

The Union of Myanmar

The State Peace and Development Council

The Law Amending the Prevention and Control of Communicable Diseases Law

(The State Peace and Development Council Law No. 16 / 2011)

The 8th Waning of Pyatho, 1372 M.E.

(27th Jaunary, 2011)

The State Peace and Development Council hereby enacts the following Law:-

1. This Law shall be called the Law Amending the Prevention and Control of Communicable Diseases Law.
2. The respective expression "principal" contained in the expression "Principal Epidemic Disease" of the Prevention and Control of Communicable Diseases Law shall be deleted.
3. In section 2 of the Prevention and Control of Communicable Diseases Law:
 - (a) after the expression "from animal to man" contained in sub-section (a), the expression "through blood and blood products to man, and through utensils to man, and through food to man, and through vectors such as mosquito, fly, flea to man" shall be inserted.
 - (b) after the expression "Acquired Immunodeficiency Syndrome (AIDS)" contained in sub-section (b), the expression "Severe Acute Respiratory Syndrome (SARS) and Avian Influenza" shall be inserted.
 - (c) sub-section (d) shall be substituted as follows:

"(d) Refuse means garbage, food remnants, foul water, sluggish water, carcass of animal, dust, smoke, biological substance, chemical substance and radioactive substance emitted from mills and factories, blood, sputum, pus, saliva, urine, faeces and part of the body from man and animal."
 - (d) sub-section (e) shall be substituted as follows:

"(e) Food means readily consumable or drinkable or chewable things by man. This expression also includes modified materials for eating, drinking or chewing and raw materials and addictive materials for production of food."
 - (e) sub-section (g) shall be substituted as follows:

"(g) Health Personnel means a person who is assigned to perform the public health activities in the Ministry of Health and other respective government departments and organizations."
 - (f) sub-section (h) shall be substituted as follows:

"(h) Traditional Medical Practitioner means any person qualified in traditional medicine and registered under the Traditional Medical Council Law."
 - (g) after sub-section (h), sub-sections (i),(j) and (k) shall be inserted as follows:

"(i) Communicable disease surveillance and response means carrying out activities for prevention, treatment and control of communicable disease including

collection of diseases occurrence information, necessary medical examination for patient and contact persons, laboratory investigation, isolation, post mortem examination if required, prohibition or restriction of movements in order to prevent occurrence and outbreak of communicable disease and to control the spread thereof.

- (j) Isolation means separation and treatment of man, animal and separation of vehicle and other materials for prevention of diseases spread and control thereof when it occurs.
- (k) Prohibition and restriction of movements mean prohibition and restriction of the movement of men, animals, vehicles for prevention of diseases spread and control when necessary."

4. Chapter II of the Prevention and Control of Communicable Diseases Law shall be substituted as follows:

"CHAPTER II

Prevention and Response

- 3. (a) In order to prevent the outbreak of communicable diseases, the Department of Health shall implement the following activities systematically under the guidance of the Ministry of Health:
 - (i) immunization of children by injection or orally;
 - (ii) immunization of those who have attained eligible target group including adult by injection or orally, when necessary;
 - (iii) carrying out health education activities relating to communicable disease;
 - (iv) carrying out the activities of surveillance, prevention and control concerning communicable disease;
 - (v) carrying out the activities of medical examination for prevention of communicable disease in cross-border entrance and exit of the country, international airport, seaport, other necessary airport, seaport and bus terminal;
 - (vi) prohibition or restriction of movements at home, hotel, motel and guest house;
 - (vii) isolation of infected person of communicable disease or suspect of being infected therewith;
 - (viii) carrying out the activities of spraying, immunization by injection or orally and environmental sanitation necessary for prevention and control according to communicable diseases;

- (ix) giving advice to and coordinating with relevant Government departments, organizations and non-governmental organizations for construction of healthy housing, obtaining safe drinking water and fresh water for use, proper waste disposal in order to prevent occurrence of communicable disease for workers who are carrying out activities of social and economic development;
 - (x) carrying out other functions prescribed by the Ministry of Health, from time to time.
 - (b) When it is found that the Epidemic Disease or Notifiable disease is infectious and spreadable from one country to another quickly, the Ministry of Health shall carry out in conformity with International Health Regulation (IHR) issued by the World Health Organization.
4. The public shall comply with the measures undertaken by the Ministry of Health and the Department of Health under section 3 in respect of prevention of the occurrence and spread of communicable disease and control thereof."
5. In section 5 of the Prevention and Control of Communicable Diseases Law :
- (a) sub-section (e) shall be substituted as follows:
 - "(e) causing disinfection and disinfestation of the disease agents or disease carrying agents."
 - (b) after the expression "food suspected of causing" contained in sub-section (i), the expression " animal and animal products" shall be inserted.
6. After the expression "Government department" contained in section 7 of the Prevention and Control of Communicable Diseases Law, the expression "Governmental organization" shall be inserted.
7. Section 9 of the Prevention and Control of Communicable Diseases Law shall be substituted as follows:
- "9. When the head of the household, any member of the household or any entrepreneur knows the occurrence of any of the following matters, he shall report immediately to the nearest health department or hospital :
- (a) enmasse death of animals including chicken and birds;
 - (b) rat fall;
 - (c) suspicion or occurrence of epidemic disease;
 - (d) occurrence of notifiable disease."
8. The expression "health assistants" contained in section 10 of the Prevention and Control of Communicable Diseases Law shall be substituted by the expression "health personnel".
9. Sub-sections (d) and (e) contained in section 11 of the Prevention and Control of Communicable Diseases Law shall be substituted as follows:
- "(d) other necessary investigation;
 - (e) prohibition of the right of movement of the vehicle carrying animal or animal product suspected of having epidemic disease."

10. After the expression "Department of Health" in section 13 of the Prevention and Control of Communicable Diseases Law, the expression "and the Ministry of Health" shall be inserted.

11. After sub-section (e) of section 14 of the Prevention and Control of Communicable Diseases Law, sub-section (f) shall be inserted as follows:

"(f) right of movement of the vehicle carrying animal or animal product suspected of having epidemic disease."

12. In the Prevention and Control of Communicable Diseases Law -

(a) section 15 shall be substituted as follows:

"15. Whoever fails to comply with any of the measures undertaken by the Ministry of Health and the Department of Health under section 4 shall, on conviction be punished with fine not exceeding five thousand kyats."

(b) the expression "which may extend to kyats 10000" contained in section 16 shall be substituted by the expression "not exceeding fifty thousand kyats".

(c) in section 17:

(i) the expression "the head of the household or any member of the household" shall be substituted by the expression "the head of the household, any member of the household or any entrepreneur" and the expression "health assistant" shall be substituted by the expression "health personnel", respectively.

(ii) the expression "which may extend to kyats 5000" shall be substituted by the expression "not exceeding kyats thirty thousand".

(d) the expression "which may extend to kyats 10000" contained in section 18 shall be substituted by the expression "not exceeding fifty thousand kyats".

13. After the expression "Acquired Immunodeficiency Syndrome (AIDS)" contained in section 20 of the Prevention and Control of Communicable Diseases Law, the expression ",epidemic diseases" shall be inserted.

Sd./ Than Shwe

Senior General

Chairman

The State Peace and Development Council

The Union of Myanmar

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