

The Electricity Law
(The Pyidaungsu Hluttaw Law No. 44, 2014)
The 5th Waxing of Tazaungmone, 1376 M.E.
(27 October, 2014)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title and Definitions

1. This Law shall be called the **Electricity Law**.
2. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Electric Power** means the electric power generated by using any kind of energy resources.
 - (b) **Electrical Business** means any business relating to exploration, construction, generation, transmission, distribution, utilization, trading, exchanging, controlling the electric power system, testing the electricity and inspection of the electrical business.
 - (c) **Electrical Authority** means the authority for enabling to operate and grant the electrical businesses.
 - (d) **Permit** means the permit issued by a person who is determined as a person who is enable to issue the permit under section 7 to operate any electrical business.
 - (e) **Electric Power Generation** is the commercially generation of electric power from any kind of energy resources by using any technology.
 - (f) **Electric Power Transmission System** means the system which transmits the electric power from the electric power generating base to primary sub-station and transmission between primary sub-stations by using the electric lines, electric lamp-posts, sub-stations, transformers and related equipment.

- (g) **Electric Power Distribution** means the distribution of electric power systematically with specified voltage, current, and frequency to the users of the electric power.
- (h) **Electric Power Distribution System** means the system which distributes the electric power from the electric power generating factory and sub-station by using the electric lines, electric lamp-posts, sub-stations, transformers and related equipment.
- (i) **Electric Power Trading** means the performance as enterprise of the matters relating to generation, transmission, distribution and exchange of the electric power from local or foreign country connecting with the person who works in the electrical business.
- (j) **Electric Power Utilization** means procuring and utilizing the electric power which has the specified voltage, current, and frequency in accord with the stipulations.
- (k) **Electric Power System** means the system of national grid and regional grid.
- (l) **National Grid** means the nation-wide system of the electric power generation, transmission and distribution interconnecting with the power plants, primary sub-stations, transmission lines, distribution lines and sub-stations.
- (m) **Regional Grid** means the electric power system supplied as an isolated system within a specific area without connecting to the national grid.
- (n) **Electric Line Area** means the perimeter area specified by the Ministry for safety purposes from electricity hazards along the transmissions lines.
- (o) **Control of Electric Power System** means administering and controlling the generation, transmission and distribution of electric power within the national grid in accord with technical standards.
- (p) **Inspection of Electrical Business** means the inspection of other electrical business whether or not there is regulatory compliance for safety purposes from electricity hazards except the business of electricity exploration, electric power system control, trading and exchange.

- (q) **Inspection of Electrical Equipment** means the inspection of strength and standards of electrical equipment, machinery, electric lines, electrical measuring equipment used in electrical business.
- (r) **Ministry** means the relevant Union Ministry authorized by the Union Government to carry out the functions and duties contained in this Law.
- (s) **Minister** means the relevant Union Minister appointed by the Union Government.
- (t) **Electric Power Supply Board** means a board formed by the Ministry, with the approval of the Union Government, for enabling to carry out effectively the electrical business within the specified electric power supply boundaries.
- (u) **Electric Power Supply Corporation** means a business formed as the partnership of local or foreign private entrepreneurs with any Electric Power Supply Board or any business or any part of business under the Ministry for carrying out the electrical businesses.
- (v) **Private Electric Power Producer** means the electric power producer and distributor who has obtained the electrical business permit in accord with the existing laws.
- (w) **Electric Power User** means the person who obtains and uses the electric power in accord with the existing laws.
- (x) **Small-Scale Electrical Business** means the electrical business which generates up to 10 megawatts.
- (y) **Medium-Scale Electrical Business** means the electrical business which generates more than 10 megawatts to 30 megawatts.
- (z) **Large-Scale Electrical Business** means the electrical business which generates more than 30 megawatts.
- (aa) **Certificate of Electrical Safety** means a certificate issued by the Chief Inspector after the inspection of the electrical business in accordance with stipulations.
- (bb) **Certificate for Inspection of the Electrical Equipment Quality** means a certificate issued by the Chief Inspector for finding it is consistent with the specified standards after the inspection of the electrical equipment in accordance with stipulations.

- (cc) **Electrical Equipment Producer** means a person who produces machines which are generated the electric power, machine parts which are used the electric power and the electrical equipment in accordance with specified standards.
- (dd) **Commission** means the Electrical Supervision Commission which is formed by this Law.
- (ee) **Chief Inspector** means the person appointed by the Ministry with the approval of the Union Government to exercise the duties and powers of this Law.
- (ff) **Electrical Professional Certificate** means a skilled certificate in respect of electricity issued by the Chief Inspector in order to carry out the specified electrical business.

Chapter II

Objectives

3. The objectives of this Law are as follows:
- (a) to achieve further development in the electric power sector, to meet the State electric power demand and to supervise the electrical businesses by managing the electrical matters systematically in line with the Union Government policies;
 - (b) to encourage the production and distribution of large scale electric power that has the right to be managed by the Union in addition the production and distribution of both small and medium scale electric power in Regions and States;
 - (c) to enable to use electric power safely and broadly;
 - (d) to carry out the electrical business in accordance with the specified standards;
 - (e) to encourage the local and foreign investment in the electrical business;
 - (f) to enact fair, transparent and appropriate rules and regulations in order to prescribe the rates of electric power fee which are consistent with current times;
 - (g) to have the right to use the electric power which has the standardized voltage, current, and frequency by the users of electric power and to protect from

- causing damages to the electrical equipment of users due to the electric power which is not consistent with standardization;
- (h) to adhere in accord with the international environmental protection treaties which Myanmar has ratified.

Chapter III

Formation of the Commission and Functions and Duties Thereof

4. The Union Government shall:
- (a) form in order to effectively and successfully carry out the electrical business, with the approval of the Pyidaungsu Hluttaw, the Commission comprising relevant experts led by a suitable person assigned by the President as a chairman;
 - (b) determine the chairman of Commission as the Union level person;
 - (c) form with 5 or 7 members including the chairman in the Commission formed under sub-section (a);
 - (d) specify the terms and procedures of the Commission.
5. The duties of the Commission are as follows:
- (a) tendering necessary advice to the relevant Government department, Government organizations and private organizations in order to develop the electrical business systematically;
 - (b) tendering necessary advice in drawing up the national electric power policy;
 - (c) tendering necessary advice for prescribing the rate of electric power fees in line with the times;
 - (d) if necessary, forming the Electrical Supervision Commission Branch in each Region, State, Self-Administered Division and Self-Administered Zone, and specifying their duties;
 - (e) tendering advice to the Government department, Government organizations and private organizations and private investors for carrying out as may be necessary by monitoring, evaluating, re-assessing and on the findings after making comparisons between the situation of the whole electric power sector against international standards;

- (f) creating the appropriate conditions to invest and to be complied with electric power sector rules for private companies;
- (g) cooperating with State-owned organizations, companies, working groups and other relevant Ministries;
- (h) coordinating with local and foreign experts, organizations for obtaining necessary technologies and know-how to develop the electric power sector;
- (i) overseeing when drafting technical regulations and standardizations of the electric power system;
- (j) cooperating with departments and working groups under the Ministry for enabling to amend the Grid Code which appropriate with the electric power system;
- (k) overseeing to comply service standards which are applicable in their businesses by officials from the Ministry and entities carrying out the electric power supply business;
- (l) intending to monitor, evaluate and re-assess on the electric power sector, analyzing the endeavors of the Government departments, Government organizations, private organizations and private investors which are performing the electrical businesses and the endeavors of the electric power system and the whole electric power sector comparing with the international standardizations, services, work records and reporting the findings to the Union Government;
- (m) carrying out awareness to the public for transparency of information that the public should know among the informations received from the performance of Government department, Government organizations, private organizations and private investors and carrying out educational activities;
- (n) tendering advice to the Union Government relating to inspection matters whether or not it is consistent with the prescribed standardizations in production, importation, exportation, distribution and using of electrical equipment;
- (o) submitting report of the Commission at least six monthly to the Union Government;

- (p) carrying out any other functions and duties of electrical businesses assigned by the Union Government;
 - (q) carrying out the businesses transparently without unbiased way by the Commission.
6. The chairman of the Commission and members who are not civil service personnel shall have the right to enjoy salary, allowance and recompense determined by the Union Government.

Chapter IV

Authorized Persons to Issue Permit and Their Duties

7. The following Government departments and organizations are determined as authorized persons to issue permit:
- (a) Ministry and other relevant Ministry;
 - (b) relevant Region or State Governments;
 - (c) relevant Leading Bodies of Self-Administered Division or Self-Administered Zones.
8. With the approval of the Union Government, the Ministry:
- (a) shall have the right to carry out businesses related to the large scale electric power exploration, construction, generation, transmission, distribution, trading and exchanging which the Union have the right to manage;
 - (b) may, in respect of the electrical business contained in sub-section (a), carry out to grant, supervise and revoke the permit to the persons who desires to invest from the local and foreign country transparently in accord with the existing laws;
 - (c) may form the Electric Power Supply Boards and Electric Power Supply Corporations to operate businesses of exploration, construction, generation, transmission, distribution and trading in respect of the large scale electric power which have the right to be managed by the Union;
 - (d) in forming the Electric Power Supply Corporation under sub-section (c):
 - (i) shall, devolved the capital investment issued by the State, finance, movable and immovable property owned by the department, and assets

and liabilities of the relevant Electric Power Supply Board by the Electric Power Supply Corporation;

(ii) shall carry out financial matters to be independently administered by the Electric Power Supply Corporation;

(e) may have the right to allow to establish the Electric Power Supply Board or Electric Power Supply Corporation which is formed under sub-section (c), as a public corporation at a suitable time in order to operate commercially.

9. (a) The relevant Region or State Government shall, within their respective areas, with the exception of large scale electric power generation and distribution which has the right to be managed by the Union Government, carry out to grant permit, supervise and revoke the permit in accord with the existing law of the generation and distribution of medium and small scale electric power which are not connected to the national grid and to be managed by the Region or State.

(b) The relevant Leading Bodies of Self-Administered Division and Self-Administered Zones shall, for the towns and villages within their respective areas, issue permit, supervise and revoke the permit of the electrical business in accord with the existing laws.

(c) The relevant Region or State Government and relevant Leading Bodies of Self-Administered Division or Self-Administered Zones shall, in carrying out under sub-section (a) or (b), coordinate with the Ministry if it is related to the Union electric power generation and distribution business.

10. In carrying out the electrical business, the Ministry, relevant Region or State Government and Leading Bodies of Self-Administered Division or Self-Administered Zones:

(a) shall have the right to obtain the required amount of land to use in accord with the existing laws;

(b) shall carry out the assessments of environmental and social impacts, the methods to be least impact, the compensation for injuries and the contribution of the environment protection fund in accord with the

- Environmental Conservation Law. Such measures shall also be carried out to abide by the person who has the private business permit;
- (c) shall have the right to carry out for extension, maintenance and transfer and construct the distribution and transmission lines, sub-stations, power plants and related buildings which are constructed and used of the electric power system in accord with the existing laws.

Chapter V

Permit of the Electrical Business

11. The person from local or foreign who desires to invest and operate in any electrical business shall apply to obtain the permit to the authorized person to issue permit in accord with the stipulations.
12. In case of large scale electrical businesses which the Union have the right to manage, the Ministry which has the right to issue the permit may, with the approval of the Union Government, issue the permit to any person or entities who desire to invest from the local or foreign country.
13. In case of medium and small scale electric power generation and distribution business which are not connected to the national grid and the Region or State have the right to manage other than the large scale electric power generation and distribution which the Union have the right to manage, the Region or State Government which has the right to issue permit may issue permit to any person or entities who desire to invest from the local or foreign country in accord with the existing laws.
14. If the permit holder desires to sell electric power to the national grid, he shall apply to the Ministry. The Ministry may allow or refuse such application after scrutinizing.
15. The relevant Leading Body of Self-Administered Division or Self-Administered Zones may issue the permit to any person or entities who desire to invest from the local or foreign country in respect of electrical authority for towns and villages within the respective areas after coordinating with the relevant Region or State Government in accord with the existing laws.
16. The authorized person to issue permit:

- (a) may, when receiving applications under section 11, scrutinize in accord with the stipulations and issue or refuse a permit;
 - (b) shall, in scrutinizing to issue a permit, scrutinize basically or the competitiveness and sustainability of the electrical business based on transparency and fairness. In case of refusing to carry out the business, the applicant shall be informed the refusal.
17. In issuing the permit by the authorized person to issue permit, he shall prescribe the term and renewal period of the permit in accord with the existing laws.
18. The permit holder shall have the right to carry out electric power generation and distribution businesses only if the electrical safety certificate is received from the Chief Inspector.
19. (a) If the permit holder desires to carry out the business contained in the permit jointly with other entities, transfer the business to other entities and sell, mortgage, lease, exchange and give the whole or part of the business contained in the permit, he shall apply to the authorized person to issue the permit in accord with the stipulations;
- (b) The authorized person to issue permit may, when receiving the application under sub-section (a), allow or refuse the application after scrutinizing.
20. The permit holder shall abide by the rules, regulations, bye-laws, notifications, orders, directives and procedures issued by the Ministry in carrying out the electrical business contained in the permit.
21. (a) The permit holder shall, if causes damages and losses to any person and entity for failing to abide by this laws, rules, procedures, regulations, bye-laws, order and directives and failing to abide by the prescribed qualities and standardization, be liable according to law.
- (b) The relevant Ministry shall exactly prescribe the rules and procedures to take action against the matters contained in sub-section (a).
22. (a) The permit holder shall be liable for causing any damage or loss due to the negligence by him to any person or entity.
- (b) The relevant Ministry shall exactly prescribe in the rules and procedures in respect of matters contained in sub-section (a).

23. (a) If damages or losses arise in any electrical business operating by the permit holder to any person or entity due to any force majeure including in the event of natural disasters, he shall not be liable according to law.
(b) The relevant Ministry shall exactly prescribe force majeure events related to electrical business in the rules and procedures.
24. If damages or losses arise to any other electric power user or any electrical business due to negligence of any electric power user, the calculated compensation in accord with the method prescribed by the Ministry for the value of damage or loss shall be paid.
25. The permit holder shall transfer regarding the business to be retransferred in its original form or in accord with the terms and conditions at the time of receiving the permit as agreement to whom it concerns at the end of permission period.
26. The permit holder shall abide by as follows:
 - (a) exploration of electric power shall be carried out in accord with the law;
 - (b) for generation, transmission and distribution of electric power:
 - (i) it shall be generated only the electric power prescribed under the electrical permit in generating the electric power;
 - (ii) it shall be systematically installed, maintained and used the measuring and protective equipment of electric power in accord with the stipulations.
27. In the event of electricity hazard occurs in respect of generation, transmission, distribution and utilization of electric power, the permit holder and the electrical authorized person shall report to the Chief Inspector and in-charge of the relevant department as soon as possible.

Chapter VI

Specification of Quality and Standardizations

28. The permit holder to carry out importing, manufacturing and selling of electrical equipment shall abide by the specification of quality and standardizations of electrical equipment contained in the rules, regulations, bye-laws and procedures issued by this Law.

29. The Ministry shall inspect the specification of quality and standardizations in respect of the factories, equipment installed to them, business buildings, and electrical equipment which are manufactured, imported and sold from the local and foreign country.

Chapter VII

Inspection of Electrical Business and Electrical Equipment

30. The inspection of electrical business and electrical equipment shall be carried out by the Ministry.
31. The Ministry shall appoint an Chief Inspector to carry out inspection of electrical businesses and electrical equipment with the approval of the Union Government. The Chief Inspector shall not be the person who carried out in any electrical business for a commercial purpose.
32. The duties of the Chief Inspector are as follows:
- (a) carrying out safety from electricity hazards and inspection of the quality of electrical equipment;
 - (b) educating to the permit holders the terms and conditions contained in the agreements concluded between the Union Government and the international organizations, and regional organizations and carrying out to be complied;
 - (c) assigning duty to the inspectors who are not carrying out in any electrical business for a commercial purpose to carry out inspection of electrical business and electrical equipment in any area;
 - (d) issuing or withdrawal of electrical professional certificate, certificate of electrical equipment quality inspection and certificate of electrical safety after inspecting in accord with the stipulations;
 - (e) issuing certificate of registration of electric power generation and distribution in accord with stipulations;
 - (f) examining the responsible persons and necessary witnesses in respect of the event of occurrence of electricity hazards;
 - (g) carrying out other inspection duties as assigned by the Ministry and the Commission.

33. The Chief Inspector, Inspectors and persons conferred duty by them have the right to enter and inspect any place or building to perform their duties in accord with stipulations.
34. The Ministry shall establish necessary international standard laboratories to certify the quality in respect of inspection of the electrical business and electrical equipment.

Chapter VIII

Management and Control of Electric Power System Development

35. The Ministry shall:
 - (a) form the electric power control departments in the appropriate places in order to manage systematically the State electric power demand and control of electric power system in accord with the Grid Code as may be necessary;
 - (b) specify duties and functions of the electric power control departments formed under sub-section (a).
36. The Ministry:
 - (a) may establish necessary training schools and train and educate to develop electrical business to be in line with the modern time and to emerge modern technique systems, technicians and experts;
 - (b) may allow to carry out to any other person or entity the business contained in sub-section (a);
 - (c) shall cooperate with Ministries and organizations which carry out the business of rural electrification to implement the power system development management.

Chapter IX

Electrical Standards and Inspection Techniques

37. The Ministry shall issue required standardizations and techniques of inspection for electrical business.
38. The decision of the Ministry regarding the results of electrical standardizations and inspections shall be final and conclusive.

39. The power plants, transmission lines and sub-stations owned by other departments and entity which are to be connected to the electric power system shall be conformed with the standardizations prescribed by the Ministry.
40. The permit holders shall carry out in accord with the rules, standardizations and procedures issued by the Ministry and shall be subjected to necessary inspection of relevant Government department and organizations.

Chapter X

Rates of Electric Power Fee and Service Charges

41. The Ministry has the right to determine regarding the specification of rates of electric power fee and service charges from the users of electric power the appropriate rates of respective region with the approval of the Union Government. Such rates of electric power fee may be adjusted from time to time.
42. The Region or State Governments, Leading Body of Self-Administered Division or Self-Administered Zones have the right to coordinate and prescribe the appropriate rates of respective region with the Ministry regarding the rates of electric power fee and service charges in regional electric power system which are generated and distributed by their own arrangements in their respective regions. Such rates of electric power fee may be adjusted from time to time.

Chapter XI

Right to Take Action of an Authorized Person to Issue Permit

43. An authorized person to issue permit may, if the permit holder violates any by-law contained in the permit or any order or directive issued by whom it concerned, or convicted any offence contained in this Law, take the following actions:
 - (a) imposing a fine;
 - (b) suspending or cancelling the permit for a limited period.

Chapter XII

Prohibitions

44. No person shall operate the electrical business without permit.

45. No permit holder shall operate any other electrical business except the business contained in the permit.
46. No person shall operate the electrical installation and repair without obtaining the electrical professional certificate.
47. No person shall operate the generation, transmission, connection of electric power without obtaining the electrical safety certificate.
48. No person shall operate the importing, manufacturing in the country, exporting, distributing and selling of the electrical equipment which are not consistent with the prescribed norm and standard.
49. No permit holder shall operate the electrical business in collaboration with any other entity without the approval of the relevant department and organization.
50. No permit holder shall sell, mortgage, lease, exchange or transfer by any other means the permit the whole or any part of the business contained in the permit without the approval of the relevant Government department or Government organization which has issued the permit.
51. No person shall operate the construction of building, planting of trees or other activities within the area of the electric line.
52. No person shall connect, waste, utilize the electric power without the permission of the permit holder.
53. No person shall divert the electric current, cut-off the electric power line, destroy any equipment being used in any electrical business.

Chapter XIII

Offences and Punishments

54. Whoever violates the prohibition contained in section 44 shall, on conviction, be punished with fine from a minimum of one hundred thousand kyats to a maximum of five hundred thousand kyats. If he violates subsequently such offence, on conviction, he shall be punished with imprisonment not exceeding one year and shall also be liable to a fine.
55. Any permit holder who violates the prohibition contained in section 45 shall, on conviction, be punished with fine from a minimum of one hundred thousand kyats to

a maximum of five hundred thousand kyats. If he violates subsequently such offence, on conviction, he shall be punished with imprisonment from a minimum of one year to a maximum of three years and shall also be liable to a fine.

56. Whoever violates the prohibition contained in section 46 shall, on conviction, be punished with fine from a minimum of fifty thousand kyats to a maximum of three hundred thousand kyats.
57. Whoever violates the prohibition contained in section 47 shall, on conviction, be punished with fine from a minimum of three hundred thousand kyats to a maximum of one million kyats.
58. Whoever violates the prohibition contained in section 48 shall, on conviction, be punished with imprisonment from a minimum of one year to a maximum of three years and with fine no less than three million kyats. The exhibits related to the offence shall be destroyed.
59. Any permit holder who violates the prohibition contained in section 49 shall, on conviction, be punished with fine from a minimum of one hundred thousand kyats to a maximum of five hundred thousand kyats. If he violates subsequently such offence, he shall be punished with imprisonment not exceeding one year and shall also be liable to a fine.
60. Any permit holder who violates the prohibition contained in section 50 shall, on conviction, be punished with fine from a minimum of one hundred thousand kyats to a maximum of five hundred thousand kyats. If he violates subsequently such offence, he shall be punished with imprisonment from a minimum of one year to a maximum of three years and shall also be liable to a fine.
61. Whoever violates the prohibition contained in section 51 shall, on conviction, be punished with fine from a minimum of one hundred thousand kyats to a maximum of three hundred thousand kyats. If he violates subsequently such offence, he shall be punished with imprisonment not exceeding three years and shall also be liable to a fine.
62. Whoever violates the prohibition contained in section 52 shall, on conviction, be punished with fine from a minimum of one hundred thousand kyats to a maximum of three hundred thousand kyats. If he violates subsequently such offence, he shall

be punished with imprisonment not exceeding two years and shall also be liable to a fine.

63. Whoever violates the prohibition contained in section 53 shall, on conviction, be punished with imprisonment from a minimum of five years to a maximum of ten years and shall also be liable to a fine.
64. Whoever abets or conspires to violate the prohibitions contained in this Law shall, on conviction, be punished with the punishment provided for such offences.

Chapter XIV

Damages and Compensation

65. The person who commits any offence contained in sections 54, 55, 56, 57, 58, 59, 60, 61, 62 and 63 shall, if he causes any loss and injury to the person having a permit holder due to his commission, pay damages calculated as the means prescribed by the Ministry for the amount of the injury and loss.
66. The damages prescribed under section 65 shall be collected in accord with the stipulations.
67. Whoever acts to cut off the transmission and distribution of electric power, shall pay damages the amount calculated equal to the loss amount of electric power as the means prescribed by the Ministry.
68. If a person is injured, or disabled or killed by the electric shock or outbreak of fire due to negligence or default of the permit holder or the person designated by him, the aggrieved person shall have the right to claim for compensation from the permit holder as follows:
 - (a) if the aggrieved person is applied to the existing Workmen's Compensation Act, the compensation prescribed under such law;
 - (b) if the aggrieved person is not applied to the existing Workmen's Compensation Act, the compensation prescribed by the rules issued under this Law.

Chapter XV

Appeal

69. Any person who is dissatisfied in respect of the order to pay damages and compensations passed under sections 65, 66 and 67 may appeal to the Minister within 30 days of receiving the order.
70. The Minister may amend, cancel and confirm the order in the appeal under section 69.

Chapter XVI

Miscellaneous

71. The offences contained in this Law are determined as cognizable offences.
72. To enable to implement the provisions contained in this Law:
 - (a) the Ministry may, with the approval of the Union Government, issue rules, regulations and by-laws;
 - (b) the Ministry, Commission and Government departments and Government organizations assigned duty by the Ministry may issue necessary notifications, orders, directives and procedures.
73. The rules, regulations, by-laws, orders, directives and procedures issued by the Board of Yangon City Electric Power Supply Law and the Electricity Law (The Phyithu Hluttaw Law No. 7, 1984) may be applied in so far as they are not contrary to this Law.
74. The Electricity Law (The Phyithu Hluttaw Law No. 7, 1984) is hereby repealed by this Law.

I hereby sign in accord with the Constitution of the Republic of the Union of Myanmar.

(Sd.) Thein Sein

President

Republic of the Union of Myanmar