderly people care services being issued business permit under section 42 whether they follow the prescribed stipulations or not;
  - (b) may assign the respective social welfare officers to perform the duties mentioned in subsection (a).
44. The person in charge of the home for the aged:
- (a) shall form a supervisory committee in accordance with the stipulations and perform the duties.
  - (b) shall supervise to adhere to the prescribed stipulations regarding acceptance and of elderly people.
  - (c) shall report in accordance with the stipulations about the activities of the home for the aged to the Social Welfare Department.

## **Chapter XIV**

### **Issuance of Certificate to the Social Organizations**

45. A social organization which provides support for elderly people may, when received the registration certificate issued by the respective registration board in accordance with the existing law relating to registration of associations, apply for a certificate to the Social Welfare Department with a copy of it.
46. The Social Welfare Department may allow or deny for awarding certificate after scrutinizing the application under section 45. If allowed, it shall issue the certificate by prescribing stipulations.

## **Chapter XV**

### **Establishing, Maintaining and Spending Fund**

47. The Myanmar Elderly People Committee shall establish the Myanmar elderly people fund to provide support and care for elderly people from the following types of contribution:
- (a) allocation from the Union budget;
  - (b) grants and donations from the international organizations, the foreign and local organizations, and the foreign countries;
  - (c) grants and donations from the internal and external benefactors, social organizations, and non-governmental organizations;

- (d) the fees paid for elderly people care services for commercial purpose;
- (e) the legitimate interests accrued from the Fund.

48. The Myanmar Elderly People Committee shall form the Myanmar Elderly People Fund Management Committee with appropriate persons and may stipulate its duties.

49. The Myanmar Elderly People Fund Management Committee shall draw up the financial regulations regarding the Fund Maintenance and Spending in coordination with the Union Auditor General's Office and shall obtain the approval from the Myanmar Elderly People Committee and shall abide by these financial regulations.

50. The Region or State Elderly People Committee shall establish the Region or State Elderly People Fund to provide support and care for elderly people from the following types of contribution:

- (a) allocation from the Region or State budget,
- (b) grants and donations from international organizations, foreign and local organizations, and foreign countries,
- (c) grants and donations from internal and external benefactors, social organizations, and non-governmental organizations,
- (d) the legitimate interests accrued from the Fund.

51. The Region or State Elderly People Committee shall form the Fund Management Committee with appropriate persons and may stipulate its duties.

52. The Region or State Elderly People Fund Management Committee shall draw up the financial regulations regarding the fund maintenance and spending in coordination with the Region or State Auditor-General's offices and shall obtain the confirmation from the respective committee and shall abide by these financial regulations.

53. The Myanmar Elderly People Committee may, if required, allot appropriate fund from the Myanmar Elderly People Fund to the Region or State Elderly People Fund for the support and care of elderly people in the respective Region or State.

54. The Myanmar Elderly People Committee shall submit the annual audit report regarding maintenance and spending of the Myanmar elderly people fund in accordance with the financial regulations to the Union Government through the Ministry.

55. The Region or State Elderly People Committee shall submit the annual audit report regarding maintenance and spending of Region or State Elderly People Fund in accordance with the financial regulations to the respective Region or State Government.

56. The person or organization that contributes and donates funds to the Fund or elderly people and debilitated people has the right to deduct the donated amount from their taxable income.

## **Chapter XVI**

### **Offences and Penalties**

57. Any person or responsible person from the organization who shall give rights to elderly people under this Law denies or neglects the request of an elderly person to enjoy the rights of elderly people by showing the elderly people identification card shall, on conviction, be punished with imprisonment for a terms not exceeding two years or with fine from a minimum of one hundred thousand Kyats to a maximum of one million Kyats or with both.

58. Whoever discriminates against or abuses any elderly person shall, on conviction, be punished with imprisonment for a term not exceeding two years or with fine from a minimum of one hundred thousand Kyats to a maximum of one million Kyats or with both.

59. Whoever establishes a home for the aged without an establishment permit or runs any Elderly People Care Services without a business permit for commercial purpose shall, on conviction, be punished with fine from a minimum of one hundred thousand Kyats to a maximum of one million Kyats.

## **Chapter XVII**

### **Miscellaneous**

60. The members of the Myanmar Elderly People Committee, working committee, subcommittees, regional committees who are not civil servants and the social welfare officers shall be deemed as civil servants during the time of performing the duties of this Law.

61. Regarding abuse of elderly people, the person who is abused or any eyewitnesses may report to the respective police station verbally or in written or by telephone or in person.

62. The members of the Myanmar Elderly People Committee, working Committee, subcommittees, local committees and social welfare officers may, regarding the duties of this Law, enter and inspect the premises by a prior notice and inquire the persons concerned, examine the necessary documents and evidence, and asked for reports if required.

63. The offences contained in this Law shall be deemed as cognizable offences.

64. In a prosecution under this Law, prior sanction of the Ministry shall be obtained.



65. No civil or criminal action shall be taken against any member of the Myanmar Elderly People Committee and Regional Committee or any member or any person assigned under this Law who performs in good faith the duties and responsibilities relating to elderly people assigned by this Law.

66. In implementing the provisions of this Law:

- (a) the Ministry may issue rules and regulations with the approval of the Union Government.
- (b) the Myanmar Elderly People Committee and the Ministry may issue notifications, orders, directives and procedures.
- (c) the Social Welfare Department may issue orders and directives.

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I hereby sign according to the constitution of the Republic of the Union of Myanmar.

(Sd.) Htin Kyaw  
President  
The Republic of the Union of Myanmar